



**Wekiva River Basin
Commission**

**Wekiva River Basin Commission Meeting Minutes
January 12, 2007
1:30 pm – 4:00 pm**

East Central Florida Regional Planning Council
631 North Wymore Road, Suite 100, Maitland, Florida 32751

1. Call to Order and General Business

The meeting was called to order by Senator Lee Constantine at 1:52 p.m. Ms. Ruth Little called the roll and announced that a quorum was present. The following members were in attendance:

Senator Lee Constantine, Chair – Senator, Florida Senate District 22
Mayor James Yatsuk – City of Mount Dora Mayor
Mr. William Battaglia – Battaglia Fruit Company
Mr. Charles Lee – Senior Vice-President, Florida Audubon Society
Ms. Lynette Jacobs for Commissioner Teresa Jacobs – Orange County Commissioner
Mr. Vince Sanderfelt for Mayor John Land – City of Apopka Mayor
Commissioner Steve Wolfram – City of Altamonte Springs Commissioner
Mr. James Stansbury – Florida Department of Community Affairs
Mr. Mike Snyder for Allan Keen – Orlando/Orange County Expressway Authority
Mr. Gary Johnson – Executive Director, Seminole County Expressway Authority
Mr. Jody Lee for Mr. Charles Aller – Director, Office of Agricultural Water Policy, Florida Department of Agriculture and Consumer Services
Mr. Mark Hooks – Florida Department of Health
Dr. Bonita Sorensen – Deputy State Health Officer, Florida Dept of Health
Commissioner Brenda Carey – Seminole County Commissioner
Ms. Noranne Downs – Florida Department of Transportation
Mr. Dennis David – Florida Fish and Wildlife Conservation
Ms. Vivian Garfein – District Director, Florida Department of Environmental Protection
Mr. Harold Barley – Executive Director, Metroplan Orlando

ON A MOTION MADE AND SECONDED, the July 28, 2006 minutes were accepted.

2. Status Reports on Current Agency Activities

Florida Department of Agriculture and Consumer Services – *Mr. Jody Lee*

Mr. Lee informed the Commission that the state-wide nursery manual is in progress, with the sod manual to follow. The Ridge Citrus Manual will apply to all citrus operations. Lake

County recently approved changes to their Comprehensive Plan to protect agriculture in the study area. The next steps for the Department will be verification and implementation of all manuals.

Florida Department of Transportation (FDOT) – Ms. Noranne Downs

Ms. Downs updated the Commission on the work being done between the Expressway Authority and consultants. The study has gone well, including right of way issues and alternatives. Preliminary hearings have been set for April and May. The biggest remaining issue from FDOT is funding.

Orlando/Orange County Expressway Authority - Mr. Mark Callahan

Mr. Callahan began with the report with a breakdown of each county. In *Orange County*, plans include upgrading the SR 46 corridor to four-lane or six-lane with controlled access. The location of interchanges has been a key consideration. In a slide presentation, several options were explained to the Commission and Mr. Callahan informed that a meeting is scheduled with Orange County staff for their input with the goal of finalizing decisions in the coming weeks.

The tie-in between SR46 and 441 in *Lake County* is being worked out with the City of Mt. Dora. Several “flyover” possibilities were illustrated. In the eastern portion of Lake County, significant bridging will be needed near the Neighborhood Lakes property. There have been concerns from residents in the Country Estates development because of plans that position the road near the neighborhood. Other alternatives present problems with the guiding principles of the Wekiva Protection Act. The FDOT will be recommending the two alternatives with the western-most roads.

In *Seminole County* the tie-in to I-4 at 417 is the critical element while ensuring traffic flow on 46. Two neighborhoods will be impacted, and access to an RV resort. Right of way issues, a gas main on the north side and subdivisions on the south side all present challenges to the placement of this portion of the road and the design of interchanges. The department is still formulating its recommendation.

Mr. Charles Lee commented on the Audubon Society’s participation in the process and complimented the FDOT, the OOCEA, and consultants on a good, inclusive and transparent process.

Mr. Mike Synder of the OOCEA updated the Commission on land acquisition activities. Four parcels have been identified for acquisition. Some will be used in road construction; the balance will be held in reserve. The lynchpin property is Neighborhood Lakes. With tremendous support and cooperation from property owners, the OOCEA now has the approval of the Governor, the Cabinet and the OOCEA board for an expected February closing. Other parcels are not directly impacted, but will continue to communicate with property owners for possible future protection acquisition.

Senator Constantine expressed the importance of the Expressway Authority and the owners continuing to work to an agreement before the 2010 target. The Senator applauded the

agencies involved in the process and noted the unique way that all these agencies have worked together -- local , state and federal-- to acquire the property as well as build the road. Senator Constantine stated that the work of this Commission is being used as a model in many areas of the state.

Florida Fish and Wildlife Conservation Commission – *Mr. David Dennis*

Mr. Dennis updated the Commission members on the continuing goal of his agency to provide support and information. With no new information to report, Mr. David voiced his agreement with the proposed alternatives for road alignment through the Seminole Forest.

