

April 21, 1972

Agreement to Establish the Oklawaha River Basin Improvement Council

Congressman Lou Frey, Jr. of Orlando joined by Congressman Bill Chappell and Congressman Don Fuqua proposed on November 22, 1971, the establishment of the Oklawaha River Basin Improvement Council. Today, the Agreement is being formally signed by the participant members and the first organizational meeting is being held.

The Oklawaha River Drainage Basin originates about ten miles north of Orlando and terminates in the St. John's River. The Basin incorporates eight major central Florida lakes: Apopka, Beau Clair, Dora, Harris, Eustis, Yale, Griffin and Oklawaha. Gourd Neck Springs, which is at the extreme western end of Lake Apopka, is considered to be the head waters of the Oklawaha Basin. Waters in the system flow generally in a northerly direction.

Lake Apopka, the fourth largest lake in Florida, and the largest in the Oklawaha Basin was at one time a multi-million dollar recreational resource for the people of Florida. It was renowned as an excellent bass and sport fishery lake. Similarly, Lakes Beau Clair, Dora and Eustis also produce substantial recreational and economic benefits to central Florida.

All these lakes are dying due to eutrophication. This aging or eutrophication process is brought about by the addition of nutrients (fertilizers). A primary source of excess nutrients in these lakes are: (1) sewage treatment plant effluent; (2) waste from citrus processing plants; (3) run-offs from the 18,000 acres of muck farming operations bordering the lakes; (4) the chemical treating of the many acres of water hyacinths; and (5) the selective killing of shad.

As a result of this eutrophication process taking place for the past twenty-five years, the biological structure of the five lakes mentioned above has changed to such an extent that the sport fishing industry and the recreational use of these lakes has been lost. Huge algal concentrations and silt deposits are choking the lakes. Apopka for all intents and purposes is dead. Lakes Beau Clair, Dora and Eustis are rapidly attaining the same fate, in fact, the Florida Department of Air and Water Pollution Control is of the opinion that the water quality of Lakes Dora and Beau Clair are worse than Apopka. Lake Griffin has also deteriorated, although it and Lake Oklawaha are the only lakes today that really support a sport fishery in the Oklawaha Basin. The initial study produced by the East Central Florida Regional Planning Council regarding the river basin concluded that: "if current trends persist, the economic importance of fishing in the basin will fade away. Accumulative loss between 1971 and 1990 could reach 47 million dollars."

There is, therefore, an imperative need to deal comprehensively on a policy level with the entire Oklawaha River Basin. The drainage basin is, essentially, a gravity flow basin and by planning for the entire basin, maximum economies in scale can be affected. In addition, basin-wide planning protects the quality of the natural waters that flow within the basin. Natural drainage in basins, such as the Oklawaha cut across city and county boundaries. If the entire basin is not planned for on an integrated basis, large amounts of money may be spent without eliminating pollution.

In a recent treatise entitled, Water, Law and Administration, the Florida Experience, Dean Maloney of the University of Florida, College of Law, stated as follows: "The inter-relationship of the various forms of water...calls for planning on the basis of hydrologically inter-related units. One such unit is the river basin...but the drawing of a state or county line does not change the hydrologic inter-relationship between the various types of water in such a basin. In Florida the inter-relationship is further complicated by the overlap of Florida underground aquifers with river basins involved in surface drainage. Recognition of this overlap and the establishment of plans on the basis of hydrologically related units is obviously called for. Within these units the effects of water pollution, unwise exploration of land and forest resources, drainage of overflooded lands which may provide important recharge areas for the underground aquifer, and industrial and urban encroachment upon the

Moreover, the lack of real progress on Lake Apopka and other lakes in the basin has been due primarily to poor coordination and communication. Any measureable progress is not going to be achieved until a more permanent, policy-oriented group is established to comprehensively plan for the entire river basin. Strong public leadership is required to solve the serious pollution and water management problems of the Oklawaha River Basin.

The council we organize today will meet this need. The Oklawaha River Basin Improvement Council is established pursuant to the Florida Inter-Local Cooperation Act of 1969, under which state agencies, counties and cities may "cooperate with other localities on the basis of mutual advantage" in a manner "that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities." The Council we establish today will be one, if not the most, comprehensive and far-reaching uses made of this statute.

The Council will be composed of the following: one representative of Orange, Lake, Marion, and Putnam Counties; one member representing the Cities of Winter Garden, Apopka, Eustis, Mount Dora, Tavares, and Claremont; one member from the East Central Florida Regional Planning Council, The Florida Department of Air and Water Pollution Control, the Florida Fish and Game Commission, and the Southwestern Florida Water Management District; and one member from the Central Florida Agricultural Institute which represents the farmers and from Florida Citrus Mutual. Congressman Frey, Chappell and Fuqua will act as temporary Chairmen until the permanent Chairman can be elected. A technical advisory committee will be selected by the Council to advise the Council and carry out such studies and research as the Council shall direct. Individuals nominated by Council members should be persons who possess administrative and, or technical expertise in environmental problems of the Oklawaha River Basin and who will have the opportunity to actively participate in the solution of these problems. An executive director will be selected to act as executive director for both the Council and the technical advisory committee. His primary function will be to carry on the day to day activities of both the council and committee.

The council shall have the following powers: (1) prepare with the East Central Florida Regional Planning Council a comprehensive pollution abatement or restoration plan for the river basin, including a river basin sewage disposal and storm water drainage plan; (2) to require member counties and cities to discharge sewage collected by such entities from any portion of the river basin into such facilities as may exist or be provided to serve such areas when the council declares by resolution that the Health, Safety or Welfare of the people within the river basin require such action; (3) to develop pollution abatement standards and procedures for the control or regulation of industrial waste outfalls, the dumping of waste including solid waste, and agriculture run-off into the river basin area. (Such abatement standards shall be at least as stringent as existing federal or state pollution abatement standards. The approval of the council must be obtained by anyone desiring to engage in one of these activities.) (4) to establish minimum standards for the construction of such facilities by member counties or cities; and (5) to study and monitor the impact of major development projects on the river basin area to assure that such projects will not have an adverse environmental impact on the river basin area.

An annual budget shall be prepared for the council which will be composed of grants received from the Federal and state governments and "supplemental income" which shall be obtained from the component cities and counties. In adopting the budget and agreeing on the amount of supplemental income which should be contributed by the component cities and counties only the city and county representatives will be eligible to vote and a unanimous vote is required. Each of the component cities agrees to pay such proportion of the supplemental income of the council as the assessed evaluation of property within its limits bears to the total assessed value of taxable property within the river basin area. And, each of the component counties agrees to pay such proportion of such supplemental income as assessed valuation of the property within the unincorporated area of such county lying within the river basin area bears to the total assessed evaluation of taxable property within the river basin area. The

Lake, Reservoir, and Dam) as are determined to be a part of the River Basin by the United States Geological Survey- Each component city or county agrees to include such amount agreed upon in their budget for the ensuing calendar year and during such year shall pay to the council in equal quarterly installments the amount of the supplemental income share from whatever sources may be available to them. If agreed to by the council, the cities and counties may contribute personnel, equipment, services or property in lieu of the supplemental income payment.