

**Butler Chain of Lakes Advisory Board (BCLAB)  
Windermere Water and Navigation Control District (WWNCD)  
Regular Meeting**

**Orange County - Windermere Library  
September 16, 2013**

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**Board Members Present:** Cheryl Miller (Chair) and Ijaz Ahmed

**Board Members Absent:** Ann Connolly (Vice Chairperson), Robert Binkley and Jason Fulmer

**Staff & Guests:** Sergio Duarte, Orange County Environmental Protection Division (EPD) and Lieutenant Jeff Hudson, Butler Marine Patrol.

**Residents:** Lori Bradford

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**I. Call Meeting to Order**

No quorum was achieved for the BCLAB meeting. Meeting started at 6:08 p.m.

**II. Butler Marine Patrol Report:**

Lt. Hudson presented the following report for August 2013:

Total Patrol Hours	149
Uniform Boating Citations	4
Warnings Issued	42
Vessels inspected	97
Disabled Vessels Assisted	3

**III. EPD Report**

**1. Lake Burden Water Levels Update:**

Mr. Duarte distributed copies of Dick Radkewich's e-mail dated September 16, 2013, stating that he was not going to be able to attend the Advisory Board Meeting to discuss the high water levels at Lake Burden. Mr. Duarte stated that Mr. Radkewich is under the impression that the Windermere Water and Navigation Control District (WWNCD) has the responsibility or authority to regulate the water levels at the taxing districts lakes, and therefore be able to address the current high water level problem at Lake Burden.

Mr. Duarte stated that the WWNCD no longer has regulatory control over "water control structures / lake water levels", as they did prior to the creation of the water management districts in 1972 under the Florida Water Resources Act (Chapter 373). Mr. Duarte explained that in 1976, the state approved a constitutional amendment giving the water districts the authority to handle permits & regulation related to the elevation of lake's water control structures. Mr. Duarte added that the Advisory Board could initiate a discussion on the Lake Burden water control structure/water levels, but the South Florida Water Management District is the only state agency with authority to properly address, permit or mandate structural changes or corrections on this issue.

**2. Update: Lake Down Sub-basin 9 Study:**

Mr. Duarte presented the latest AMEC - Progress Report on the Lake Down Sub-basin 9 Study, and stated that several retention ponds listed in sub-basin 9 do not discharge into Lake Down; and that the pollutants appear to be coming from groundwater sources and/or the wetland off Apopka - Vineland Road. Mr. Duarte stated that the existing wetland off Apopka - Vineland Road already has a low head weir that could be improved to restore the hydro period and/or water retention time to treat the pollutants flowing into Lake Down.

**3. Revised: Butler Chain of Lakes Advisory Board Newsletter:**

Mr. Duarte presented a revised Butler Chain of Lakes Advisory Board Newsletter and stated that further review by Orange County staff resulted in changes to the format and length of the articles. Mr. Duarte stated that the "Orange County - Graphics Section" in Orange County will handle the completion of the BCLAB Newsletter, as well as the printing/mailing, instead of using an outside contractor. Mr. Duarte stated that a new draft of the newsletter will be submitted for the Advisory Board approval at the next meeting in either October or November 2013.

**4. Update: Lake Down Alum Treatment Facility:**

Mr. Duarte stated that Orange County Real Estate Management communicated that the closing of the two drainage easements in the amount of \$15K is still pending. Mr. Duarte stated that Orange County Public Works is already working on the bid package, with the goal to open the bid in October or November 2013 if the purchase of the drainage easement is completed.

**IV. New Business:**

**1) Tussock Removal at Fish Lake:**

Mr. Duarte stated that a tussock removal will be scheduled with Aquatic Weed Control Inc. at Fish Lake at the beginning of October 2013. Mr. Duarte explained that a tussock is a floating mass composed of muck, algae and different types of plants. Mr. Duarte added that the tussock drifted from the wetland area at the southern end of the Butler Chain and is now anchored among water lilies at the north side of Fish Lake.

**2) Future Land Use Map Amendment and Land Use Plan for the Keene's Pointe Community Association:**

Lori Bradford discussed the proposed change to the current Keene's Pointe PD Land Use Plan (Case CDR-13-07-190) to allow the use of the existing 1,800 square foot office building, 2,278 square foot recreation pavilion, outdoor recreation court and boardwalk trailhead for the Keene's Point (KP) Community Association office services, and activities and community recreation. Mrs. Bradford stated that the KP site is under a rural settlement 1/1 designation (1 home per acre) and is being proposed to change to PD-Office/Park and Recreation/Open space / Rural Settlement.

Mrs. Bradford added that this is the first time that this land use change is being proposed around the Butler Chain of Lakes, and that she is concerned with opening the doors to ~~a~~ more-commercial office use of this KP parcel and the Butler Chain of Lakes. Mrs. Bradford added that this “Future Land Use Map Amendment and Land Use Plan for the Keene’s Pointe Community Association” will be discussed by the Planning and Zoning Commission on October 17, 2013 and the Board of County Commissioners on November 19, 2013. Mrs. Bradford recommended that the BCLAB issue a letter on this commercial office use precedent; but no quorum was present. The discussion on this letter was table for the Advisory Board meeting on October 21, 2013.

- V. **Old Business:** none
- VI. **Scheduling of the Next Meeting on Monday, October 21, 2013**
- VII. **Meeting adjourned at 7:38 p.m.**