

**Beaches & Shores Advisory Committee
Special Meeting
Thursday, August 13, 2009
Charlotte County Administration Center
Room #B-207**

Members Present

Robert Pierce, Chairman
Dick Whitney, Vice-Chairman
Kevyn Schweim
Tommy Brock

Staff Present

Commissioner Bob Starr
Missy L. Christie, Env. & Ext. Services
Jane Starr, Recording Secretary

Excused

John (Jack) Landis
David Nellis
Bill Weller

Guests

Michael Poff, CEC
Chad Lach, Gasparilla Island Administration
Wilma Katz, CWC, Inc.
Ranee LaSalle

I. Call to Order/Roll Call/Determination of Quorum

Chair Pierce called the August 13, 2009, **Beaches and Shores Advisory Committee** special meeting to order at 9:11 a.m. noting a quorum was present.

II. Approval of Minutes

A motion was presented by **Kevin Schweim** to accept the Beaches and Shores Advisory Committee minutes as written. The motion was seconded by **Dick Whitney** and the minutes for **May 7, 2009** were unanimously accepted.

III. Additions/Deletions to Agenda

Chair Pierce announced two additions to the agenda:

- Roping off of the access point on Manasota Beach
- Dune walkovers being proposed on Don Pedro/Knight Island

IV. Chairman Comments

Chair Pierce thanked members for attending today's Special Meeting.

V. Commissioner Comments

Commissioner Starr commented on the FSBPA Beach Watch Membership saying he brought this to the Board for consideration, but it was not approved due to financial concerns. He agreed this is a worthwhile organization and hopes this can be authorized sometime in the future.

Dick Whitney asked **Commissioner Starr** to comment on beach renourishment and a case that is being reviewed by the U.S. Supreme Court. **Commissioner Starr** suggested one way to help our beaches would be to write the State Legislatures the next time we have re-districting and request they assign a Congressman specifically for our beaches. At present there is only one Congressman for eight (8) counties. **Commissioner Starr** advised he was not aware of the Supreme Court case. **Chair Pierce** explained the Supreme Court is reviewing sovereign lands under beach renourished projects which could affect the future renourishment of Florida beaches. **Dick Whitney** discussed a recent article by Debbie Flack. The Recording Secretary was instructed to email members with a copy of the article. He went on to say that the Florida Beaches and Shores Association would like to join with Beach Watch and make a presentation to the Supreme Court who will be hearing this case. He reiterated this will affect the renourishment of Florida beaches and is something the Committee should be aware of. **Tommy Brock** offered additional comments and discussed a contract that he received as a homeowner on the beach.

VI. Old Business

Update on Stump Pass Dredging and Beach Restoration

Michael Poff advised that FEMA has still not taken action on the application. County staff has been pushing weekly to get this resolved and has been told only that it is still under review. The Public Works Department has advised to move forward as if FEMA funds are going to come through so everything will be in place if and when the application is approved. He confirmed that, due to the budgetary restraints the entire state and country are facing, there will be no state funding this year, but stated the current MSBU-MSTU funding program that is currently in place has sufficient reserves to pay the state share. Thus, the Board could make the decision to move forward with the project as designed if FEMA comes through on the state's portion. The County would have five (5) years to seek reimbursement for those dollars. **Chair Pierce** reiterated his understanding that funds would be borrowed from future dredging and applied now to replenish those funds. **Mr. Poff** agreed and advised Commissioner Starr that the annual funding application request for construction dollars would come before the Board at their next meeting. **Mr. Poff** responded to an inquiry by **Kevyn Schweim** regarding the availability of future state funding and explained the current anticipated plan going forward. Discussion Continued. Commissioner Starr asked to be informed if additional information became available.

Missy L. Christie briefly advised on the roping off of the access point and the Dune walkovers being proposed. **Commissioner Starr** suggested forwarding the Committee's recommendation to the Board for consideration.

(Commissioner Starr left the meeting at 9:43am)

Tommy Brock inquired about state funding for dredging the pass. **Michael Poff** clarified that funding comes through the State Legislature, but the authority is handled through the Department of Environmental Protection (DEP). **Chad Lach** offered additional input and **Mr. Poff** advised further on the technical information related to this issue as well as details regarding state and county funding. Additional comments were offered by **Chair Pierce** and **Mr. Brock**. **Mr. Poff** commented further on the issue of beach property rights and erosion control lines and responded to **Mr. Lach's** inquiry regarding modifications to a permit request for sand on Knight Island.

Chair Pierce asked the Committee to respond with their thoughts on using future dredging funds now. **Mr. Whitney** inquired about the timeline for utilizing FEMA funds. **Mr. Poff** stated he believes the time frame is two years and added that erosion changes are still being analyzed from last year and it is his feeling at this time that a delay in the project is something that could be considered assuming we have a mild hurricane season this year. **Mr. Brock** voiced his opinion that delaying the dredging would be a mistake and commented on continuing erosion since the geo-tubes were removed. **Ms. Christy** added that her department has also received similar complaints. **Mr. Poff** agreed channel markers need to be moved each time there is a significant event. **Mr. Brock** offered suggestions to alleviate the problem and other options were discussed. **Chair Pierce** asked the Committee if they would like to make a recommendation. **Mr. Poff** advised the federal process is still ongoing and he felt action by the Committee would be premature at this time. He suggested waiting until the status of the FEMA funds is confirmed.

