Minutes
Beaches and Shores Advisory Committee
Thursday, February 1, 2018 at 9:00 A.M.
Charlotte County Building Construction Services Building
Large Conference Room
18400 Murdock Circle, Port Charlotte, FL 33948

1. Call to Order:
   Chairman Brock called the meeting to order at 9:05 a.m. and led the group in the Pledge of Allegiance.

2. Roll Call:

3. Determination of a quorum:
   Upon the Secretary calling the roll, it was noted a quorum was present.

4. Approval of Minutes:
   ✷ Approve the Minutes from January 4, 2018
   Ms. Lang moved to approve the minutes of January 4, 2018; seconded by Dr. Keller, the motion carried unanimously.

5. Additions/Deletions to Agenda:
   Mr. Gerhardt added two items to New Business for discussion:
   • How many endangered species are here in Charlotte County?
   • How many people visited Charlotte County and specifically how many went fishing and boating, rented a house on the beach, used the beach, walked on the beach and collected shells?

   Mr. Gerhardt expressing the need for BSAC members to understand the importance of the BSAC and the work the Committee does for Charlotte County.

6. Chairman Comments:
   None Offered.

7. Public Comments on Agenda Items:
   Mr. Wing stated that on April 9, 2018 at 2:00 p.m., State Representative Michael Grant will attend the South Manasota Sandpiper Key Association Meeting to discuss state funding for the beach renourishment program; with a social at 1:30 p.m., on February 9, 2018 Mr. Wing will be on WENG radio talking about beach renourishment, on February 12, 2018 at 2:00 p.m. Peter Ravella will be making a presentation to the South Manasota Sandpiper Key Association at the Gulf to Bay Clubhouse on North Beach Road and on February 13, 2018 Peter Ravella will attend the Board of County Commissioners meeting at 9:00 a.m. to talk about beach renourishment and funding.

   Mr. Ochab added that Peter Ravella will also be presenting on February 12, 2018 at 6:00 p.m. at Tringali for the final Public Workshop to discuss beach renourishment and funding.

   Mr. Poff, Coastal Engineering Consultants explained that the scope of work that was approved is for conducting the beach profile surveys, applying their design to compute
what the cost will be to include an extension of the beach fill into Sarasota County, approximately ½ mile north of South Beach Park and to conduct the near shore hardbottom surveys to determine hardbottom that is exposed in their beach fill footprint. Sarasota County wants to know costs and ramifications. They have not appropriated any funding for moving forward with hardbottom mitigation plans or strategies. There will be a Joint Commission Meeting with Sarasota County, March 21, 2018 at 2:00 p.m. in Room 119, 18500 Murdock Circle, Port Charlotte FL 33948. The application is due to the State in July 2018.

Mr. Ochab stated that Peter Ravella’s Team has finished the final draft of recommendations for the proposed beach funding plan and this will be presented to the Commissioners individually soon.

8. New Business:

- Claire Jubb, Director Community Development was unable to attend today’s meeting to speak about Construction and Elevation and will be rescheduled.

- **Roger DeBruler – Derelict Boats**

Roger DeBruler, Parks and Natural Resources coordinator for the abandoned vessel program provided a PowerPoint presentation stating that the definition of a derelict vessel, created by the State, is any vessel that is left on the water and is in a wrecked, junked or dismantled condition. An abandoned vessel is similar in that it’s in a wrecked, dismantled condition but it has no owner.

The State has no salvage law, everything found on the water in the State of Florida belongs to the State of Florida. The State of Florida is a title state, meaning that the title to a piece of property must change hands; if it doesn’t the property is still owned by the previous owner. Prior to 2002 only the State could remove abandoned vessels from the water.

- In 2002 the Legislature removed money from the Abandoned Vessel Program for other projects.
- In 2002 the County was allowed to remove boats but only after the State’s approval.
- In 2004, there were over 28 named storms and the season extended beyond November into February 2005.
- In 2006 they defined derelict vessels and allowed Counties to remove vessels without approval, as long as they met statutory regulations. Charlotte County sought help in 2006 to remove derelict vessels; unable to receive State help they went to the University of Florida. The University of Florida helped create an Ordinance which was adopted in 2007.
- The Ordinance was rewritten in 2017 and is now Ordinance 2017-006. (Sec. 3-9-76.1) can be found at: https://library.municode.com/fl/charlotte_county/codes/code_of_ordinances?nodeId=PTIII1ADEGRMA_CH3-9ZO_ARTIIISPRE_S3-9-76.1WAABDEHANA

Once a complaint is received or an officer finds an abandoned vessel it must be investigated. An attempt is made to identify and contact the last known owner. If unable to find an owner it is then deemed an abandoned vessel. The boat is then tagged and a 45-day waiting period begins before the boat can be removed; public notice is posted.

*BSAC 2/01/2018*
The County website lists abandoned vessels and can be found at:  
https://www.charlottecountyfl.gov/services/naturalresources/Pages/Abandoned-Vessels-Program.aspx

There appears to be a lack of boater education as to the laws and County requirements. The County has one mooring field and a vessel must have a mooring light. State Law states that the title must be changed with ownership or your liability may never end. Discussion ensued and it was added that the US Coast Guard must also be notified if it is documented.

