

WEST COAST INLAND NAVIGATION DISTRICT BOARD MEETING
FRIDAY, SEPTEMBER 12, 1997 AT 4:00 P.M.
SOUTH COUNTY ADMINISTRATION COMPLEX
4000 SOUTH TAMiami TRAIL, VENICE, FLORIDA

AGENDA

ADMINISTRATION

1. Call to Order and Roll Call
2. Approval of the Minutes of July 25, 1997
3. Approval of Invoices Paid for the months of July and August, 1997
4. Approval of Treasurer's Reports for June and July, 1997
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. Progress Report on the Regional Waterway Management System Meetings with D.E.P.
2. Progress Report on Amendments to District Enabling Legislation
3. Progress Report Suncoast Foundation/By-Pass Park Expansion
4. Report on FSBPA Meeting

NEW BUSINESS

1. Approval of 1997-98 District Meeting Schedule
2. Approval of District Work Plan for 1997-98
3. License To Use Agreements - Waterway Inn, Venice
4. Approval of Project Extensions to Fiscal Year 1997-98
 - A. Transfer \$103,250 (94/95 project) from C-40 to Charlotte County's CIP Fund
 - B. Transfer \$40,000 (94/95 project) from M-56 to Manatee County's CIP Fund
 - C. Terminate M-61 and transfer \$40,000 to M-68 (96/97 project)
5. Approval of Resolution 97-5 Regarding Attorney Services for FY97/98

Public Hearing on Tentative Budget at 5:01 p.m. Discuss % increase in millage over the rolled-back rate (61.29%) and specific purposes for which tax revenues are being increased. Ask for comments from the general public. Adopt tentative millage rate (.03) and then adopt the tentative budget.

FINAL PUBLIC HEARING: 5:01 p.m. on Friday, September 19, 1997 - Venice

WEST COAST INLAND NAVIGATION DISTRICT
BOARD MEETING
MINUTES OF SEPTEMBER 12, 1997
SOUTH COUNTY ADMINISTRATION CENTER, VENICE, FLORIDA

MINUTES OF SEPTEMBER 12, 1997

COMMISSIONERS PRESENT:

Joe McClash, Chairman
Mac Horton, Charlotte County Alternate
Jack O'Neil, Secretary
Ray Judah, Treasurer

STAFF PRESENT:

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

ADMINISTRATION

Chairman McClash called the meeting to order at 4:15 p.m. Mr. Listowski called the roll, and all Commissioners were present with Commissioner Horton representing Charlotte County. Commissioner Judah moved and Commissioner O'Neil seconded to approve the minutes of July 25, 1997. Motion approved unanimously. Commissioner Judah moved and Commissioner O'Neil seconded to approve the invoices paid for the months of July and August, 1997. Motion approved unanimously. Commissioner Judah moved and Commissioner O'Neil seconded to approve the treasurer's reports for June and July, 1997. Motion approved unanimously.

Mr. Listowski asked to delete item #3 under New Business (License to Use Agreements - Waterway Inn) so our counsel can do further research on the issue of property rights. This item will be deferred until our November meeting.

PUBLIC COMMENT

Mr. Hugh Brotherton asked to address the Board. About Stump Pass issues. He has been in contact with Charlotte County Commissioners and DEP Beaches & Shores personnel in Tallahassee. He feels Stump Pass is going to be a perpetual problem until we have a permanent maintenance solution. He proposes a procedure called surface fluidization dredging, which would be much cheaper and move less material than the proposal supported by Charlotte County and WCIND. An application for this process would not be affected by other prior applications. Each application would be judged individually. There are 700 ft. of shallows between where the deep water ends and where the gulf starts, and this area is just sandbars. He proposes to dredge through that by moving the material to either side and letting the ebb tide take it out into the gulf. The area will then be marked and watched. This can all be done in eight hours. Every time it starts to fill in, the process will be repeated. He offered to personally pay the application fees and the first opening of Stump Pass. He would use an 18 inch propeller, go down to a minimum depth of 5 feet, and dredge a 60 foot wide channel.

Mr. Listowski said he had heard from Mr. Brantley of the DEP and is led to believe that we are very close to getting the permits for the project as originally designed. We have been responsive to the Charlotte County Commission's desire for assistance.

Commissioner Horton offered to take the issue back to Charlotte County since Mr. Brotherton has brought up additional points today. Charlotte County has an interest in his process but not in incurring additional expenses for more filing fees. Mr. Listowski offered to bring up this subject at a meeting with DEP in Venice on September 17, 1997.

