

**DRAFT MINUTES**  
**CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE**  
**Thursday, May 12, 2016, 9:30 a.m.**  
**Charlotte County Administration Center**  
**18500 Murdock Circle, Room 119, Port Charlotte, FL 33948**

**1. Call To Order and Pledge of Allegiance 9:30**

**2. Roll Call**

**3. Chairman's comments**

**A. REMINDER TO ALL VISITORS ADDRESSING THE COMMITTEE: PLEASE SIGN IN. It is helpful when preparing the Minutes. A clipboard and a pen are provided on the podium for your convenience.**

**B. REMINDER TO ALL MEMBERS STATE THEIR NAME AND ORGANIZATION and TO USE THE MICROPHONE WHEN ADDRESSING THE COMMITTEE. It is helpful when preparing the Minutes.**

**C. REMINDER TO ALL MEMBERS AND VISITORS TO PLEASE SILENCE THEIR CELL PHONES.**

**4. Changes to the Agenda**

Mr. Hofmeister requested the addition of "Depletion of Fish in Charlotte Harbor and its impact on boater impact fees" to New Business.

**5. Citizen Comments on Agenda Items**

Mr. Jim Crawley, Vice-President of the Punta Gorda Isles Fishing Club, spoke to the group on the depletion of fish in the Harbor. Mr. Crawley indicated his club has no scientific data, but they have ideas about the causes – e.g., the deteriorating grass beds which in turn are caused by high-speed traffic and improper boating techniques; an increase in fish tournaments, and the preparation that boaters do before the tournaments; also, heavy mullet fishing particularly fishing by out-of-state commercial interests whose license plates from every state are visible where they are parked. Members of the Fishing Club would like to suggest either pole and troll, or a speed limit set at 5/mph, or both. They would also like to limit commercial fishing, especially by people from out of state. Another suggestion was to encourage volunteers to plant seagrass; he spoke about his experience with this approach in other places.

Commissioner Deutsch commented to Mr. Crawley about the fact there's no scientific backup for his comments, indicating that he would see how important that is when we discuss the slow speed/no wake matter later in the meeting. The Commissioner also mentioned the monthly meeting of the Fisheries Forum, which would be a good forum to include in this discussion; he also noted that not every fisherman catches fish (giving himself as example.) In closing, he noted he would be willing to help, but there has to be substantial data to work from.

Mr. Crawley responded that their members had gone to the Fisheries Forum but they thought data-gathering was useless so they quit going. Chairman Ireland first reminded the speaker that MAC is an advisory group only, we wouldn't implement your program. He also commented that he had just gotten back from long boating trip, and he noted that Charlotte waters do not have a channel; its just open water, and of course, people will run where they can. Chairman Ireland said that he was

not sure what MAC could do here, but he agreed on the importance of having good data to support their contentions. He closed by noting that some of his neighbors also say fish population is down.

Ms. Buck commented to Mr. Crawley on some options that might assist: she noted that in attendance is Mary MacMurray from Charlotte Harbor Aquatic Preserve, a group that does a lot of work with the fisheries and prop wash; she can assist in your effort. We also have Officer McClear and Officer Kennedy who have been watching out-of-state mullet fishermen; she noted that Mr. Crawley's group could help them with reporting FL numbers. Also there's Betty Staugler of SeaGrant; your volunteers can work with them to plant grasses and also to get data.

Mr. Hamilton pointed out that there's lots of data available on sea grass but it is for the whole harbor, which has shown great improvements over the past several years. Anyone will welcome volunteers to help plant grasses in prop scars (and get grants to do it.) He said he would support that.

Mr. Gertner said that he shared the concern and agrees that fishing is lousy now. He mentioned a similar depletion of fish stock on the US west coast. Out there, he said, they don't allow live bait in many places; here, fishermen take the bait fish which are part of the food chain, and that keeps larger fish away. Mr. Gertner also mentioned barb-less hooks as a big deal out West. He concluded that poor fishing technique is among the things depleting the fish stock.

Mr. Hofmeister disputed the value of gathering data which he said can be generated on the computer "like they do on the global warming issue." He also talked about a recent night trip to assess shrimp in the harbor, which produced a 50-lb catch. He felt conditions were also affecting commercial shrimping, which leads to less fish. He also noted that locals are recreational fishermen and have bag limits, and wondered how many recreational fishermen are taking compared to the thousands of pounds that commercial fisherman take. He said he felt recreational fishermen were the solution, not the problem. He state that the Boater Improvement Fund will be affected if recreational fishermen go away, as well as property values, since people come here because they love to fish; therefore any change to fishing will impact overall County finances. He concluded that the primary issue was high speed boats and mentioned voluntary enforcement; Chairman Ireland quipped that both of the boaters who do wouldn't be enough.

