

**WEST COAST INLAND NAVIGATION DISTRICT
MINUTES OF DECEMBER 12, 2003 BOARD MEETING
VENICE CITY HALL – COUNCIL CHAMBERS
VENICE, FLORIDA**

Commissioners Present:

Nora Patterson, Chair
Ray Judah, Vice Chair
Joe McClash, Treasurer
Mac Horton, Alternate

Staff Present:

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

Chair Nora Patterson opened the meeting at 10:30 a.m. at Council Chambers – Venice City Hall, Venice, FL. Mr. Listowski called the roll and determined that a quorum was present.

PUBLIC COMMENT – None.

U. S. ARMY CORPS OF ENGINEERS’ COMMENTS – None.

CONSENT AGENDA – Commissioner Horton made a motion to approve the consent agenda, seconded by Commissioner Judah, and the motion passed unanimously.

ADMINISTRATIVE AGENDA

- 1. Report on Survey Initiative for “Spot Dredging” of GIWW** – Mr. Listowski introduced to the Board the initiative regarding improvements to the Gulf Intracoastal Waterway and the need for specific marine survey work to define the problems. He also focused on an area in Lee County in the vicinity of the Boca Grande Bayou that involves a request from a private citizen to involve the District as a co-sponsor in the authorization process. Mr. Archie Grant, of Johnson Engineering, presented a fundamental view of the issue to the Board representing his client. Michael Poff, P.E. presented aerial views of the shoaling along the GIWW. An estimate of work involving Longboat Pass area, Venice Inlet area, and the Boca Grande Pass area is less than \$25,000. Additionally, the “miserable mile” area in Lee County at the mouth of the Caloosahatchee River should be surveyed. Commissioner McClash reviewed the suggested alignment of a marine survey for Longboat Pass, and suggested that the survey be dedicated to the problematic segment directly associated to the Intracoastal Waterway. Commissioner McClash commented on the shoaling around the throat of the Venice Inlet in relationship to Snake Island in the Intracoastal Waterway. The area described as the Millers Marina – Boca Grande, Lee County, was described between markers R4 and G11 in the Intracoastal Waterway. Mr. Listowski then described the deficiencies of certain parts of the “miserable mile” segment in Lee County of the Intracoastal Waterway. Width requirements justify the need for marine survey work to determine the extent of shoaling in the main waterway channel. There was some discussion about the need for the survey work to be done as the foundation for the request to the U.S. congressional delegation for federal funding to maintain these shoaled areas of the federally authorized project. Commissioner Horton made a motion to authorize Mr. Listowski to negotiate a contract for up to \$25,000 for doing the necessary survey work for the core areas discussed in the GIWW. Commissioner McClash seconded the motion, and the motion passed unanimously.

