

**WEST COAST INLAND NAVIGATION DISTRICT
MINUTES OF APRIL 26, 2002 BOARD MEETING
VENICE CITY HALL – COUNCIL CHAMBERS
VENICE, FLORIDA**

MINUTES OF APRIL 26, 2002

Commissioners Present:

Joe McClash, Chairman
Mac Horton, Vice-Chairman
Shannon Staub, Alternate

Staff Present:

Charles W. Listowski, Executive Director
Philip E. Perrey, Counsel

Chairman Joe McClash opened the meeting at 10:30 a.m. at Council Chambers – Venice City Hall, Venice, FL. Commissioner Judah was absent. Mr. Listowski called the roll and determined that a quorum was present.

Resolution 2002-02 was presented to Marcia M. Seman, Fiscal Secretary, upon her retirement from the District. This resolution noted her extraordinary contributions and was approved unanimously.

PUBLIC COMMENT – Robert Waechter, President of the Siesta Key Association, was authorized by the SKA’s Board to express their strong opposition to changing the classification of Big Sarasota Pass as the federally designated channel and removing that classification from New Pass. Another issue related to Midnight Pass and the SKA went on record as supporting the efforts of Sarasota County to reestablish the connection between the Gulf and Bay, and urging the District to offer their assistance and expertise.

Marian Schneider, a citizen from Placida, voiced her concerns about the abuse and neglect (trash left by campers) of several small islands, including Dog Island. She stated that she does not want the islands closed, but something has to be done regarding the abuse.

Mr. Pat McCarthy, representing a group of people calling themselves the “Snake Island Republic,” addressed the Board and thanked them for recognizing the partnership in the care of Snake Island.

Mr. Listowski advised the Board at this point, in a summary statement fashion, that there is no formal process that has taken place regarding adopting any islands within the WCIND jurisdiction, including Snake Island. Mr. Listowski also reported to the Board that intense media coverage of the issue, spoil island recreation, has inspired other groups to come forward to offer volunteer services to maintain Snake Island, namely the Country Club Estates Boat Club in Venice. Commissioner Staub noted that all groups with a desire to volunteer to maintain conditions for public recreational use of these islands should be welcome and encouraged to work together.

DEPARTMENT OF ENVIRONMENTAL PROTECTION’S COMMENTS – Mr. Dale Adams, from the Office of Land Management, FDEP, addressed the Board as a follow-up to his appearance before the Board in December 2001. At the December meeting, Mr. Adams was asked to bring back a proposal to the Board at a later meeting. His proposal essentially is to create an “Adopt an Island” program with the support of the WCIND. After some discussion, it was decided by the WCIND Board that staff would begin discussions with existing county programs that focus on “Keep County Beautiful” activities. Each county within the WCIND has such a program and they are considered to be successful, especially in

regular cleanup events. Staff was also instructed to evaluate the need for continued interest by the District in designated spoil areas. This evaluation is presently underway and is required by statute. Results of this evaluation will be forthcoming to the Board at a later meeting. The consensus of the Board was that WCIND should act as a coordinating entity, rather than an activity management entity, and that the U.S. Army Corps of Engineers needs to be consulted about issues relating to release of properties surplus to the needs of the federal government. Staff was directed to send a memo, including graphics map, to the commissioners describing the islands owned by WCIND, and was reminded to take a supportive position only on the spoil island recreation issue.

U.S. ARMY CORPS OF ENGINEERS' COMMENTS – Although Mr. Don Fore was unable to attend the meeting, Mr. Listowski reported on recent correspondences received from the Jacksonville District Office. The Corps of Engineers is proposing a new policy regarding encroachment and trespass on Corps of Engineers' dedicated properties. The WCIND will report back to the Board on the details of this policy change after it is reviewed by Counsel Perrey and clarification received from the Jacksonville District Office. Mr. Listowski also reported that the Jacksonville District supplied staff with an electronic version of the upcoming Port Manatee dredging project. Mr. Listowski also reported that the New Pass project appears to be moving forward as designed. Commissioner McClash reported that the channel markers in Longboat Pass require relocation as soon as possible, as he has observed boaters running aground, and navigation is considered dangerous at that location. Mr. Listowski will continue to look into an approach to get this condition improved through the U.S. Coast Guard office in Miami.

