



**Wekiva River Basin  
Commission**

**Wekiva River Basin Commission Meeting Minutes  
February 10, 2012  
1:30 PM**

East Central Florida Regional Planning Council  
309 Cranes Roost Blvd. Suite 2000 Altamonte Springs, FL 32701

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**1. Call to Order and General Business**

Chairman Constantine called the Wekiva River Basin Commission Meeting to order at 1:32 pm. Ms. McCue called the roll and announced that a quorum was present. The following members were in attendance:

**Chairman Lee Constantine** – Chairman

**Mr. William Battaglia** – President, Battaglia Fruit Company

**Commissioner Brenda Carey** – Commissioner, Seminole County

**Mayor John H. Land** – Mayor, City of Apopka

**Mr. Charles Lee** – Senior Vice President, Florida Audubon Society

**Mr. Max Crumit** – Executive Director, Orlando/Orange County Expressway Authority

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

**Mr. Brett Blackadar** – Seminole County Expressway Authority

**Mr. Bart Harriss for Mr. Gerald Briggs** – Chief Bureau, Onsite Sewage Programs, Florida Department of Health

**Ms. Noranne Downs** – District Secretary, Florida Department of Transportation

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

**Ms. Vivian Garfein** – District Director, Florida Department of Environmental Protection

**Mr. Hans Tanzler** – Executive Director, St. John's River Water Management District

**Mr. Harold Barley** – Executive Director, Metroplan Orlando

The minutes of the November 7, 2011 Wekiva Commission Meeting were presented for approval. Mayor John Land made a motion to approve the minutes and Commissioner Brenda Carey seconded this motion. All were in favor and the motion passed.

**2. Chairman's Report**

Chairman Constantine announced that the 2011 Wekiva River Basin Commission Annual Report was completed and provided to Commission. He presented an overview of his discussion with the appropriations committee and Mr. Briggs concerning the funding of the FDOH Nitrogen Study. Chairman Constantine also discussed the approval of the Wekiva River Parkway funding proposal by the Metroplan Orlando board. Chairman Constantine welcomed Mr. Hans Tanzler, Executive Director of the SJRWMD, and Mr. Max Crumit, Director of the OOCEA, and provided a background as to the origination of the Wekiva River Basin Protection Act, the Wekiva River Basin Commission and its mission. Chairman Constantine informed the

Commission that he has contacted the Governor's Office, specifically the Chief of Staff, concerning the corrections of the appointments to the Wekiva River Basin Commission.

Mayor Land thanked Chairman Constantine for steering the group, serving as Chair on the Commission as well as other relevant Wekiva committees. He spoke to how the efforts and success of the Wekiva Commission can be used as a model across the state.

The Chairman thanked Mayor Land and stated that it was appropriate for Mayor Land to make the motion for approval of the Wekiva Parkway funding proposal.

Chairman Constantine recognized that many of the commission members have been a part of the process for 9 years. He recognized and presented plaques to Mr. Kirby Green, Mr. Mike Snyder and Ms. Vivian Garfein and expressed his sincere thanks for these individuals who have been dedicated servants for years.

Chairman Constantine again welcomed Mr. Tanzler and Mr. Crumit who then provided their own introductions.

## **2. Current Agency Activities and Legislative Report**

### **St. Johns River Water Management District –*Mr. Hans Tanzler***

Mr. Tanzler provided an update for the SJRWMD stating that they are currently working off their 1/3 mil ad valorem revenue and pending legislation may affect future revenue sources. He discussed how their applicants are tax payers and it is the goal of the WMD to help good projects be successful.

### **Florida Department of Agriculture and Consumer Services (FDACS) – *Mr. Jody Lee***

Mr. Lee thanked Ms. Garfein, Mr. Snyder and Mr. Green for all their work with the Wekiva. He provided an update on the three manuals and stated that the Equine manual should be adopted next month. The Department is continuing their work to consolidate the citrus and nursery manuals and is in the early stages of developing a wildlife management bmp manual. The Department continues to work with FDEP to enroll growers and is working with various agencies to implement the BMPs. They are currently working to verify land use data.

Mr. Constantine announced that Mr. Barr, a long supporter of *Keep Wekiva Beautiful*, passed away. His memorial will be February 25<sup>th</sup> and more information will be forwarded to the Commission when it becomes available.