Guest, **Wilma Katz**, inquired about the original purpose of the project in 2003. **Mr. Poff** presented additional information and confirmed the primary purpose was to restore the beaches. A discussion ensued.

(Michael Poff left the meeting at 10:30am.)

Dogs on the Beach

Missy L. Christie advised of a workshop recently held to update Law Enforcement officials on this issue. She stated that County Ordinances mandate that dogs must be leashed and are not allowed on public beaches, but pointed out that the majority of beaches are state property and cannot be enforced by the County. **Wilma Katz** asked **Ms. Christy** to distinguish the areas of beach that have county jurisdiction. **Ms. Christy** made the point that, regardless of the location, the Ordinance is difficult to enforce due to a lack of manpower and because the dogs are usually gone by the time law enforcement officials respond. It was made known this excluded Port Charlotte Beach which is heavily enforced. **Wilma Katz** remarked that acknowledging these challenges is not a reason to

stop pursuing the issue and suggested Law Enforcement be called to patrol areas at a set time when dogs are anticipated to be present. At **Mr. Brock's** request, **Ms. Katz** mentioned beach areas where dogs are routinely seen. **Mr. Brock** inquired further about education and signage in these areas and comments were offered by **Mr. Lach**. Discussion continued. **Randee LaSalle** provided members with a handout.

Fencing on the North and South Entrance to Englewood Beach Park

Ms. Christie reported that Commissioner Starr suggested he would like to see this area closed off and a natural dune system built with a directive of achieving this at minimal costs. Possible ideas were presented and it was decided the most cost efficient way would be to work with the Parks and Recreation Department to pull up sand naturally and plant Sea Oats for it to build on its own. **Ms. Christie** advised this would need to be postponed until after Sea Turtle season and responded to additional inquiries from **Mr. Whitney** and **Mr. Brock**.

VII. New Business

Englewood Beach – Letter to Commissioners

Chair Pierce read excerpts from a letter that was written to the Commission regarding the Committee's recommendation following the March Field Trip to view Englewood Beach and asked **Ms. Christy** why this would not be sufficient to move forward. **Ms. Christy** stated that fencing would not be authorized for this area and suggested roping the east side of the entrances to stop the traffic. She confirmed a field permit could be obtained to plant sea oats and stated she would send an email to Commissioner Starr. Discussion continued on the best way to proceed.

ACTION: Dick Whitney presented a motion for the Beaches and Shores Advisory Committee to make a recommendation to the Board of County Commissioners that Charlotte County obtain the necessary beach field permits for blocking the entrance at Englewood Beach to comply with the necessary provisions of the permit. Kevyn Schweim seconded and a vote was taken. The motion passed unanimously.

(Missy Christie left the meeting at 10:53am.)

Dick Whitney thanked **Randee LaSalle** for information she provided regarding additional public access from south Charlotte County to Charlotte Harbor, specifically the area known as Hobbs Point. He stated that Hobbs Point is a seven (7) acre privately owned parcel (#422330381001) which the Florida DEP attempted to purchase several years ago to make part of the State Park Buffer Preserve. He formally requested that the Committee look at this in the future when funds become available to purchase additional park land in Charlotte County.

FSBPA Beach Watch Membership

Kevin Schweim advised he attended a recent Marine Advisory Committee meeting and spoke with the Chairman regarding possible funding for the FSBPA Beach Watch Membership. He stated Chairman Blago suggested the Committee apply for a grant proposal of \$5,000.00 to join FSBPA. A discussion ensued.

***ACTION:** Dick Whitney presented a motion to immediately contact the Marine Advisory Committee and advise them that the Beaches and Shores Advisory Committee would be in favor of obtaining funds through them for membership in the Florida Shore and Beach Preservation Association, specifically the Beach Watch Advocacy Program. Following a discussion, Dick Whitney withdrew his motion.*

Mr. Whitney recommended the Committee continue to explore all possibilities of becoming a member of this organization. **Chair Pierce** stated he would contact the Marine Advisory committee for additional information.

VIII. Action Items - None

IX. Committee Reports - None

X. Correspondence and Communication - None

XI. Public Comments

Randee LaSalle provided information on her background and discussed the issue of dogs on both public and private beaches, the challenges of enforcement, and the importance of continuing education as stated in her recent letter to the Commission. The handouts she provided earlier in the meeting were discussed and information was provided regarding a grass roots movement that she and others are involved in. **Mr. Whitney** asked about membership in the grass root organization and was told there are approximately 125 members in both the Coastal Wildlife Club and in the Stewardship Program educating residents and/or handing out literature that has been provided by Charlotte County. She added this was just the beginning as she anticipates other associations to participate.

Chad Lach commented his view that disposal containers would be good in public areas where dogs are allowed but would not be appropriate on the beach as he felt it would promote allowing dogs to go there. **Ms. LaSalle** responded and stated that she highly promotes this effort.

XII. Staff Comments - None

XIII. Member Comments - None

XIV. Next Meeting

The next meeting is scheduled for Thursday, October 1, 2009, at 9:00a.m. in Room B-106.

XV. Adjournment

Chair Pierce called the meeting to a close at 11:39a.m.

Respectfully Submitted,

Jane Starr

Jane Starr
Recording Secretary