

WEST COAST INLAND NAVIGATION DISTRICT
BOARD MEETING
MINUTES OF NOVEMBER 1, 1996
SOUTH COUNTY ADMINISTRATION CENTER, VENICE, FLORIDA

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COMMISSIONERS PRESENT:

Joe McClash, Chairman
Adam Cummings, Vice-Chairman
Jack O'Neil, Secretary

COMMISSIONERS ABSENT:

Ray Judah, Lee County

STAFF PRESENT:

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

ADMINISTRATION

Chairman McClash called the meeting to order at 10:30 a.m. Mr. Listowski called the roll. Commissioner Judah was absent. Commissioner Cummings moved and Commissioner O'Neil seconded to approve the minutes of September 6 and 13, 1996, to approve the invoices paid for September and October, 1996, and to approve the Treasurer's Reports for August and September, 1996. Motions carried unanimously.

U. S. ARMY CORPS OF ENGINEERS' COMMENTS.

Ms. Pat Hanson spoke to the Board members by speaker phone from Jacksonville. Mr. Listowski asked about the Corps' promised reimbursement for E-1, the emergency dredging of Matanzas Pass in Lee County. WCIND has a \$675,000 commitment to that project, and we were promised \$375,000 through Congressman Goss' office. The Corps is trying to find a way to refund the money, but there is a technical problem regarding the wording of the act. The wording from the House document was not combined with the Senate document to make up the final act. Legally, the Corps cannot reimburse the project, but everyone is working on it. The money has already been given to the Corps, and it must be refunded to the project. Christie Hahn from Congressman Goss' office is working on it with Corps officials. Mr. Listowski will check with her.

Mr. Listowski asked Ms. Hanson about the New Pass and Longboat Pass dredging projects. Ms. Hanson confirmed that both projects would be completed about mid-May. The Corps is negotiating with an 8-A contractor to do the work. Longboat Pass would be dredged first because it cannot be dredged after May 15th, but there is no window for dredging New Pass. The Corps has the money budgeted for these projects, and they are awaiting bids. If the bids come in too high, the Corps would at least dredge New Pass.

November 18, 1996 is the tentative advertising date for dredging Boca Grande Pass at Charlotte Harbor. The Corps got half of the money that was requested. Revised plans call for a 175 foot wide channel with options for 25 foot increments depending on how the bids come in.

Regarding the dredging of the Venice Inlet and the channel inland from the bay, one of the problems is coming up with a disposal area that is acceptable to the state. The state did not like the idea of disposing of dredged material on Snake Island even though it would preserve the historical artifacts currently there. The next step is to get a survey of the perimeter of the island and then do a preliminary design and cost estimate. The state would then be presented with the most cost effective method. Snake Island has decreased in size from about 7 acres to between 1 - 2 acres currently.

In regard to correspondence from Pete Milam from the Clewiston office of the A.C.O.E. concerning maintenance of the Venice berm which is deteriorating in some spots, there is \$50,000 appropriated for this repair. The funds include yearly mowing of the berms. Representatives from A.C.O.E. will come to Venice to meet with Mr. Listowski for an on-site tour of the berms.

Ms. Hanson gave a brief report on what the Florida Inland Navigation District on the east coast is attempting to do regarding enhancing their ability to maintain federally authorized projects in an agreement with the A.C.O.E. The initial agreement format was not acceptable and work is now being done to revise the format. When the final agreement is made a copy will be forwarded to Mr. Listowski.

Commissioner O'Neil commented that going in and out of New Pass without its being marked is an insult to the boating industry. Ms. Hanson reported that new survey equipment using helicopters was going to be used to resurvey New Pass. The Coast Guard will use the new survey to review the Pass to determine whether it will be marked.

Commissioner McClash questioned Ms. Hanson as to long-term solutions to New Pass similar to the granite boulders at Venice. She will consult with the proper A.C.O.E. departments to see if a permanent solution can be found as opposed to short-term dredging and will report at the next WCIND Board Meeting.

PUBLIC COMMENT

Mr. Ralph Strubel lives on Curry Creek in Sarasota County. There is a unique situation across the street from him. There are forty 20'x10' boat slips, and boats cannot get out around them. He tried to purchase some of the slips as advertised in the newspaper at a tax certificate sale. The Tax Collector would not sell him the slips as the taxes owed were not enough. Commissioner O'Neil commented at this time that this was not under WCIND Board purview. However, other issues which were discussed by Commissioner O'Neil and Mr. Strubel prior to this meeting need to be addressed by Sarasota County Storm Water Department. WCIND has to

determine with storm water management where storm water management is going to begin and end.

Commissioner O'Neil said that Mr. Listowski needed a copy of the G. Jensen contract from Bob Waterston at storm water that was let out about six weeks ago.