### **Florida Department of Transportation-*Ms. Noranne Downs***

Ms. Downs began by thanking Ms. Garfein, Mr. Snyder, and Mr. Green for their continued work with the Wekiva Parkway. She announced the Parkway funding plan is going to OOCEA for approval. The determination of a FONSI, the parkway location, and design concept are currently under review.

### **Orange Orlando Expressway Authority –*Mr. Max Crumit***

Mr. Crumit announced that the OOCEA and FDOT agreed to the MOU (Memorandum of Understanding) which will go to the Board on Feb. 22<sup>nd</sup>. Once the FONSI (Finding of No Significant Impact) is received, the Parkway will be underway.

Mr. Harry Barley reminded the Commission that the Lake Sumter MPO also approved the funding plan.

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

Mr. David offered thanks to Ms. Garfein, Mr. Snyder and Mr. Green. He reported the Department submitted a positive letter of review on February 6<sup>th</sup>.

**3. Discussion of Key Reporting Timelines and Legislative Report**

**Florida Department of Economic Opportunity Adoption of Comprehensive Plan Amendments and Land Development Regulations Pursuant to Recommendation 14 of the Final Report**

Chairman Constantine presented the report submitted to the Commission from Mr. James Stansbury of DEO. The letter is attached to the minutes of this meeting and reports that the City of Eatonville is working to rescind the amendments and adopt new amendments to be in compliance.

**Florida Department of Health, Rulemaking Activities Related to On-Site Disposal Systems Treatment Standards Pursuant to Recommendation 9 of the Final Report – Mr. Bart Harriss**

Mr. Harriss reported that \$1.5 million is needed to complete the nitrogen study and the Department has submitted background on the funding need to the Legislature. The study is projected to be completed in 2014. Once study is completed, the department will determine what rules or standards need to be written.

Chairman Constantine asked to be notified if any further response is necessary. He discussed the pending spring legislation for 1<sup>st</sup> Magnitude Springs and based on conversation with legislators, legislation will not supersede the Wekiva Protection Act.

Status report for the Nitrogen Study: <http://www.myfloridaeh.com/ostds/research/Nitrogen/01-2012Update/ProgressReportFinal.pdf>

**Florida Department of Environmental Protection, Establishment of Total Maximum Daily Loads Pursuant to Recommendation 5 of the Final Report – Ms. Vivian Garfein**

Ms. Garfein thanked the Commission. She spoke to the honor and privilege it was to serve on the Commission. Ms. Garfein addressed the TMDL and Basin Management Action Plans and announced that the working committee will meet in 2 weeks at the City of Altamonte Springs Council Chambers. She presented a map of the springs and Parkway alignment. FDOT and FDEP have identified a mitigation issue in which FDOT's position is that the purchase of the conservation properties and FDOT's share constitutes their mitigation, and no additional credits will be bought into mitigation areas and Wekiva area. The permits can't be signed until it is worked out. FDEP's position is that the property bought for mitigation is to offset cumulative impacts and not for direct and secondary impacts for building the roads. Ms. Garfein questioned if anyone else has recollection of the agreement.

Discussion continued on the legislation and the mitigation issue. Mr. Charles Lee read from statue. Chairman Constantine discussed the Seminole Woods property remaining undeveloped for mitigation purposes and the purchased properties were for the mitigation of long term cumulative impacts. Ms. Downs stated that they will get it worked out.

#### **4. Other Business**

Mr. Charles Lee, a member of the Wekiva River Scenic Advisory Committee, reported on the Wekiva Management Plan. A dedication ceremony and celebration of the Wekiva Scenic River will be held on May 17<sup>th</sup> at the Wekiva Springs State Park from 10 am – 12 pm. Mr. Lee acknowledged Ms. Nancy Prine and Chairman Constantine for their work with the Wekiva.

#### **5. Announcements**

Memorial for Mr. Barr on February 25<sup>th</sup>.

Wekiva Ceremony on May 17<sup>th</sup> at Wekiva Springs State Park.

Ms. Tara McCue will provide the Commission with a copy of the Wekiva River Protection Act.

Mayor Land announced the Old Florida Outdoor Festival being held in Apopka.

#### **6. Public Comments**

No public comments

#### **7. Future Meeting Dates**

The next meeting will be scheduled before the fall or sooner if necessary.

#### **8. Adjournment**

Chairman Constantine adjourned the Wekiva River Basin Commission Meeting at 2:33 pm.