Capt. Blago cautioned that the group should be careful about having solutions in search of a problem. He stated that there's been no loss of fish in the Harbor; we have had FDEP and other agencies testing the Harbor, and their finding has been that fish stocks are good. If they are down, is this due to seasonal, natural phenomena or is it man-caused? This has been discussed for 20 years; we do not have jurisdiction over this: this is FWC, they have the authority and the data, and interested parties should be in touch with FWC. He noted that pole and troll caused GREAT ANIMOSITY when it was first proposed ten years ago; measures like this have all been voted down in past, and you would have a major selling job getting this through. Mullet used to be gill-netted, so that has already improved. But you need to get that good empirical data from fish biologists and other experts. And then good luck with FWC authorizing those changes.

Mr. Crawley responded briefly; Capt. Blago advised that the group not be overdramatic; recent surveys of seagrass indicated is was doing great, and the

greatest detriment to sea grass is rain. He concluded that Charlotte Harbor has some of the deepest seagrass beds in Florida. This can't be your personal opinion, get DATA.

## **6. Regular Business**

**A.** Approval of the Minutes of the Pre-Agenda Meeting from May 5, 2016 – Additions, Corrections or Deletions – none offered. Approved by acclamation.

**B.** Approval of the Minutes of the regular Meeting from April 14, 2016 – Additions, Corrections or Deletions – none offered. Approved by acclamation.

### **C. MSBU Update**

Mr. Logan provided details to accompany the written report distributed earlier:

- Alligator Creek; the bids came back, and there is an apparent low bidder that will go before the Board in June;
- Buena Vista Waterways (WW) contractor is mobilizing to the site and we should see dirt move next week
- Gulf Cove WW; we are still waiting on the Army Corps permit;
- Harbour Heights – MCG was the low bidder, and should be approved by the end of this month;
- Manasota Key North Beach Erosion – the RFP is out now and proposals are in; the final picks should be done next week and negotiations begin;
- Pirate Harbor – there will be a meeting May 23 with agencies on site, to go over possible mitigation strategies; then we can consult with the MSBU about their preferred direction and resubmit the permit application;
- Stump Pass – Final easement agreement goes before the BCC in June; if bids are already out on the street, the easement can be added as an addendum.

Commissioner Deutsch offered a question about South Gulf Cove, noting that at one point there was interest in a lock more toward the southern end, near the turn toward the marinas. He asked if Mr. Logan knew any of the history on this, especially the problems cited by environmentalists, about which he commented that there needs to be balance on this subject, since all boats spew some fuel when running and in this particular case, there would be less discharged if boats didn't have to go the long way around. Mr. Logan responded that in his experience, after doing a feasibility study in this area, it was found that the project would not be looked a favorably; that in fact, it would be nearly impossible to get a permit. Commissioner Deutsch indicated he wanted a copy of that report and wanted to know who or what would make it impossible. Mr. Logan responded that the agencies were all very opposed to it, and that is in the report. Commissioner Deutsch asked the group if they would you support it. Chairman Ireland noted that we spent thousands of dollars for that feasibility study; the community that live there would love to have that lock. The report states clearly: It's not going to happen. It wasn't "no" ... it was HELL NO, do not present this again. Of course, he noted, people change; Commissioner Deutsch noted there is a different governor now, and the environmental staff are much more cooperative now. Chairman Ireland pointed out that the parallel lock project is on hold because the only bid was unimaginably high; we'd love to address it. But, he emphasized, it wasn't funding that stopped the southern lock, it was agency opposition. Commissioner Deutsch said he would review the study.

Mr. Buckley suggested that there may be a solution; the original denial probably was under Governor Crist, and things certainly are more favorable now. He

suggested that maybe it could be negotiated in terms of: no parallel lock in exchange for a southern lock; Chairman Ireland reminded him that the reason for the parallel lock was because that is the ONLY permissible spot; if you can change that, you are special. He also reminded them that all that southern lagoon is for DRAINAGE; at one point you couldn't even add seawalls. Commissioner Deutsch noted that seawalls have since been approved.

Ms. Buck asked Mr. Logan about Alligator Creek, if the bid is good will you dredge this summer; Mr. Logan indicated they would.

Capt. Blago said that since Commissioner Deutsch is on one suicide mission already, what about getting them to approve taking out the dam on Coral Creek. He gave some historic background, noting that DEP originally wanted to keep all the polluted water inside South Gulf Cove. Commissioner Deutsch suggested that they meet to discuss that matter.

- D. Budget Update – Mr. Darden offered brief comments regarding the Financial Report handout posted on the website, reviewing grant money activity past and projected; he then called for any questions on the Financial Report. He noted that he has contacted recipients of 2015 grants, urging them to spend down before the end of the fiscal year, and letting them know there would be no new grants to those who don't. He also noted that WCIND-related grants also have to be approved by WCIND.

Commissioner Deutsch indicated that as their new chairman, he wanted to make WCIND more community-related; so the next meeting would be in Lee Co. and the August meeting would be here in Charlotte, on August 26<sup>th</sup> at 10 a.m., here in Chambers. He requested that members please attend if possible; Mr. Buckley requested the recording secretary give members a reminder about the meeting closer to the date.

