

WEST COAST INLAND NAVIGATION DISTRICT
BOARD MEETING
MINUTES OF NOVEMBER 12, 1999
SOUTH COUNTY ADMINISTRATION CENTER, VENICE, FLORIDA

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COMMISSIONERS PRESENT: Ray Judah, Chairman
 Joe McClash, Vice-Chairman
 Shannon Staub, Sarasota Co. Alternate
 Adam Cummings, Charlotte Co. Alternate

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

Chairman Judah opened the meeting at 10:00 as advertised and noted a quorum was present. Upon Mr. Listowski's suggestion, Commissioner Staub moved and Commissioner McClash seconded to postpone discussion of item #9 under Administrative Agenda (Manatee County request for additional funding) to a future meeting. Motion passed unanimously.

PUBLIC COMMENT: Ms. Janet Huwel, a homeowner on Shamrock Drive in Venice, spoke about the fence WCIND installed in her neighborhood and the disruption of wildlife. Mr. Listowski said, that at the request of Sarasota County, WCIND has cleared the drainage swale along Columbine Road. The Town Meetings have been held, and Mr. Listowski showed pictures. We have maintained the ditch behind the Columbine residents, and Sarasota County DOT officials responsible for stormwater management have said that they would probably like the fence to remain where it is in light of maintenance needs of the ditch. We have not approached Shamrock Drive yet where there is a 60 ft. easement. A fence would not be installed on the residents' side of the easement. It would probably be at the base of the berm. The AmeriCorps workers will be back in December, and we will have to rebuild their campside as it was maliciously destroyed by vandals.

Mr. Lou Fusilli of Bird Key Drive, representing the Sarasota Bay Boaters Association, handed in petitions regarding the navigation and safety of New Pass.

Commissioner Staub questioned when she would have an update on the Shamrock – Columbine Road property issues. That will be discussed under the Administrative Agenda. Mr. Listowski said the fence would be 60 feet away from the property line of the homeowners, taking into account that 60 foot buffer provided by the easement between the property owners' private property and the District property.

DEPARTMENT OF ENVIRONMENTAL PROTECTION – no one was present.

U. S. ARMY CORPS OF ENGINEERS – Mr. Don Fore addressed the Board. New Pass and Longboat Pass are scheduled for advertising for dredging the end of July. He has met with Gary

Comp of Sarasota County Natural Resources Dept. and others to get their ideas and opinions. The Corps will make a proposal and ask for comments. In that way a dialogue will be opened. The contract will be written flexible enough to take advantage of the latest possible information. Commissioner Staub clarified that the most natural path would be dredged rather than what was done in the past. Historically, channels in our area drift to the south until they close up and the shoal gets extended.

The best solution is dredging more often. Commissioner McClash said the last dredging operation lasted only six months. Commissioner Staub asked for a press release and more public input. Mr. Fore said a contract could be let in September, and since dredging would take two months for both passes, boats could be moving through by December, 2000. FEMA has provided \$750,000 to put sand on the beaches at Longboat Pass. Local share would be about \$250,000, and the Corps would piggyback onto the FEMA contract.

Plans and specs are being finalized for the Fort Myers Beach dredging project which should occur in February or March. Mr. Fore's O & M budget has increased from 38 million to 71 million this year and the next. There is a lobbying meeting on November 17th in Savannah where dredgers and users collaborate to get the Corps' attention. It would be good for WCIND to be represented.

The dredge material management plan contractor had to relocate because of hurricanes in North Carolina. The three line survey should be completed quite soon. Hopefully, by the end of this fiscal year the Corps will have all the sediment data back and can report on a draft plan. Commissioner McClash is still concerned about the hot spots already identified, specifically, Phillippi Creek being the most restricted. Mr. Listowski reported that our consultant has done a bathymetric survey which does show a problem area between markers 72, 72A, and 73. You can run aground within the channel if you are not careful. There is more water on the west side of the channel. Mr. Listowski said we will remark the channel and press the Corps on doing some minor dredging in that area. Water in that area goes from 9 ft. to 5 ft. We can work with the Corps to get the Coast Guard to place temporary markers there. Commissioner McClash requested a copy of the letter which will be sent to the Coast Guard.

CONSENT AGENDA - Commissioner Cummings moved to approve items 1-5. Commissioner Staub seconded. Motion approved unanimously.

ADMINISTRATIVE AGENDA

1. Recommend Approval of District/ACOE Funding Agreement – Counsel Perrey has reviewed the agreement. One of the things it requires is the indemnification of the Corps by WCIND. There is another agreement we have had with the Corps for 50 years (local sponsor agreement). Some new legislation passed recently seems to authorize those kinds of indemnifications between governments that wasn't there before. FIND has approved an agreement with the indemnification clause. He thinks it is an agreement that WCIND can enter into. First we have to write a letter to the Corps requesting that they enter into an agreement with us. Then the agreement will be hammered out. We have made that request and will have to wait for an agreement to be sent to us.

2. Report on FDEP Administrative Meetings – Two very important meetings have occurred since our last Board Meeting. One occurred with FMRI in St. Petersburg, the scientific arm of the newly-formed Florida Wildlife Conservation Commission Dept. It was important to do a Florida Blueways program using our data bases as the human use element in the statewide plan. They would formulate a MOA so we can work similarly with the FWCC as we do with DEP. Mr. Listowski and consultants had a long meeting with Mr. Rick Cantrell and Ms. Deborah Getzoff of DEP. We came away with the feeling that we have an opportunity to partner with the State regarding general permitting and resource management.

