

WEST COAST INLAND NAVIGATION DISTRICT BOARD MEETING  
FRIDAY, MARCH 24, 1995 AT 10:30 A.M.  
SARASOTA COUNTY SOUTH COUNTY ADMINISTRATION CENTER  
4000 SOUTH TAMiami TRAIL, ROOM 228  
VENICE, FLORIDA

A G E N D A

ADMINISTRATION

1. Call to Order and Roll Call
2. Approval of the Minutes of January 27, 1995
3. Approval of Invoices Paid for the Months of January and February, 1995
4. Approval of Treasurer's Report for January, 1995
5. Approval of Deletions or Additions to Agenda

PUBLIC COMMENT

DEPARTMENT OF ENVIRONMENTAL PROTECTION'S COMMENTS

U.S. ARMY CORPS OF ENGINEERS' COMMENTS

OLD BUSINESS

1. Intracoastal Marine Park - Update, approval of required letters/agreements and FBIP application
2. Longboat Key Dredging - Update
3. Maintenance Dredging District Initiative - Direction

NEW BUSINESS

1. Big Hickory Pass I.M.P. - Funding Request
2. Big Sarasota Pass Discussion - Commissioner O'Neil
3. Charlotte County Emergency Derelict Vessel Removal - Funding Request
4. Manatee County Dredge Projects - Reimbursement Requests
5. Charlotte County Extension Requests - C-32 C.H.E.C. Environmental Education Program and C-36 Sundown Patrol
6. Regional Anchorage Pilot Project - Discussion/Presentation

NEXT MEETING TIME AND DATE: Friday, May 26, 1995 in Venice at 10:30 a.m.

ADJOURNMENT

WEST COAST INLAND NAVIGATION DISTRICT

BOARD MEETING

FRIDAY, MARCH 24, 1995

SARASOTA COUNTY SOUTH COUNTY ADMINISTRATION CENTER

MINUTES OF MARCH 24, 1995

A regular meeting of the West Coast Inland Navigation District was held on Friday, March 24, 1995 at 10:30 a.m. at the Sarasota County South County Administration Center, 4000 South Tamiami Trail, Room 228, Venice, Florida.

COMMISSIONERS PRESENT: Ray Judah, Chairman  
Joe McClash, Vice-Chairman  
Adam Cummings, Treasurer  
Jack O'Neil, Secretary

STAFF PRESENT: Charles W. Listowski, Executive Director  
Connie McLenna, Administrative Assistant  
Philip E. Perrey, Counsel

ADMINISTRATION

The roll was called. Commissioner Cummings was not present but arrived shortly. Commissioner McClash moved to approve the minutes of January 27, 1995. Commissioner O'Neil seconded. Motion carried unanimously. Commissioner O'Neil moved to approve invoices paid for the months of January and February, 1995. Commissioner McClash seconded. Motion carried unanimously. Commissioner O'Neil moved to approve the Treasurer's Report for January, 1995. Commissioner McClash seconded. Motion carried unanimously. Commissioner O'Neil moved to defer indefinitely No. 2 under New Business, Big Sarasota Pass Discussion. Commissioner McClash seconded. Motion carried unanimously.

Mr. Listowski explained that two counties have asked for "emergency" funding for two projects but staff has not had time to assess the requests. He would like to defer the discussions until the May 26, 1995 Board Meeting. Commissioner McClash moved to defer discussion of M-37, Beer Can Island, until May 26, 1995. Commissioner O'Neil seconded. Motion carried unanimously. Commissioner McClash moved to defer discussion of C-24, Alligator Creek, until May 26, 1995. Commissioner O'Neil seconded. Motion carried unanimously.

PUBLIC COMMENT

Dr. Robert Kiskaddon from Charlotte County introduced himself as the chairman of the Alligator Creek project which has gone on for eight years. He explained that there will be a deficit in this project of \$41,000. Dredges are in place and are working. Mr. Listowski said the money is available from Charlotte County's share of the CIP funds. However, the \$117,494.39 originally requested and approved for this project has not been spent. Also, various additional amounts, from \$41,000 to \$75,000 have been suggested. WCIND would need a firm amount. Dr. Kiskaddon explained that the additional money would be

for dredging two small areas which have just been permitted. He is just trying to make sure that funding will be available for any extra costs if they are incurred. Commissioner Cummings supported the project. Charlotte County was told to get its paperwork in order for the original approved amount and the additional funding from the CIP funds.