## 7. New Business

- A. [Moved up on the agenda at the request of the presenter.] Gasparilla Estates Slow Speed Zone – Mr. Jason Ouimet indicated there had been advances in his knowledge regarding ownership of the channel serving the community. Working with FWC, the decision was made to put signs just in the state-submerged lands. He presented the petition signed by community residents who were in favor of the slow-speed signs being placed, noting that the residents who opposed it were not willing to sign their names. Mr. Ouimet asked that the MAC please vote on taking this to the Board. Chair Ireland called for a motion; Mr. Buckley offered the motion, seconded by Mr. Gertner second. Capt. Blago asked whether these signs have an ordinance number; Mr. Ouimet said they would, but with some change to the wording to indicate the end of the zone. After brief further discussion, the group voted unanimous approval to send this on to the Board.

Next, Mr. Ouimet presented an update on a matter under **Old Business**: the Boca Grande North Minimum Wake Zones. He had received the FWC letter approving everything except for the north end of the island (marked #5 on the graphic displayed) because they felt there was not enough information about accidents or citations. Commissioner Deutsch noted that the people most affected (having had an accident) had never filed a report on the accident, so they will be disappointed. A bit more discussion regarding the process ensued.

- B.** Review MAC Policy re: Boat Funding – Chair Ireland introduced this topic, noting he had not been at pre-agenda to discuss this. The thought offered at the last meeting was that MAC lay out prerequisites for considering such requests which would include these organization bringing forward funds of their own, to be matched by MAC, rather than MAC funding the entire purchase.

Mr. Hamilton suggested that the proposed policy on this needs to be written down. Commissioner Deutsch suggested finding out how other counties handle this; take a couple of months to research the matter and then bring it back findings to the MAC. He said he would work with Mr. Darden on getting the data. Mr. Hamilton agreed, saying that this was originally on hold awaiting other information of this type. Chairman Ireland, noting that there is just one meeting before the summer break, the research can take place over the summer and we should be prepared to talk about it in September, at our first meeting.

Mr. Buckley said that he remembered several years ago, the Punta Gorda Police Chief had come in with a request which he said would be his last, because in the future such purchases would be included in his budget, but it never was. Mr. Buckley, noting that he attends the City Council meetings, asks what is happening with their budgets, that they need a total boat replaced in one year. Additionally, they are asking for money for the purchase in the budget, which would come from citizen taxes and then they come to MAC for more. Mr. Hamilton said they are doing what they should be, if we are willing to give money; we need to change the terms on which we give the money, first. He agreed with tabling the matter until September. After some discussion, Chairman Ireland called the question, to table the discussion until September, which passed with unanimous approval.

- C.** Member-at-Large Vacancy – Application of Mr. Andy Wing Chairman Ireland commented that the members have all had a chance to see it, but we will table this one because two more came in this past week. We will address all three at the same time next month. Mr. Hofmeister questioned whether there wasn't more than one vacancy, which there is due to the resignation of Mr. Dauster; however, as noted by Mr. Rose, Mr. Dauster was not a member-at-large, he was nominated by his organization which will nominate a replacement. Commission Deutsch requested that the candidates to be considered next month be invited to the meeting to answer any questions the MAC might have. Mr. Meckenberg also noted the MAC had not yet heard about the approval of Mr. Jelliff by the Board, which was expected shortly. It was unanimously agreed that the candidates for the member-at-large vacancy would be taken up next month.

**8. Old Business**

- A.** Boca Grande North Minimum Wake Zones – Jason Ouimet spoke earlier in the meeting.

**9. Other Business**

**10. Citizen Comments**

None offered.

## **11. Good of the Order**

- A. Mr. Gertner related an incident in Pirate Harbor, in which a boat damaged a dock and the dock owner had difficulty getting appropriate law enforcement assistance afterward; he felt this would be useful information for members. Commissioner Deutsch suggested that as long as a police report was filed, the matter should be able to be pursued, and insurance payout should not be a problem.
- B. Mr. Ludvig reminded the group that May 21 begins National Safe Boating Week. The Power Squadron will have their annual demonstration on Saturday 21<sup>st</sup> at the Punta Gorda Boat Club, Gilchrist Basin.
- C. Ms. Buck noted that Learn to Sail will be working with the Power Squadron on the 21<sup>st</sup>. Also, on June 2<sup>nd</sup>, the Charlotte Harbor Ribbon Cutting will take place at the north end of bridge; MAC members should attend, if possible. Commissioner Deutsch said he thought it will be around 10 am.

## **Next Meetings**

- The next Pre-Agenda Meeting will be held Thursday, June 2, 2016 at 9:30 a.m. in the Room B-106.
- The next Regular Meeting will be held Thursday, June 9, 2016 at 9:30 a.m. in Room 119.

## **12. Adjournment**

On motion made and unanimously accepted, the meeting was adjourned at 10:43 a.m.