3. District Property Management Issues – These issues pertain to south Venice properties and fencing/clearing our property along a ditch. We also had a successful meeting involving the Section 1135 program in Sarasota. Commissioner Staub reviewed the neighborhood meeting in Venice. The spoil site issue was going to be dealt with by the ACOE with information coming back to us in September. Hopefully, the spoil site in south Venice will not have to be used. The scrub jay and bird issue would be handled with the scientist from Archibald Station. Mr. Listowski said we have been visited by a scientist from the Corps' biological staff who is recommending to the Fish & Wildlife staff the same thing, i.e. that we have a collaboration with the Archibald Biological Research Station to deal with the most important issues involving the sustainability of the wildlife. There are scrub jays and gopher tortoises on the property. There will definitely be a collaborative partnership with the Archibald Station.

Commissioner Staub reviewed the issue of the ditch and fence along Columbine Road which has caused problems with the neighbors. The ditch has been cleared and cleaned. Mr. Listowski showed before and after pictures. County staff people have also taken pictures, and they suggest that it may be better in terms of maintenance of the stormwater area to leave the fence where it is as a stabilizing feature. The county will have to decide. Commissioner Staub was not aware of this, and no decision has been made as to the county taking over the maintenance of the ditch. Large rats have been observed in the ditch, and a homeowner is discharging gray wash water into the ditch. Commissioner McClash would like to put this issue behind us, but if the county wants us to move the fence, it can be done.

Mr. Gonzales from the ACOE in Jacksonville was asked to report on a meeting in Sarasota County about Section 1135 issues and spoil island restoration. Initially, there was some opposition, but that seems to have lessened. The Corps will be conducting more workshops, and it has contracted with a consultant, HDR Engineering, Inc. to conduct a study. HDR participated in the recent workshop and is now collecting data about the islands in Sarasota Bay. The next step will be consultation with resource agencies and development of conceptual plans. Another workshop will be held in January or February and one in May or June. A press release would be very helpful. The study should be finished in July or August.

4. Regional Beach and Inlet Convocation – The issue of the erosion control assistance program funding (\$30 million per year appropriated by the legislature) seems to have generated more of a struggle to earmark that money than originally thought. The state has now required a series of workshops designed to try to set the stage for the expenditure of money. Mr. Listowski and Commissioner Perrey are not very happy about the developing situation. Commissioner

McClash suggested sending a letter to area legislators to share our concerns and asking them to look into it. The commissioners want a copy of the letter.

5. Regional Waterway Management System – Dr. Antonini reported that north Manatee County has been completed. Two workshops were offered. Phase I has been completed in Lee County, and the county is reviewing the material. He is already in Phase II. Counting of the boats will take place in the winter. About 800 copies of the “Historical Geography of Southwest Florida Waterways” have been sent to individuals. He is now doing the historical research of the areas to the south, including Charlotte Harbor and Pine Island Sound to Estero Bay. The second volume will be ready for publication in about 18 months. He is signing a cooperative agreement formalizing the Florida Sea Grant Program/University relationship with WCIND which provides the District with the ability to come to Sea Grant, which represents all of the major marine research organizations in Florida, for technical and professional support.

6. Stump Pass Update – There was a 4-1 positive vote in Charlotte County to dredge Stump Pass during the winter season, based on our cost-sharing proposal. Mr. Listowski would like to act on the county’s behalf to get more funding from the state, but he wants a letter from the county so he can aggressively pursue the funding issue.

7. Litigation Case on Venice Chamber Property – Counsel Perrey reported that the Corps has released the its interest in the property, which left only WCIND with its interest in the property. He worked out a deal where our easement rights are retained and preserved, and we are dismissed from the case.

8. “Historical Geography” Publications - already discussed.

9. Manatee County Request for Additional Funding – already postponed.

COMMISSIONERS’ ITEMS

Commissioner Staub reported that the Venice Marine Park ramp has grids to help with traction, but the grids run lengthwise rather than parallel. The Sarasota County Board of County Commissioners requested that we make an adjustment. Mr. Listowski said that could be done. She asked about the Manasota Key Beach issue, and Mr. Listowski said that we received notice from the state that the state is willing to fund \$100,000 cost-share with the local sponsor or local interest. That would be a \$200,000 feasibility study of the Manasota Key Beach renourishment project in the first year. Second year would be design money. Third year would be implementation or actual rebuilding of the beach. He has had difficult discussions with Mr. Phil Flood of DEP Beaches & Shores. Mr. Listowski is not satisfied to wait 3 ½ or 4 years because we originally had \$940,000 promised to us which would tie in to Stump Pass. We are finding out that the state is not necessarily becoming more pro-active. Mr. Listowski thinks the letter to the state legislators is a good idea.

WCIND COUNSEL – no further report.

EXECUTIVE DIRECTOR’S REPORT – no further report.

Minutes of November 12, 1999

NEXT MEETING DATE AND TIME – Friday, January 21, 2000 at 10:30 in Venice.