DEPARTMENT OF ENVIRONMENTAL PROTECTION'S COMMENTS

Mr. Listowski said a large entourage would be meeting with the co-deputies of DEP in Tallahassee on September 26, 1997 for a three-fold agenda: 1) Legislative issues and amendments 2) The current focus of the DEP is to put together a package of legislation that will rely on navigation districts to come up with match-funding and support that is unprecedented in the history of shoreline protection. The strategy is to try to put our legislation under the DEP legislative umbrella. 3) Regional waterway management system. We will try to get them to change their permitting requirements, which we feel will be successful. There may be some trade-offs at this point in consideration of the need for beach support. We need to look at everything as an entire ecosystem, including the coastal system, the intracoastal waterway, and everything in between, which in some counties doesn't exist as an infrastructure which would allow people to go from their residential canals to the gulf.

Chairman McClash would like to see a summarized version of how DEP will interpret what we are asking for. Mr. Listowski has put together a Regional Management Program Organizational Chart which includes the entire resource potential of the U. of Florida and NOAA as well as FDEP and WCIND. What we are trying to accomplish can be shown by associated flow charts from each function of the chart. Mr. Listowski also wants to draft a memorandum of agreement among the FDEP, Florida Sea Grant, and WCIND relating to a regional waterway management system. This would become an umbrella document that would allow us to get into more detailed documents on how we are going to work together in a formal fashion. Counsel Perrey likened it to the memorandum of agreement that Secretary Wetherell signed with us and several agencies on anchorages. Mr. Listowski also advocated a resolution from this Board that he could put together and take to the meeting in Tallahassee. Each commissioner would be encouraged to get a similar resolution passed in his county supporting the regional waterway management system approach. Commissioner Judah moved to approve the concept of these resolutions and Commissioner O'Neil seconded. Motion approved unanimously.

U. S. ARMY CORPS OF ENGINEERS' COMMENTS

Ms. Pat Hanson will no longer be working with us as our liaison. All waterways are being consolidated under one project manager, Don Fore. She provided a copy of the MOA that has recently been executed between FIND and the Corps, under which FIND will be providing \$88 million to the Corps over the next 10 years to assist in implementing unfunded work on the ICW.

A meeting will be scheduled by Mr. Fore to discuss the possibility of the Corps giving WCIND money. The FY98 budget for operations and maintenance on our coast has been increased \$90,000 to \$217,000. The state should be issuing very shortly the water quality certification for dredging in the vicinity of the Venice Inlet and the inlet. However, contract costs for this project are not funded. Dredging is completed at New Pass. Charlotte Harbor, although not funded, is sponsored by the Senate for additional funding, and if the conference bill includes Charlotte Harbor, maintenance dredging will begin in July. Mr. Listowski was asked to find out more about FIND's contribution to the Corps. Chairman McClash said we should sent a letter to the Corps commending Ms. Hanson on her attention to our district.

OLD BUSINESS

1. Progress Report on the Regional Waterway Management System Meetings with DEP - already covered.
2. Progress Report on Amendments to District Enabling Legislation - Counsel Perrey referred to a draft bill that changes some provisions of general law (Florida Statutes) which we are proposing. The first section amends the powers provision of the DEP authorize them to enter into interlocal agreements with FIND and WCIND, i.e. to change the way permits are processed and issued. That would authorize DEP to enter into an agreement with us to change the way business is done. Section 2 changes an existing provision of general law that is a powers clause for navigation districts and allows us to cooperate with the federal government as well as state, member counties, and local governments. It expressly authorizes us to engage in local and regional anchorage management, which we are already doing, but we want it specifically authorized. Section 3 creates a new power for WCIND and FIND to enter into ecosystem management agreements with DEP. Section 4 is a glitch provision which refers to matching funds for certain projects. Section 5 would repeal the Sundown Review in the year 2000. We would like to have the Board authorize the filing of this proposed bill so that when we go to Tallahassee we can show it to DEP and say that this is what we want to accomplish. Commissioner Judah moved and Commissioner Horton seconded to authorize the filing of this proposed bill. In response to Commissioner O'Neil's question, counsel Perrey that the strategy of Terry Lewis, our legislative counsel, is to talk to DEP about including our legislation package as a part of the DEP package, so we have a better chance of getting our legislation passed if we can connect with a bill that we think will pass. Mr. Listowski said we will retain our autonomy from DEP because that has already been done legislatively. The local legislative delegations will have to be briefed and brought on board. Each Commissioner would be asked to talk to a favorite legislator(s) in his county. Mr. Lewis will be at the meeting in Tallahassee. Motion passed unanimously.
3. Progress Report on Suncoast Foundation/by-pass Park - There is a new Sarasota County attorney working on this project, and we are moving toward drafting a License to Use Agreement that will probably be presented at our November Board Meeting.
4. Report on FSBPA Meeting - There were some good educational sessions given by geologists which clearly indicate the difference between the east coast and west coast of Florida