CONSENT AGENDA

Commissioner Horton made a motion to approve the Consent Agenda, this was seconded by Commissioner Staub, and was approved unanimously. Mr. Listowski advised the Board of a request from Lee County to allocate \$35,000 from the County's CNIF reserve funds to a dredging project underway at Broadway/Hogue Channel. Commissioner Horton made a motion to approve this request, Commissioner Staub seconded, motion approved unanimously.

ADMINISTRATIVE AGENDA

1. District Strategic Management Plan – Mr. Listowski presented the WCIND 5-Year Strategic Plan. Commissioner Staub questioned whether the Plan represented duplication of services and/or programs provided by other jurisdictions. Commissioner McClash noted that the District's number one priority involves maintaining safe navigation within the District jurisdiction, and that the plan should clearly state that focus. Commissioner McClash also noted that the plan made reference to beach projects and these references were somewhat misleading, since the District can only indirectly participate in beach projects as a direct result of navigation influences. It was decided that Mr. Listowski would meet individually with each Board member for additional input.

2. District Staff Regional Meetings – Report

- a) Midnight Pass Meeting – DEP Tallahassee –Mr. Listowski reported that he accompanied Sarasota County to the DEP in Tallahassee to discuss the Midnight Pass issue. A response to a request to review the CDM report was received by Sarasota County. Commissioner Staub expressed her appreciation of Mr. Listowski's attendance at this very important meeting.
- b) Civil Works Solution Class ACOE Report – Mr. Listowski reported on a Corps of Engineers meeting regarding project cooperation agreements (PCA's). The process involved in formulating these agreements, which are critical to any federally authorized project implementation, is the level of congressional support. It was the tone of this comprehensive workshop that PCA's are somewhat difficult to secure, especially without the congressional delegation support.

- c) Okeechobee Waterway Issues Update – In Commissioner Judah’s absence, Mr. Listowski reported on several correspondences to the Lee County Commission relative to conditions along the Caloosahatchee River (Okeechobee Waterway). A coalition of stakeholders, including environmental and industry representatives, collaborated on a request for assistance from Lee County in dealing with issues of local sponsorship of the Okeechobee Waterway segment of the federal intracoastal waterway system. Mr. Listowski feels that the WCIND may be approached for specific assistance regarding this Lee County initiative. Lee County, as the southern most member of the WCIND, is the gateway to the Gulf of Mexico via the Okeechobee Waterway. Deficiencies in this transportation link essentially cut off the link between the Atlantic Ocean and the Gulf of Mexico. Staff will keep the Board advised of developments on this issue.
- d) Charlotte County Waterway Management – Report – Mr. Listowski reported on a presentation made by Dr. Gus Antonini and WCIND staff to the Charlotte County Marine Advisory Committee. Benefits derived from the regional waterway management system database were outlined to this group, which included Commissioner D’Aprile. Commissioner Horton inquired of the cost of participation in such a database development. Mr. Listowski reported that the project could be funded from District reserves in a three-year payback scenario, and the estimated cost for all of Charlotte County would be \$150,000. Commissioner Horton advised that he would look into participation by Charlotte County in this program.
- e) Manatee County Waterways Initiative – Mr. Listowski reported on a meeting between District representatives and Manatee County staff. This meeting resulted in conceptual plans for project implementation of recommendations made in the regional waterway management system report, as well as advice to County staff regarding equipment acquisitions and other associated eligible projects. Commissioner McClash stated that he was unaware of County staff’s participation in this meeting, and he asked that Mr. Listowski work directly with him on County projects.

3. Spoil Islands Update – Report – Mr. Listowski noted that this agenda item was discussed during the FDEP comments section of the agenda.

