

MINUTES
CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE
Thursday, November 12, 2015, 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 (tape start: 9:31)

2. Roll Call All present except:

- A. Absent: Scott Schermerhorn, John Dauster
- B. Excused: Susan Bareither, Larry Hofmeister

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

Commissioner Deutsch introduced Mr. Justin McBride, the new CEO of WCIND, who gave a presentation on the organization; Mr. McBride's comments accompanied a PowerPoint presentation which described the basics of WCIND. (Copy of PPT requested.)

At the conclusion of Mr. McBride's presentation, Commissioner Deutsch asked about the possibility of WCIND assistance for the north Manasota Key beach renourishment project; discussion ensued on this topic, including how much of the renourishment project would depend on using the sand from Stump Pass, since WCIND activity must be specific to navigational interests. Mr. Mopps also spoke to this issue, including the ways in which the County is already working with WCIND to some degree because the sand dredged from Stump Pass does go on the public beaches. We are also currently using the local monies from WCIND coming thru MAC. Further discussion ensued on these topics.

Capt. Blago commented briefly on the history of how a previous Commission wanted to drop out of WCIND, and MAC prevented that happening; he praised the organization for their assistance in maintaining Stump Pass and how they worked together with MAC on this issue, with the result of saving Lemon Bay. Mr. McBride concurred, calling WCIND the best money taxpayers and yet don't know about.

Vice Chair Buck asked Mr. McBride whether WCIND worked with our local Beaches and Shores Committee; Mr. McBride said he had not yet visited with them. Mr. Hamilton commented on the millage of 0.394 which was referenced in Mr. McBride's presentation, and asked who determines that rate; Mr. McBride responded that it was set by the WCIND Board. Mr. Hamilton asked what the criteria is; Commissioner Deutsch described the process for arriving at the figure. Further discussion ensued on this topic.

5. Citizen Comments on Agenda Items

None offered

6. Regular Business

A. Approval of the Minutes of the Pre-Agenda Meeting from November 5, 2015 – Additions, Corrections or Deletions – none offered. Approved by acclamation.

B. Approval of the Minutes of the Regular Meeting from October 8, 2015 – Additions, Corrections or Deletions – none offered. Approved by acclamation.

C. MSBU Update

Mr. Mopps began by noting there have been a lot of big moves over the past month; for example, Alligator Creek has finally 'broken loose' having received the National Marine Fisheries (NMF) concurrence letter and the Army Corps of Engineers (ACOE) permit should follow soon. The BuenaVista/Grassy Point project is the same; permits are in, ready to go to bid. More progress was reported with regard to Harbour Heights, where the ACOE will be issuing the County-wide dredging permit. (This permit allows dredging of any upland channel in Charlotte County.)

Regarding the Manasota Key North Erosion Control project, Mr. Mopps commented that this will be going before the Commission to establish a funding district, but there will be no millage established at this point; the first thing to present will be for the BCC setting the funding district boundary. Commissioner Deutsch commented that he felt there would be a combination of funding efforts that would include an MSBU for property owners directly on the beach, and an MSTU for others. In any event, it's still a very expensive undertaking, and we are still hoping for state assistance.

Regarding Pirate Harbor, this project permit went up for review. South Gulf Cove has two project: the first – the boat basin – has been rough cut, and the finish cut is in process and there are about 3 more weeks of dredging still to go; the second item is the parallel lock which is still in price negotiations with DMK.

Concerning Stump Pass: the bid package is under peer review, and then it goes in front of the Board; additional details concerning the timing of work were also given. Capt. Blago asked what the next hurdle would be, ACOE; Mr. Mopps responded that it's already been blessed by NMF; the ACOE just needs to write the biological opinion. This is holding up the bid package due to the extent it might affect the ultimate contractor cost. Further discussion ensued on this topic.

Still on the subject of Stump Pass, Mr. Mopps noted that Coastal had recently completed a bathymetric survey resulting in recommendations on moving channel markers and buoys to support Waterfest, and replacing any that were gone.

In another report on dayboards – this time for the Gasparilla area – Mr. Mopps indicated that his comments were being made with reference to the handout (copy attached at the end of these minutes) regarding our permit applications. He described a conference call between FWC and the County's legal team, during which FWC acknowledged receiving all the area's traffic violations information,

but FWC found this inadequate because there was no GPS coordinate given for each of those violations – therefore, they said they can't assess this information properly. However, FWC doesn't state that such coordinates are required, so how can it now be a 'basis of review'?