Commissioner McClash moved to approve additional funding for the Alligator Creek project, not to exceed \$70,000 as long as it does not exceed 50% of the project, with the condition that Charlotte County supply all the proper paperwork. Commissioner Cummings seconded. Motion approved unanimously.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Counsel Perrey spoke about the recent sundown review of F.I.N.D. They are facing a "drop dead" date of October 1, 1995, and the legislature is doing a de facto sundown review. In committee meetings of the legislature there was talk about going back to the 1985 scope of authority for the navigation districts, which would have done away with the grant programs. However, the committee has referred out of committee a very simple bill which removes F.I.N.D. from ever having to be reviewed again and does away with the "drop dead" date of October 1, 1995. We still have to be reviewed by October 1, 2000. We still think it is not prudent to "piggy back" ourselves on to F.I.N.D. We are somewhat concerned about what legislators from Pinellas and Hillsborough Counties have been saying about the waterway. They know they do not have a local sponsor although the C.O.E. does still consider that WCIND is just that in those two counties. We could clarify the issue at the same time as we consider a legislation change to allow Collier County to join the District.

#### U.S. ARMY CORPS OF ENGINEERS' COMMENTS

Mr. Listowski reported on a meeting with Mr. David Gerland from the Corps' Jacksonville office. One of the items discussed was the receipt of a letter from FIND written by a Major General of the C.O.E. which has to do with a memorandum for all major subordinate commanders. Basically, it says that beginning with FY1998 there will be certain projects that will be deemed of not national significance. Our entire waterway is on that list in addition to all our passes, except for Boca Grande Pass. We could never begin to fulfill the responsibility for the IWW and the passes that the Corps currently does, especially in the event of a cataclysmic storm. Mr. Listowski has drafted a Resolution (No. 95-3) requesting clarification of the Corps' responsibilities and level of commitment to the federal waterway system beginning in FY1998. He read the Resolution into the record.

Commissioner McClash moved to approve the Resolution which will be sent to our congressional delegation. Commissioner Cummings seconded. Motion approved unanimously.

Mr. Listowski reported that Lee County has done a resolution relative to beach preservation, and he suggested that the other counties might want to consider doing a similar resolution. What is at stake is millions of dollars in match money not being available. Commissioner Judah offered to send a copy of Lee County's resolution to the other counties.

Mr. David Gerland of the COE in Jacksonville was asked to comment. He said his office did not agree with a number of projects on the list being circulated. His office has put together a defense of Fort Myers, the Intracoastal Waterway, and Longboat Pass. He feels the Resolution is a good idea to let the government know there is some real opposition out there. He is not sure how much input the Corps will have over the proposed legislation.

Commissioner O'Neil referred to the economic effect of the boating/tourism/recreation industry and how it might be harmed. Mr. Gerland said the line of separation between federal and local interests would be commercial vs. non-commercial use. Commissioner McClash wanted consideration to be given to the Coast Guard's mission of rescuing vessels in distress and the availability of safe harbors when the weather is rough in the Gulf of Mexico.

#### OLD BUSINESS

Intracoastal Marine Park - An update from our consultant was received recently, and we are again looking at some changes to the project scope that are required by the permitting agencies. We have received a letter from the Florida Yard Program and their desire to be involved with the project. This is a Sarasota Bay Cooperative Extension Service initiative and has to do with instructing the citizenry about the need for native rather than exotic plants and demonstrating such. They require that our Board give them a five-year commitment to the project in terms of maintaining whatever plants they put out. Mr. Listowski has drafted a letter for signature. Sarasota County will be applying for FBIP funding in April. Commissioner McClash moved to approve the letter for signature. Commissioner O'Neil seconded. Motion was approved unanimously.

Longboat Key Dredging - Counsel Perrey reported that Longboat Pass will be combined in one package with New Pass and Johns Pass. New Pass will be the base bid item with Longboat Pass and Johns Pass as optional bid items. The dredging on the latter two passes will be awarded if sufficient funding becomes available and water quality certificates are issued. The current schedule indicates completing the plans and specs in June, 1995 and awarding the contract in November, 1995. Reading between the lines, Mr. Perrey speculated that Longboat Pass may or may not be dredged, depending upon funding availability. We are moving ahead with securing easements for the Longboat Pass project and should meet the May 15th deadline on easements. The Corps has led Mr. Perrey to believe the dredging will occur, but there are no guarantees.