The boat must move under its own accord. Mooring is a right of navigation created for people to anchor; and off load and on load supplies. This is a federal law. Mr. DeBruler confirmed that if a boat is 26 feet or greater, the vessel must have a head of some sort, current registration and be able to move under its own accord.

The WCIND will be funding from their budget, not County funds and they have started removing boats. Vessels found after Hurricane IRMA are in the process of being removed; WCIND may go after federal funds to assist with the cost.

Seagrasses are a resource of the State. If a vessel is in such an area, the County wants the State involved. The State has to mandate and protect those resources. Fines can be levied against an owner if the case goes to court. Mr. DeBruler stated that the public can call the Sherriff's Office or the County at 941-833-3820 to report a vessel.

**Additions to New Business made by Mr. Gerhardt**

- How many endangered species are here in Charlotte County?
- How many people visited Charlotte County and specifically how many went fishing and boating, rented a house on the beach, used the beach, walked on the beach and collected shells?

Mr. Gerhardt stated that this Committee should be aware of the number of people, animals and homes on our shorelines and saltwater canals that are affected by the BCC and BSAC decisions. Mr. Gerhardt received information from Lorah Steiner, Tourism Development Director and the Tourism Bureau for the third quarter (April – September) of 2017.

**Charlotte County Visitor Information – Third Quarter 2017**

Visited Charlotte County – 215,800  
Dollars spent - $181,112,300  
Average length of stay – 6.3 nights  
Fishing and boating - 40.3 % of those who visited  
Beach house vacation rentals – 26% of those who visited  
Visitors who used beaches - 81% of those who visited  
Walking on the beach - 75% of those who visited  
Collecting shells - 52% of those who visited

Ms. Steiner, Tourism Development Director stated that, if there is a question that the BSAC would like added to the intercept studies to please contact her.

*BSAC 2/01/2018*
Ms. Augustinowicz, Environmental Specialist provided species data stating that there are 134 species that are listed or threatened on the endangered species list in the State of Florida. A few were mentioned including 10 reptile species, the American Alligator, American Crocodile, Eastern Indigo Snake, Florida Pine Snake, Gopher Tortoises, various Sea Turtles and 13 species of birds which have been documented as spotted on the beaches; as for mammals, there is the Florida Manatee. Ms. Augustinowicz did not have information for the fish and crustaceans, at this time. Charlotte County has five (5) species of sea turtles, three (3) that commonly nest on the beaches are the Loggerhead, Greens and Kemp’s Ridley. Charlotte County had 1,364 Loggerhead nests this season with each Loggerhead nesting on average five (5) times per season, which is approximately 270 nesting females. There were 125 Green nests which represents 25 or less nesting females; there were only three (3) nests for the Kemp’s Ridley, representing 1-2 nesting females for the 2017 season. Charlotte County has year-round, wintering, migratory and nesting shorebirds and seabirds. The County’s nesting species include 5 main-lands including the Least Tern, Black Skimmer, American Oystercatcher, Snowy Plover and Wilson’s Plover. Of those listed the only one not State listed is the Wilson’s Plover. In 2017 Charlotte County had two (2) eastern colonies of which one (1) had 52 nests and the other had 33 nests; there were two (2) nests for Snowy Plover’s and six (6) Wilson Plover nests.

Ms. Scudera, Natural Resources Projects Manager stated that from 1997-1999 based on Marine aerial surveys the highest number of sighting for Manatees were in April, May and June; with 165 sighting in April, 155 in May and 135 in June.

Ms. Scudera added that there has been a decrease in shore birds and sea birds state wide. Dogs on the beach are a contributing factor. Flyers have been sent out educating property owners about dogs on the beach.

Ms. Lang asked about the sea turtle population in the last two (2) years with Ms. Augustinowicz stating that the populations are down, mainly due to Hurricane IRMA but that 2015 and 2016 were banner years.

Mr. Gerhardt stated that moving forward what the BSAC does is relevant, important and will be a significant factor in people’s lives.

Chairman Brock asked if a 50-ft. benchmark would benefit everyone and assist with habitat? Discussion ensued and Mr. Poff added that sea turtle monitors are utilized due to permit requirements. Bird nests cannot be relocated but means to abate can be used; turtle nests can be relocated. Work stops for nesting in a construction zone. There is a decade plus of detailed maps for where nests occur both for sea turtles and shore birds because they are counted by the monitoring team; the project funds pay for that to happen. There is a report published each year for both turtles and shore birds. If the beach can be placed back; restored and maintained, over time it is hoped the turtles will find the beach again and nest. Often there are low nesting numbers after restoration but we have found that when the beach is renourished and the elevation is raised to where it needs to be, the hatching success is better due to the lack of storm impacts. Juvenile survival counts are impossible to count but restored beaches that are maintained take, on average, 3-5 years for nesting population to increase. Chairman Brock suggested that 100 ft. would help protect the nests.