DEPARTMENT OF ENVIRONMENTAL PROTECTION - No one was present from D.E.P. Mr. Listowski volunteered that Jeremy Craft's office has been disassembled via budget cuts and will only be in business until June of 1997. It could be that we will lose the services of Mr. Craft. Commissioner McClash suggested sending a letter to D.E.P. asking for clarification of their future plans and who our contact would be.

OLD BUSINESS

Harbor Lights Lease Agreement - The District owns 10, 622 sq. ft. in this mobile home park. Ten years ago the District entered into an agreement with 9 property owners that were encroaching on District-owned property. We worked up a License to Use agreement through Counsel Perrey's office which called for the payment of \$200 per year per unit for the use of our property. Since the agreement expires at the end of this December, the Board directed staff to review what the fee structure and conditions of agreement should be. We contracted with Gulf Appraisers in Sarasota to review this property, and after an exhaustive study of comparable property in five different counties, it has been determined that this particular property is the premier waterfront mobile home community in the area. The appraisers recommended that the license fee should be \$658.44 per lot. In addition to that, the motion by our Board to do an appraisal called for the appraisal fee to be absorbed into the new license structure. Thus, in consultation with our counsel yesterday, we have come up with the figure of approximately \$685 per year per lot over the ten year period. Staff is recommending the figure of \$685 to our Board.

The appraiser felt that due to the location, the physical amenities (docks), and the fact that waterfront access for the entire community is available through one of the lots being a park-type setting, this particular development represents a very valuable asset. Commissioner O'Neil moved and Commissioner Cummings seconded to direct counsel Perrey to prepare a new License to Use Agreement for each lot in the sum of \$685 per year. Motion approved unanimously.

Conditions at New Pass - Counsel Perrey and Mr. Listowski talked to John Adams who is the chief of construction operations at the Jacksonville office of the Corps of Engineers. He made a commitment to us that he would contact the Coast Guard and try to persuade them to do temporary marking of the channel. Counsel Perrey has also contacted a man in the general counsel's office of the C.O.E. and asked him to talk to John Adams, thus working the problem from two different directions.

Shakett Creek Dredge Feasibility Study - Mr. Listowski said we have come a long way since the firm of Ed Barber and Associates started work on this project. We have done the oyster bed analysis, we have a bathymetry map indicating what the hot spots are, and next week the consultants will begin formulating an outline for a presentation. By the end of November we

hope to have some pre-construction type permit meetings with the C.O.E. and D.E.P., whereby we can suggest to them what we are doing and ask for their comments. Things are moving along pretty well. Yesterday he met with a private entity that has a substantial spoil area opportunity for us right in the middle of the project area. In response to Commissioner O'Neil's question, Mr. Listowski said that the county's natural resources department has been operating on the fringe of this project and more cooperation would be helpful.

Stickney Point Road R.O.W. - Counsel Perrey has been talking to C.O.E. and D.O.T. attorneys, who are open to any justifiable approaches. He has written to a C.O.E. attorney asking if they would release the parcel where the encroachment is located and allow us to substitute the parcel that we are trying to obtain from D.O.T. No answer has been forthcoming as yet. Commissioner O'Neil wanted him to send copies of his letter to Congressman Goss to see if he could speed things up.

NEW BUSINESS

Project Extensions - Staff is asking for retroactive approval to reimburse all projects completed prior to September 30, 1996 even though the paperwork reached out office in October. We have spent a lot of money lately and have had to cash in some investments to pay for reimbursement, but this is good because it means that projects are being completed as scheduled. Commissioner O'Neil moved and Commissioner Cummings seconded to approve the payments. Motion approved unanimously.

Project Agreements FY96-97 - Staff recommends approval of all project agreements which are ready for the chairman's signature. Commissioner Cummings moved and Commissioner O'Neil seconded to approve and sign the agreements. Motion approved unanimously.

Venice Berm Maintenance Project - Discussed under C.O.E.

Staff Proposal to Join the Florida Association of Special Districts - Mr. Listowski attended their conference recently and believes it would be worthwhile to join the association for a fee of \$250 the first year. It has a legal staff that is dedicated to the association and its activities, and also it is very successful in lobbying state legislators to champion their causes individually. There are 965 special districts in the state, 450 are independent special districts like we are, but not many are multi-county. It might help counsel Perrey to have collaborative support from this organization. Commissioner O'Neil moved and Commissioner Cummings seconded to join the association. Motion approved unanimously.

National Dredging Team Discussion - A marine activist from Pinellas County told Mr. Listowski about this organization. Apparently, there has been a collaborative effort between five federal agencies, including N.O.A.A., where there is indirect representation through the U. of Florida Sea Grant Program (Drs. Antonini and Cato).

Florida Sea Grant Initiative - This is a way in which the work of Dr. Antonini and his associates can be supported through legislative funding rather than through agencies such as WCIND. Dr.

