

WEST COAST INLAND NAVIGATION DISTRICT
BOARD MEETING
MINUTES OF JANUARY 21, 2000
SOUTH COUNTY ADMINISTRATION CENTER, VENICE, FLORIDA

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COMMISSIONERS PRESENT: Ray Judah, Chairman
 Joe McClash, Vice-Chairman
 Donald Coppola, Secretary
 Nora Patterson, Treasurer

STAFF PRESENT: Charles W. Listowski, Executive Director
 Philip E. Perrey, Counsel

Chairman Judah opened the meeting at 10:30 as advertised. Mr. Listowski called the roll. There were no additions or deletions to the Agenda.

PUBLIC COMMENT – Mr. Bob Starr, a Charlotte County resident and chair of the Charlotte County Environmental Land Acquisition Board and former chair and member of the Beaches and Shores Advisory Committee addressed the Board. He fully supports the sand source study and beach erosion study being proposed for the area from Venice to Boca Grande. He lives on Don Pedro Island (7 miles of beachfront in Charlotte Co.). When he moved there in 1987 he had 500-600 ft. of beach. Most of the houses now are in the water. The situation is critical. The beach is only 40% developed, and some lots are under water or are too small to be built upon. It would be a monumental task to renourish the beaches on Don Pedro, Knight, and Little Gasparilla Islands, but if you do not renourish and lose the barrier islands, which protect the mainland, then the mainland is seriously jeopardized. Mr. Listowski said a discussion on Stump Pass will be coming up shortly, and many people from Charlotte County who were in the audience could address the issue.

DEPARTMENT OF ENVIRONMENTAL PROTECTION – No one was present. Mr. Listowski said he had been advised by Charlotte County that the FDEP would cost-share a feasibility report relative to Manasota Key beach renourishment. Funding is available to cost-share this project. Commissioner Judah questioned whether the funds would be used for construction work rather than for feasibility studies.

Mr. Listowski said our enabling legislation allows for us to be involved in projects involving beach restoration and inlet management if the work includes a navigation improvement. If you look at the dynamics of Manasota Key as having a direct influence on the viability of Stump Pass, you have a win/win situation involving the District's funds.

Commissioner Patterson said that we were talking about renourishing several areas that span two counties. She wants a feel for the regional dollars that are available for such projects. The Chairman said the well would run dry very quickly if we funded many feasibility studies. Commissioner McClash said we talked about this issue at the last Board Meeting, and he thought we decided it would be more of a Charlotte County issue than a District-wide issue. Now it appears to be more of a general beach renourishment with Stump Pass as one of the inlets used for navigation. We need to pursue state funds more aggressively. Perhaps we need a comprehensive look at what we need to be doing as a District and setting aside a certain amount of dollars for regional issues. We can't just do study after study. Commissioner Judah thought we had a pretty clear policy that money spent by WCIND would be for a project itself, not feasibility studies. Mr. Listowski said perhaps we need to clarify "feasibility" studies. He thinks it might be a pre-construction requirement as opposed to a feasibility study as to whether or not the project should be done.

Commissioner McClash conceded that the District needs to look at Stump Pass for long-term dredging, but this expands the area outside of Stump Pass to look at several islands. We do not want to do that. We want to stick with the Stump Pass Inlet Management issues. Beach renourishment issues have to be related to navigation, i.e. keeping the pass open for navigation. Why does WCIND need to spend \$300,000, part of which would be a sand source feasibility study, when the District is the sand source? When WCIND cleans out a pass, we are the sand source. We don't need to look for a sand source. Commissioner Patterson wanted a non-technical explanation of the proposal. Commissioner Coppola said right now the county has a bid of \$580,000 to dredge Stump Pass, and then they're going to spend \$600,000 for a study.

Ms. Pam Brangaccio, Assistant Charlotte County Administrator, was invited to address the Board. What happened when the District made available the 50% match for the management inlet plan, we all thought that would be the implementation vehicle for the navigation improvements to Stump Pass. That would allow the District and Charlotte County to access matching money from DEP to implement the management plan. The county would know the direction and exactly what they would be doing in the next ten years in regard to navigation improvements in Stump Pass. Everyone involved thought that plan would be the vehicle to receive 50% matching money to implement that plan. However, a policy shift has occurred within DEP, and it is currently specifically saying that it will not utilize the \$30 million that is available annually for navigation projects without the tie-in feasibility with regard to beach management and beach renourishment.