BSAC 2/01/2018
Dr. Keller referenced an Audubon Study that projects the loss of 400 species in North America by the end of the century. If we are making plans 40-50-100 years out, we need to address sea-level rise and the changes Audubon reports. Audubon reports that since our Republic was founded, 9 species have gone extinct in North America; with the current climate changes if we don’t do something we could lose half of the remaining species. Dr. Keller suggested that maybe the County could be addressing a long-term plan beyond 8 years.

9. Old Business:
   - Michael Poff, Coastal Engineering Consultants - Manasota Key Beach Erosion
   - Michael Poff, Coastal Engineering Consultants - Stump Pass Erosion Control

Mr. Poff stated that all monitoring report requirements for last year have been completed. Ms. Scudera and Ms. Augustinowicz’s team have cleared the shorebird habitat area on Palm Island, which is the mitigation habitat area for shorebirds. This area must be cleared by February 15th of each year. Predator control is ongoing. Shorebird monitoring is done twice monthly for non-nesting species. As we get closer to season, there will be weekly monitoring of the south end of Manasota Key, terminal groin north and the mitigation area. Beach tilling must be done on Stump Beach State Park. Summer surveys will be done as required by the permit(s). The State (DEP) has requested clarification on design and a best management plan for bar areas. Our critical path will be getting the Core of Engineers process moving forward.

Mr. Poff explained the Interlocal Agreement between Sarasota County and Charlotte County which was approved by Charlotte County two meetings ago. Between April and July, Sarasota County will have to cosign the application to prove this is a regional project.

Dr. Keller asked for clarification as to the mitigation area for bird nesting discussed earlier with Mr. Poff explaining that when the channel is dredged for navigation the end of the spit is clipped off. An area on Palm Island, that was a shorebird nesting area in the past, has been filled with sand. By raising the elevation and clearing the vegetation a landing pad is created for the birds. This location is approximately four (4) acres on the south side of the pass, to compensate for the loss on the north side.

Mr. Gerhardt asked Commissioner Deutsch to confirm that in January 2018 the Board of County Commissioners (BCC) did not vote on the funding program for beach renourishment. Commissioner Deutsch confirmed they did not and that they are working on it.

Ms. Scudera stated that new signs have been placed on Palm Island. Ms. Augustinowicz added that the State Park will be marked Tuesday.

10. Public Comments
Discussion ensued as to if the date will change if Sarasota County joins in the beach renourishment project. Mr. Poff stated that he could not answer that question until they know what hardbottom issues they have.

BSAC 2/01/2018
The funding application must be submitted to the State in July for the best chance of getting funding at the State level. That being said, the County has up to 3 years to apply for reimbursement from the State.

Chairman Brock asked if the BCC will be voting on the proposed beach funding plan at their meeting on February 13, 2018? Discussion ensued. Link to the February 13, 2018 BCC agenda https://www.charlottecountyfl.gov/Pages/BCC-Meeting-Agendas.aspx

11. Staff Comments
   • **Matt Logan – Engineering Projects Update Report**
     Mr. Logan provided an update report stating that staff is working with Coastal Engineering to finalize the scoping fees for dredging Gulf Cove. Minor site trimming will be done in Pirate Harbor to clean up the waterways. The FDP permit was approved for the 2300 feet in Pirate Harbor and staff is waiting on the Army Corps of Engineers. Marking of the channel will be coordinated with Coastal Engineering. Complaints of infilling of the recently dredged channels have been reported for Harbor Heights, specifically the Balboa Channel; a bathometric survey is going out. Alligator Creek has reported significant infilling of the exterior channels post Hurricane IRMA. A bathometric survey and marker plan will be done by Coastal Engineering in the next couple weeks. Buena Vista has requested some bathometric work around the outer channels to get a status survey. There is some significant shoaling in the Sunrise channel; staff is looking for additional grant funds.

Ms. Scudera stated that staff is getting ready for shorebird and sea turtle nesting season, following through with permit requirements, brochure distribution and that the shorebird mitigation site management is complete.

Ms. Augustinowicz stated that preseason predator control is in process. The main predator being armadillos.

12. Member Comments
    Mr. Gerhardt thanked everyone stating that Charlotte County staff is second to none. Having worked in government for most of his life, Charlotte County staff does excellent work. Mr. Gerhardt thanked Mr. Wing and the public in attendance for their input and his fellow Committee members; encouraging the BSAC to read the Committee Rules and Procedures.

Chairman Brock thanked Damian Ochab for his efforts with the beach renourishment program.

13. Next Meeting
    • The next Regular Meeting of the Beaches and Shores Advisory Committee will be **Thursday, March 1, 2018** at 9:00 a.m. in the large conference room of Building Construction Services unless otherwise announced.

14. Adjournment
    The meeting was adjourned at 10:48 am.

*BSAC 2/01/2018*
Meeting recorded and transcribed by Beth Scott.

Minutes of the Beaches and Shores Advisory Committee
Approved this 1st day of March 2018.