shorelines. Both shorelines have a sand deficit with the east coast being in much worse shape than the west coast. Counsel Perrey will submit a briefing to each Commissioner.

NEW BUSINESS

1. Approval of 1997-98 District Meeting Schedule - Commissioner Judah moved and Commissioner Horton seconded to approve the schedule. Motion approved unanimously.
2. Approval of District Work Plan for 1997-98 - Commissioner Judah moved and Commissioner O'Neil seconded to approve the Work Plan. Motion approved unanimously.
3. License to Use Agreements/Waterway Inn - deferred until next meeting
4. Approval of Project Extensions to Fiscal Year 1997-98 - Commissioner Judah moved and Commissioner O'Neil seconded to approve project extensions to the next fiscal year, including the specific transfers/requests listed as A, B, and C on the Agenda.
5. Approval of Resolution 97-5 Regarding Attorney Services for FY97/98 - Mr. Listowski explained that this is an annual resolution which we are required to do by law to retain the legal services of Mr. Perrey. Commissioner O'Neil moved and Commissioner Judah seconded to approve the resolution. Motion approved unanimously.

The Board Meeting was adjourned at 4:57 p.m.

PUBLIC HEARING ON TENTATIVE BUDGET - Commissioner McClash opened the advertised Public Hearing at 5:01 p.m. Mr. Listowski said that for the first time in six years the District has been faced with more project funding requests than we have funds for. Staff put together a budget which would increase the millage from .0189 to .03 in order to allow the counties to be more prepared to participate in federal and state programs as well as to fund some needed projects. The percentage increase in millage over the rolled-back rate is 61.29%.

Chairman McClash opened the meeting to comments by the public. Mr. Hugh Brotherton said that money is not a major consideration when it comes to dredging permits. He thinks that is wrong. We should make better use of current funds and start finding less expensive ways of doing things.

Mr. Ralph Strubel said that when they renourished the Venice Beach, the Venice Inlet all the way from Hatchett Creek to the south bridge was all gravel and sand from the action of tugboats. He wants to know if they are going to start on the high sides of the tributaries of the bays or on the low sides. If you start on the low sides, you will have to dredge the intracoastal within a couple of years. The erosion around the Chamber of Commerce is about eight foot, just washing into the intracoastal. Nothing is being done. The public comment section of the meeting was closed.

Minutes of September 12, 1997

Commissioner Judah moved and Commissioner O'Neil seconded to adopt the tentative millage rate of .03. Motion approved unanimously. Commissioner Judah moved and Commissioner O'Neil seconded to adopt the tentative budget. Motion approved unanimously.

Chairman McClash announced that the Final Public Hearing to adopt the 97/98 Budget would be at 5:01 p. m. on Friday, September 19, 1997 in Venice.

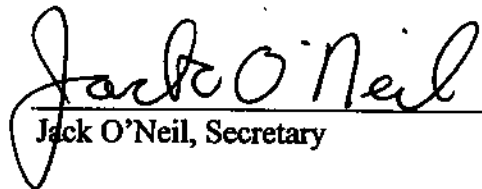
Commissioner O'Neil said that in two weeks a delegation of 10 people are meeting with DEP in Tallahassee for two hours. He is totally frustrated that we have funds to do work and have done all the environmental studies and yet the work cannot be done because of permitting delays. People have boats, and they can't use them because they can't get out of their residential canals. He will go to Senator Harris and the political delegation if the meeting with Tallahassee bureaucrats doesn't produce results. He prays that we are heading in the right direction.

Mr. Vince Bottino, a local realtor, said he was asked to look at a house that had a tax bill of over \$4,000. The neighbor next door said that he had been trying for four years to get a permit for a dock structure so he can get to navigable water with a small boat. Government agencies seem to be very restrictive and working against the public. Let the people know in Tallahassee that people want things to happen.

The meeting was adjourned at 5:35 p.m.



Joe McClash, Chairman



Jack O'Neil, Secretary