Florida Department of Environmental Protection – *Ms. Vivian Garfein*

Ms. Garfein introduced Ms. Christianne Ferraro, Program Administrator. Ms. Ferraro discussed waste water rule making and the required tiers of treatment for nitrates. According to the Wekiva Parkway and Protection Act, the Total Maximum Daily Load standards must be adopted by December 1, 2006. The date has passed, but the goal is very close to completion. Ms. Ferraro reviewed several lakes and springs in the study area and explained the Total Maximum Daily Loads (TMDL) for each. Some bodies of water in the region which were previously listed as impaired have been removed from the list as they are now categorized as not impaired. There will be a three-week public notice period for challenges, which will also include public meetings and presentations.

St. Johns River Water Management District – *Mary Brabham, P. E.*

Ms. Bradham reminded members that at the last meeting Rob Matson had just completed the load reduction goal. Since that time Rob has worked with Nancy Christman and others to share information through civic groups and other public forums. Studies continue to solidify TMDL information . The Wekiva Recharge Rule was revised and went into effect early December 2006.

3. Discussions of Key Reporting Timelines

Florida Department of Community Affairs' Adoption of Land Development Regulations pursuant to Recommendation 14 of the Final Report – *James Stansbury, FDCA*

Mr. Stansbury reported that there are two components to the comprehensive approach to land use. First is the adoption of a Comprehensive Plan that addresses land use and open space requirements, as well as waste water and storm water. Second, once amendments are adopted, the local government goes into the details in the form of land development regulations (LDRs). Many local governments have adopted Comprehensive Plan Amendments and are moving forward with adopting land development regulations. DCA has received LDRs from approximately four local governments. DCA continues to try and provide technical assistance as well as financial assistance to local governments to aid in drafting these regulations.

The question was brought up regarding local governments' reliance on DCA rules for land development. The issue of a 50% open space requirement was specifically challenged since it is not in the Florida statutes, but it appears in many DCA recommendations. Mr. Stansbury answered those concerns by explaining that the DCA put together model plans in response to

requests from local governments for guidance. Some local governments have taken that model for adoption. It is not the intention of the DCA to regulate 50% open space, it is simply in the model and is one strategy for protecting ground water recharge. The DCA has been coordinating with staff from SJRWMD and the ECFRPC and both agree on the need for a “Wekiva Day” to schedule meetings with local governments and address these concerns and others.

Florida Department of Health’s Rulemaking Activities on On-Site Disposal Systems Treatment Standards pursuant to Recommendation 9 on the Final Report– Dr. Bonita Sorenson

Dr. Sorensen introduced Elke Ursin to present for the Department of Health. Ms. Ursin reported that the Department of Health was allotted \$250k to conduct study on nitrogen levels in the Wekiva study area. The nine-member review committee has met five times since May 2006, with no rule making until the study is complete. The time frame has been pushed back, but field sampling will begin in 1-2 weeks beginning with sites in Seminole County, then Lake and Orange. The timeline calls for draft reports in April, presentation of final reports in May, and final report to the Governor’s office in June of 2007. The next Research Review & Advisory Committee meeting is February 6 at Sylvan Lake Park in Sanford.

There were several questions from the floor regarding the selection of the septic systems to be evaluated. Ms. Ursin explained the site selection criteria, and Mr. Hooks explained that the Department has detailed information from 1970. Ms. Ferraro outlined the legislative guidelines of the study and funding, which included coordination with the St. Johns River Water Management District, consultants, and a larger study of the entire spring shed and drainage basin which includes the Wekiva study area. At the “midpoint” meeting in December, progress was on track, and with additional data gathering and refinement of information, the Department expects to complete the task in March.

4. Future Meeting Dates

Senator Constantine noted the busy schedule for the Parkway and Protection Act in the months of March and April including public hearings with the Expressway Authority and Department of Transportation, reports coming out from the Department of Environmental Protection and Department of Health. He therefore recommended another meeting of the Wekiva River Basin Commission near the end of June. Since January 26 is the deadline for bill drafting, there will be no recommendations for changes in the Parkway and Protection Act.

5. Public Comment

The floor was opened to public comment and Mr. Keith Schue of The Nature Conservancy (TNC) was recognized. Mr. Schue complimented the agencies involved in this legislation. Acquisitions that alone were not possible can be made when working together. He specifically noted that Robert Christiansen was instrumental in the recent acquisition. TNC concurs with the decisions regarding placement of the highway 46A and supports the concept of two separate interchanges. If the intent is to take the traffic out of 46 and onto the

parkway, the concept of a parallel road defeats the purpose. Additionally, design of the access from 46 to the Parkway from the primary interchange near neighborhood lakes, needs minimum infrastructure on the forest side, preferably without having to come to a full stop.

Mr. Schue also commented on the earlier open space discussion relative to comprehensive planning. We have seen good examples of conservation subdivisions. Conventional percentages are about 25% and a higher goals approaching 50% can be aspired to. Recommendation 14 talks about incentives for open space. Growing awareness for open space is at the public level too, with a recognition of increases in open space in exchange for modest increases in density, citing the city of Eustis.

Mr. Doug Everson was recognized next. Mr. Everson is a land owner in the Wekiva Basin Area in Lake County and is in favor of septic tank research. He noted that when time frames are mentioned in the committee meetings that he has attended, it seems that the money allocated is insufficient for a long range study. Mr. Everson voiced his support for the Senator to do what needs to be done to obtain additional funding for this worthy research.

6. Adjournment

Senator Constantine thanked everyone for their input. Mr. Battaglia made a motion for adjournment. The motion was seconded, passed, and the meeting was adjourned at 3:52 p.m.