4. Section 1135 Program – Sarasota Bay – Mr. Listowski informed the Board of the current status of this Corps of Engineers continuing authorities program. He reported on Sarasota County’s success in securing additional funding to comply with match requirements associated with this project. WCIND, serving as the local sponsor, earmarked \$300,000 towards the match requirements of this program three years ago, and this funding is still available. Commissioner Staub asked if the District would be willing to do an inter-local with the County, so that the restoration work can begin. Mr. Listowski requested that Mr. Laird Wreford address the Board regarding funding. Mr. Listowski and Mr. Wreford agree with comments made by the South Atlantic District, Atlanta, that the cost estimates for this project may be exorbitantly high. After some discussion, it was decided that Sarasota County might be in a position now to assume local sponsorship responsibilities for this Section 1135 program project in Sarasota Bay. Mr. Listowski mentioned that District-owned properties, such as Snake Island and Skiers Island, are not considered top priority projects by Sarasota County and it may be important for the WCIND Board to consider funding requirements for independent maintenance on these District-owned islands. Mr. Listowski recommended transferring local sponsorship responsibilities from WCIND to Sarasota County. Motion was made by Commissioner Staub to transfer local sponsorship, and seconded by Commissioner Horton. Motion carried unanimously.

5. R.O.W. Use Agreements – Counsel Perrey reported on a meeting with a new property owner and the use agreement involving this property. The existing agreement no longer is applicable to the new property owner, and the District informed this property owner of the need for a new agreement and the termination of the old agreement. Board directed staff to continue to work with this property owner on an update agreement, if needed.

6. Dredging Projects Update – Legislative Update - Counsel Perrey reported that the legislative initiative to clarify and improve the statutory maintenance dredging exemption was approved. A letter was signed by the WCIND Chairman and sent to the Governor asking him to sign this bill.

- a) Broadway & Hogue/Intrepid Waters – Lee County - Mr. Listowski reported on the successful construction activities associated with the Broadway & Hogue/Intrepid Waters project in Lee County. Staff would like to congratulate the project management team, which includes Lee County staff, Coastal Engineering, and the contractor, Subaqueous Services
- b) Phillippi Creek – Sarasota County - Mr. Listowski also reported to the Board on the current status of the Phillippi Creek dredging project. The dredging methodology has changed from a 10” pipe hydraulic rig to a barge-mounted excavation unit and a diver assisted 6” hydraulic pipe unit. It is hoped that the project will be completed in late summer 2002. Mr. Listowski reported that this has been a very difficult project.

COMMISSIONER’S ITEMS – Commissioner Horton requested assistance regarding the beach access project on Manasota Key and additional areas on Palm Island. Mr. Listowski said that title searches should be done on WCIND properties to gain an understanding of what the intended purposes were when these properties were purchased. Commissioner Horton commented that the title searches need to be performed in a timely manner. Counsel Perrey stated that the title searches could be completed in 30 days.

Mr. Listowski informed the Board that the agreement with the Palm Island ferry operator is up for renewal next year and that this needs to be looked at closely because of issues with public lands/access. Also, Commissioner Horton inquired about speed zones in this extremely congested area. Mr. Listowski will look into this issue.

WCIND COUNSEL’S REPORT – Counsel Perrey reported on the lawsuit filed against the District, Sarasota County, and the City of Venice. He indicated that the case against the District has been settled without loss to the District. The insurance carrier agreed to pay a nominal amount and the case is in the process of being dismissed.

EXECUTIVE DIRECTOR’S REPORT – Mr. Listowski asked the Board for authorization to explore funding from the Florida Beach Erosion Control Program for Snake Island. The sand that is gathering around Snake Island from tidal exchanges could possibly be used to renourish Venice Beach.

NEXT MEETING DATE AND TIME – The June meeting was cancelled and the next meeting will be held on Wednesday, July 31 at 10:30 a.m.

ADJOURNMENT – The meeting was adjourned at 12:15 p.m.

Chairman

Secretary