Mr. Gerland said that the Town of Longboat Key still had some paperwork to complete before dredging can occur.

Maintenance Dredging District Initiative - Mr. Listowski said he is looking for direction from the Board on this issue. We have been presented with a proposal by Florida Sea Grant relative to taking data that we have already paid for and trying to transpose it into something that would be usable to obtain permits. Dr. Gus Antonini has presented a proposal for supplemental funds to develop a district-wide management scheme to evaluate waterway systems and to evaluate pilot products for residential canals in Sarasota Bay. It does have ramifications for the entire district although it appears to be rather localized. He asked for approval in concept from the Board and that will allow staff to explore funding alternatives for presentation at the May Board Meeting. It is a \$40,000 commitment, but it may result in a tool that we could go to DEP with and which might help us in the permit review process.

Commissioner O'Neil moved to approve the project conceptually. Commissioner McClash seconded. Motion approved unanimously.

#### NEW BUSINESS

Big Hickory Pass - Mr. Listowski said this project includes New Pass in Lee County also. The Inlet Management Plan is now complete, and Lee County is requesting a 25% match of what the project cost is. Staff recommends approval of this funding. Commissioner Cummings moved to approve the funding. Commissioner O'Neil seconded. Motion approved unanimously.

Charlotte County Emergency Derelict Vessel Removal - This problem arose after the last Board Meeting, and Mr. Listowski has had conversations with Commissioner Cummings regarding the removal of this vessel. A project application should be forthcoming in the next week, but we now have a figure to work with. Mr. Listowski is asking for contingent approval for \$4,400 from the Charlotte County CIP reserves for emergency derelict vessel removal. Commissioner O'Neil moved to approve the recommendation of staff. Commissioner McClash seconded. Motion approved unanimously.

Counsel Perrey asked to return to the discussion of the Big Hickory Pass Inlet Management Plan. He reminded the Board that we may provide financial assistance to member counties planning on carrying out inlet management projects. However, the legislation goes on to say that such financial assistance shall be contributed only after a finding by the Board that any such project, by the dredging of beach nourishment material or otherwise, is a benefit to public navigation. Mr. Listowski said there is a voluminous file, including several actions that Lee County had to take to achieve inlet management plan approval, such as earmarking \$60,000 on a cyclical basis for opening the pass if it should close, indicating that Big Hickory Pass is indeed a benefit to public navigation. The commissioners agreed that

the minutes would reflect that the Board has made this determination.

Manatee County Dredge Projects/Reimbursement Requests - The situation arose because we received reimbursement requests for projects which had technically expired. Our liaison person submitted the requests to the next level of the chain of command, where they remained for some time. In the meantime, the extension deadline passed and the projects expired. Staff recommends approval of reimbursement requests for several Manatee Co. projects which were submitted after the expiration date, for a total of \$44,106.51. Commissioner Cummings moved to approve the staff recommendation. Commissioner O'Neil seconded. Motion carried unanimously. Manatee County has advised WCIND that it is working on a process to minimize these incidences from happening again.

Mr. Listowski said he will be requesting from all the counties a "letter of understanding" regarding project construction vs. project completion dates. The fiscal documents need to be part of the time line before a project is completed.

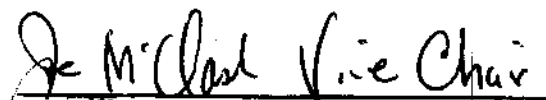
Charlotte County Extension Requests - Mr. Listowski said staff recommends reimbursements for C-32 and C-36, which were also submitted after the expiration date, contingent upon submittal of a letter of understanding. Commissioner McClash moved to approve the recommendation. Commissioner O'Neil seconded. Motion carried unanimously.

Regional Anchorage Pilot Project - Mr. Listowski read Resolution No. 95-2 to the Board. It requests consideration and support from the Florida DEP in the development of a regional waterways management plan, emphasizing specific projects and a systems approach.

There were no questions from the Board for representatives in the audience from B.A.I.L. and the Florida Sea Grant Program. Commissioner McClash moved to approve the Resolution. Commissioner O'Neil seconded. Motion approved unanimously.

NEXT MEETING TIME AND DATE: Friday, May 26, 1995 in Venice, FL at 10:30 a.m.

ADJOURNMENT: 11:45 a.m.

  
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JOE McCLASH, VICE-CHAIRMAN

  
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RAY JUDAH, CHAIRMAN