Antonini was asked to speak about this initiative and the National Dredging Team. The team has reevaluated dredging policy on a national level, and in December of 1994 it came out with an official policy statement. Related to this statement has been a call for public participation and input, especially in two areas that are especially significant for WCIND. One has to do with the general policy of the national dredging program which is focused on deep water ports. We should make it clear that recreational boating and fishing in Florida are so important that inland waterways should be included in the planning element if not the dredging element. The second component is to identify potential pilot projects that might be worthy examples for national replication.

Mr. Listowski said that WCIND has written to Mr. Richard Worthington of the Corps of Engineers in Washington, D.C. and to the Environmental Protection Agency requesting that we be part of the local planning process for the National Dredge Team.

Commissioner O'Neil again emphasized that the money is drying up. The state of Florida is talking about \$15 million last year plus an additional \$21 million for Hurricane Opal, for a total of \$36 million. We must mobilize to get funds in advance so we can get projects done when the equipment is in the area for New Pass. Otherwise, we are just throwing away money. Local money, in his opinion, is going to have to be equal to the match from the state and federal government. Dr. Antonini said the significance of the National Dredge Team is that it relies on partnerships.

Every three or four years, Florida Sea Grant reevaluates how it should spend research dollars. Dr. Antonini said that they are in the process of establishing a baseline of what we need to focus on in the way of NOAA research that is funded through NOAA Sea Grant in Florida within the next three or four years. One of the important areas is that of sustainable business growth and community development. Commissioner Cummings participated in a day-long conference that brought together various leaders from business, government, academia, etc. that tried to identify research agenda. He has devised a consensus from that meeting which will serve as a platform for Sea Grant to request proposals for research.

The final maps on the waterway management system are available to be looked at, and the Board members may take a copy of the final report. Commissioner McClash wanted to be sure that the public knew this data was available. The Town of Longboat Key has hired a consultant to do this same kind of research for its area. Mr. Listowski said they would be taking this information to the state, hopefully in December. Chairman McClash asked Mr. Listowski to develop a plan of attack and present it to the Board members. Commissioner O'Neil suggested giving the information to Commissioner Cummings because of the amount of time he spends in Tallahassee during the legislative session. He should have this information by November 19th when all the commissioners leave for the Florida Association of Counties meeting.

Dr. James Cato, professor at the U. of Florida and Director of the Florida Sea Grant Program, was asked to speak. This program conducts a statewide research, education, extension, and communications program that deals with the marine and coastal areas of Florida. It has three criteria for everything it does: it must be good science, has to have a strong rationale or need

behind it, and the users of the work have to be involved in it. Base funding comes from NOAA, and smaller amounts come from the state legislature and the counties. They do a lot of grant writing for additional sources of funds.

The Sea Grant Program has a very strong link to WCIND. The issues that Dr. Antonini is dealing with in this area are really long-term research and extension programs, but the problem is that they do not have base funding to support it. The need is to provide stable, continuing funding for this work. The way to do that is to get a small amount of core funding from the state legislature that would be appropriated to the U. of Florida Sea Grant for this particular program area. Rep. Arnold and Sen. Dudley are the chairs of the subcommittees which fund the universities. Citizens' initiatives have been effective in the past and could do so in the future. The commissioners have a resolution before them which addresses this issue.

Mr. Listowski recommends passage of Resolution 96-7 which says that WCIND supports the U. of Florida Sea Grant Program. Commissioner O'Neil moved and Commissioner Cummings seconded to pass Resolution 96-7 which supports the Florida Sea Grant Program initiative involving sustained and non-regulatory use of bay habitats, not to exceed a \$300,000 request of the state legislature. The motion was amended to include "additional funding of \$300,000". Motion and amendment passed unanimously. Commissioner Judah was suggested as the person to contact Rep. Arnold and Sen. Dudley. Commissioner Cummings was asked to be the contact person for the Florida Association of Counties meeting Nov. 20-22. He would like an executive summary and talk sheet in his hands before that time.

F.S.B.P.A. Conference - Commissioner O'Neil was thanked for his participation. One thing that came up at the conference was that there was not adequate data relative to water conditions, wind velocities, salinity, tidal measurements in this particular part of Florida. The N.G.W.L.M.S. platforms will help correct that deficiency in Lee County.

Commissioner O'Neil specifically asked to be kept informed of the progress of the Shakett Creek study. Mr. Listowski said he would do so. Commissioner O'Neil wanted reassurance on the record that Sarasota County would not lose any of its funds like they have in the past. Mr. Listowski hopes to move forward with county staff taking on more of the workload. Commissioner O'Neil assured him of the county's cooperation.

Mr. Listowski was thanked for his leadership and direction on behalf of WCIND.

NEXT MEETING TIME AND DATE: January 17, 1997 at 10:30 a.m. in Venice.

ADJOURNMENT: 12:25 p.m.