Mr. Listowski said if the WCIND Board chose to not go along with the DEP's constantly evolving philosophies, he can understand that and will let the DEP know. Commissioner McClash said that Mr. Listowski was already supposed to be letting DEP know that the Board doesn't agree with its current policy.

Commissioner Patterson said that the state won't fund all projects, and we appear to be wading into a much larger project for Stump Pass. Manasota Key is just a small part of the whole picture. Mr. Listowski said this work could be used as a foundation for

requesting federal assistance and to make this a federally-authorized project between the Venice Inlet on the north end and the islands to the south of Stump Pass. Commissioner Patterson stated that this is a County Commission issue, which has not even been discussed in Sarasota County. Commissioner McClash said that even if we do the feasibility study, there is no guarantee that the dredging program will be funded from the \$30 million pool, for which there will be much competition. Mr. Listowski said that regional projects have a higher chance of success than specific counties' projects.

Commissioner McClash asked to bring this issue up at the next Board Meeting with a full staff report. This was agreed upon. Commissioner Patterson asked that the individual counties bring this issue back to their respective counties.

U. S. ARMY CORPS OF ENGINEERS' COMMENTS – Mr. Listowski reported that Mr. Fore said the SNELL survey vessel will be in the Venice area between February 15-25 to collect data for plans and specs to dredge shoaled area in the Venice Inlet. This is a \$300,000 CORE commitment to the District. Then the vessel will move to Pinellas County and then head down to Lee County for the dredged material management plan data compilation. A CD version of the three-line survey will be available very soon. A dredging project involving Longboat Pass and New Pass between monuments 10 and 14. The \$1 million FEMA contribution to this project will be factored into the project. Mr. Fore would also like to secure funding to repair the bulkhead around the Venice Inlet and the revetment along the Venice Canal. Our funding agreement has circulated through the Jacksonville District and will be on its way to Washington, D.C. next week.

CONSENT AGENDA – Commissioner McClash moved to approve all items and Commissioner Coppola seconded. Motion passed unanimously.

ADMINISTRATIVE AGENDA

1. Annual Audit Report - Mr. Ed Leonard reported that we had a very clean, unqualified audit, the highest opinion that can be offered. The Balance Sheet presents a healthy picture. Revenues were more than budgeted, and expenditures were less than budgeted. Our general fund balance thus went up by \$337,303. All of our funds are invested in qualified public depositories or in U. S. Government securities. There were no instances of noncompliance or material weaknesses involving the internal control over financial reporting. Commissioner McClash moved and Commissioner Patterson seconded to accept the audit report. Motion passed unanimously.

2. Stump Pass – already discussed

3. District Property Management Issues – Mr. Listowski attended a meeting in Tampa that discussed Skiers Island and Snake Island, informally used by the public for recreation purposes. Both islands have deteriorated badly. They may be restored via the ACOE Sec. 1135 funding program. Staff recommends Board direction to contact the ACOE regarding formal release from federal use of these islands in a rehabilitated condition as a first step of transferring ownership to Sarasota County. WCIND does not

need the properties. Commissioner Patterson is not sure the County wants the islands. The first step is contacting the Corps of Engineers. Once the Corps says they don't want the properties for spoil sites, then we can release or sell them to other entities as surplus property. Some properties have not been released.

Commissioner McClash moved and Commissioner Coppola seconded to contact the Corps regarding disposal of these islands. Motion passed unanimously.

Mr. Listowski said the District has a parcel in south Venice which has been secured and measures taken to prohibit unauthorized vehicular traffic to enter the site. Our staff has met with the county staff to plan for the future maintenance of the "Columbine Ditch" and the drainage potential of the swale behind the homes on Shamrock Drive. Commissioner Staub has contacted the neighbors to ascertain their wishes. A maintenance/management agreement between WCIND and Sarasota County would be required within the context of a use agreement to be drafted by legal counsel.

Commissioner Staub brought up the issues of property maintenance by WCIND as far as fencing in properties and moving the fence across the other side of the ditch if the county takes responsibility for maintenance. The residents overwhelmingly want the fence removed, or if it stays, moved to the other side of the berm. The county would not provide security along the ditch, and if it has to stay, the county wants it moved to the other side. Commissioner Patterson questions whether fencing in its properties is a wise use of WCIND dollars. She wants to know what other properties are to be fenced in.

Mr. Listowski said we spent \$12,000 to install the fence and would spend \$6,000 to relocate it. The reason for securing it was to eliminate trespassing of all types in compliance with our insurance company's recommendation. To fence the entire property would cost between \$80,000 - \$100,000. This property has always been trespassed upon, and people have been arrested periodically through the years. If we keep the fence in the same location, maintenance would be relatively simple and many potential problems would be eliminated. Another consideration is for the District to consider an agreement with the City of Venice to convey the property to the City in exchange for an equitable property, such as across the canal near the airport. The property is valuable for staging of equipment for maintenance. The chances of it being used for spoil are much less as there are no current plans to dredge anything yet.