- a. Lee County Informal Request for Assistance in Dredging Shoaled Areas in the Boca Grande Bayou Vicinity of the GIWW – Commissioner Judah introduced Mr. Archie Grant to address the issue regarding the deficiencies of the entrance to the Boca Grande Bayou in close proximity to the Millers Marina. Commissioner Judah described some of the difficulties associated with the authorization process experienced by the private citizens attempting to improve conditions in the area on behalf of the public. The already submitted package of application materials indicates strong support from the community for this initiative. After some discussion regarding anticipated expenses for additional technical information for the application, the Board directed staff to assist the private applicant as a co-applicant with no cost to the District. Mr. Grant requested that the Board assist as co-applicant and provide a letter to that effect for submittal to the permitting agencies as part of the application process. More specifically, Mr. Grant asked that the District assume responsibility for the submerged lands associated with this project. Commissioner Patterson asked the question regarding clarification on the co-application, and was told by Mr. Grant that the co-application would pertain solely to the submerged land lease requirements of the project and not the dredging activity associated with the project. Commissioner McClash proposed that an associated “hold harmless” agreement between the applicant and the District become part of the process. Commissioner Judah made a motion to enter into a co-applicant agreement between the District and “Fisheries Trust” principal, John Nicklaus, to secure authorization from all appropriate agencies to improve conditions in the area of the Boca Grande Bayou and the Millers Marina channel. This agreement will include hold harmless provisions pertaining to the District and all activities will be at no cost to the District. Counsel Perrey indicated that the District’s involvement may allow for an exemption from any severance fees, and that the appropriate form of state lands authorization may be a letter of consent rather than a submerged land lease. Commissioner McClash seconded the motion, and the motion passed unanimously.
2. **Report on Search for District Lobbyist in Washington, D.C. – Recommendation from Staff** – Mr. Listowski presented to the Board research conducted by staff to determine an appropriate Washington lobbyist with the preliminary task of securing federal funding for operation and maintenance activities involving the Intracoastal Waterway. Two firms were highlighted, one being the Alcalde & Fay firm, and the other being the Livingston Group. Mr. Listowski also reported to the Board that either company would be excellent representatives of the District’s interests, but that the Alcalde & Fay group has been successful in securing substantial funds for FIND waterway operation activities and maintenance. Discussion ensued regarding the appropriateness of securing a lobbyist at the current time and fees suggested (\$5,000 per month average). Commissioner McClash suggested that as an interim approach, Mr. Listowski write another letter to the congressional delegation requesting funds to maintain shoaled areas of the Intracoastal Waterway that prohibit normal recreational and commercial boat traffic.
3. **Request from Tampa Bay Estuary Program for \$15,000 to Complete Historical Geography of Southwest Florida Waterways – Volume III** – Staff has received a request from the Executive Director of the Tampa Bay Estuary Program for a cost share contribution of \$15,000 from the WCIND. This funding would complement other funding from the Corps of Engineers in the amount of \$60,000, Florida Sea Grant Program - \$10,000, and Manatee County - \$2,000 in the production of the Southwest Florida Waterways – Volume III. Discussion ensued regarding the contributions from the different entities. Commissioner McClash made the motion to approve funding up to \$15,000 after review of the various prorated contributions by Mr. Listowski. Commissioner Horton seconded the motion, and the motion passed unanimously.

4. **Report on Progress Toward Finalization of Property Proposal Involving Sarasota Boys & Girls Club** – Mr. Listowski reported on the progress on the accommodation to the Boys & Girls Club project using District lands, and the collaborative effort by Sarasota County and District staff to accomplish this work. Commissioner Patterson made positive comments about her understanding of the process.
5. **Informational Report on Seminole Gulf Railway Line Abandonment in Sarasota County – Comments by Counsel Perrey** – There was substantive discussion between the Board and Counsel Perrey regarding issues relating to the abandonment of the Seminole Gulf Railway line through Sarasota County/Venice jurisdiction. This resulted in Board desire to continue monitoring the issue with an assurance that any District-vested interests in certain properties along the corridor would be considered in a cooperative way by Sarasota County.
6. **Briefing on Recent Governor’s Boating Advisory Council Meeting** – Mr. Listowski gave a detailed report to the Board regarding the newly created, by recent legislation, Office of Boating and Waterways found within the FWCC.

WCIND COUNSEL’S REPORT – Counsel Perrey reported to the Board his research into imminent changes to Rule 18-21, FAC, regarding use of submerged lands.

COMMISSIONERS’ ITEMS – Commissioner McClash discussed a dangerous shoaling area in Pinellas County, west of the Skyway Bridge in the GIWW. Consensus of the Board was for Mr. Listowski to check with appropriate jurisdictions, including Pinellas County, to encourage resolution of this navigability safety issue.

Commissioner Patterson encouraged Mr. Listowski to continue dialog with Sarasota County staff, especially Ms. Belinda Perrey regarding resource protection issues on District property located adjacent to County lands in the South Venice area of Sarasota County.

EXECUTIVE DIRECTOR’S REPORT – Mr. Listowski reported on an annual list of authorizations (attached) received by WCIND for improvements to waterways on behalf of Sarasota and Manatee Counties.

The meeting was adjourned at 4:30 p.m.