Commissioner Patterson moved to direct Mr. Listowski to pursue his conversations with the City of Venice on the possibility of an exchange of property. Commissioner Coppola seconded. Counsel Perrey said that a reverter clause in the deed to WCIND which says that if a property is not required for waterway purposes the title reverts back to the City of Venice. Also, a small part of this property is being used by the Senior Friendship Center under a long-standing agreement between us, the city, and the county. Commissioner McClash suggested "No Trespassing" signs be posted along the ditch. Motion passed unanimously.

Commissioner McClash moved and Commissioner Patterson seconded to remove the fence entirely, have “No Trespassing” signs installed, and let the county decide whether they will maintain the ditch. If not, we will just let it become overgrown. Motion passed unanimously.

4. Dredging Report on Shakett and Phillippi Creeks – Mr. Listowski said Shakett Creek dredging will be complete by the end of February. All permits have been secured for Phillippi Creek. A letter was written to Sarasota County asking for direction on the next move. Commissioner Patterson complimented Mr. Listowski on securing the permits for these dredging projects which the county said couldn’t be done or would take many years. In response to Commissioner Patterson’s question, Mr. Listowski said he is waiting for a letter from the Fish & Wildlife Service indicating approval of the report she requested. Commissioner McClash reported that just moving a marker at the mouth of Phillippi Creek to the west will help realign the waterway to deeper water. The Coast Guard is going to do this.

5. General Permit Initiative - There are 19 water bodies involved, and a meeting with DEP is scheduled on February 23-25 for a site visit. Mr. Listowski thinks the DEP will give us some type of permit for all these water bodies which are in 3 different counties. Commissioner McClash wants the commissioners to be notified of the dates for the site visits so they may go along if they wish.

6. Report on Section 1135 – Mr. Listowski reported on a meeting yesterday in Tampa. Public meetings will be held, the first to be in Venice on Feb. 2, and will be designed to accommodate people in certain specific areas, such as Snake Island.

7. U.S.C.G. Report on Phillippi Creek – already reported

8. Information on New Manatee Zones in Lee County - The county has had new manatee zones imposed upon them by the state. The District is mandated to provide funding for signage, so a large request for funds may be forthcoming.

9. Federal Redefinition of “Commercial” for Funding/Permitting Qualifications – Mr. Listowski has been meeting with U. of Florida staff under an agreement we have with them. We are trying to put together a package to submit to federal legislators to get them to submit a bill which would redefine the word “commercial” in terms of federal participation relative to funding, permitting, and qualifications of our sub-industries which we also consider to be commercial, i.e. fishing, recreational boating, etc.

10. Appointment of WCIND Board Officers for this Year – Commissioner Coppola moved and Commissioner Patterson seconded to appoint the current officers to another year in the same positions. Motion passed unanimously.

COMMISSIONERS’ ITEMS – Commissioner Patterson reported that Sarasota County is expecting a report next month on the feasibility of reopening Midnight Pass. It’s possible the county would then come to WCIND for assistance.

Commissioner Coppola has recently watched the work being done in Cape Coral by six hydraulic dredges and two mechanical dredges. Has WCIND ever looked into the possibility of buying a dredge?

Mr. Listowski said that in 1991 we did a very extensive study which indicated at the time that it was much more cost-effective to contract out for our dredging needs. However, we are now having a big problem getting bids on problems even to move a pile of rocks from point A to point B. Hand work is almost impossible to do. We are not getting good bids and a variety of bids. Commissioner Coppola said that to operate the eight dredges he spoke about previously with all the labor costs, insurance, fuel, uniforms, etc. costs about \$1.6 million per year. Mr. Listowski was directed to look in all possibilities.

EXECUTIVE DIRECTOR'S REPORT – Mr. Listowski asked for conceptual approval to structure a License to Use Agreement involving the Darby Buick Dealership in Venice. Their back property line butts up to the District's property line, and the company is seeking to fence in about 60 ft. of property to secure their inventory.

Counsel Perrey said we are making progress on several initiatives: securing permits, progress on the general permit, easement vs. consent of use.

NEXT MEETING DATE AND TIME: - The date will probably be changed, and the Commissioners will be polled.

ADJOURNMENT – 12:20 p.m.