Eventually, he said, they moderated this demand and provided work-arounds to get things going. In a map they provided, they asked that specific information be provided by the County and then FWC could create a buffer zone around these structures. There were negotiations over what FWC needs in terms of data; further discussion ensued on this topic, with Cpl. Lytle confirming that there is lat/long on every citation; he also said that while he is sympathetic to the FWC concern about political backlash over more regulation, he said he also realizes that it is a crowded dangerous waterway, and to make matters worse, he can't write tickets for excessive speed because there's no speed limit regulation there.

Commissioner Deutsch commented that the subject first came up because there was an accident and injury, and that it should be possible to make a case based just on the amount of traffic and the narrowness of the channel. Cpl. Lytle also spoke to the issue of arriving at reliable traffic figures. Capt. Blago stated that the problem resulted from taking down the trestle; Mr. Mopps indicated it did not, that the sand bar was moving and growing anyway. Discussion of the topic continued, with Mr. Mopps providing additional detail about the process of instituting the slow speed/no wake zones.

Mr. Buckley posed a question on the Alligator Creek project, which Vice-Chair Buck also questioned, namely how far up the creek will be six feet deep; this exchange led to some additional discussion on the project.

- D. Budget Update – Mr. Johnston offered comments regarding his retirement and provided an update as to where things stand to the end of the year, with reference to the material already provided to members. Mr. Mopps commented on this information, linking it to the WCIND presentation, and how they can't fund dredging projects that are not part of the ICW; this reality needs to be considered for the funding of dredging projects going forward.

Mr. Jim Darden, Mr. Johnston's successor, also addressed the group, with thanks to David for the "overlap training", which is a beneficial thing to have. Mr. Darden also offered details regarding the 2015 grant program, which is wrapping up, and the 2016 grant period which is moving forward. With regard to the 2017 grant applications cycle, in addition to the new timeline to provide members more time to review and evaluate the submittals, he noted that there would be a news release for publicizing this opportunity, and hoped also to have a reporter do a story which would focus on MAC's contributions to the community.

7. New Business

8. Old Business

A. Punta Gorda Carryover Request

Chair Ireland next sought a motion responsive to the City's carry-over request for funds already allocated but not yet spent. Mr. Hamilton moved approval, Mr. Buckley seconded. Chair Ireland called the question, which resulted in a vote of 15 AYE and 2 NAY. One of the nays, Mr. Harris, indicated he wanted to have a

discussion regarding the penny sales tax collected on fuel sales to boaters fueling at marina; he asked where these funds go. Mr. Ireland said he understood it went into the General Fund. Mr. Harris concurred that, similar to the bed tax, the penny goes into the General Fund, not to the BIF. Mr. Hilston, City of Punta Gorda, noted that the auto fuel tax was collected at the state level and then reimbursed back to the counties, but he was not sure whether it was the same with marine fuel.

Mr. Harris continued with his point, which was that no one knows where that money goes, but it doesn't appear to go back to benefit services for boaters such as the pump-out boat. Chair Ireland indicated that this was a subject for a different time; he noted that the request for the funds carryover is for monies that have already been approved. Further discussion ensued on this and related topics.

Chair Ireland requested that the meeting move along, noting that the carry-over has been approved.

9. Other Business

- A.** Chair Ireland noted that Election of Officers had been included on this agenda but would actually be addressed at the December meeting.
- B.** Capt. Blago spoke briefly on attending the most recent Beaches and Shores Advisory Committee meeting, and the issues discussed there regarding beach renourishment – explaining the Erosion Control Line concept and associated citizen concerns. Mr. Hoffman offered his opinion on beach renourishment: that these barrier islands were not advisable to build on to begin with.
- C.** Comment was offered from Chair Ireland regarding the good attendance at this most recent pre-agenda meeting (unlike the minimal attendance which is generally the rule), noting that a lot gets accomplished at these meetings. He also reminded members of the different meeting location next time.

10. Citizen Comments

None

11. Good of the Order

None

12. Next Meetings

- The next Pre-Agenda Meeting will be held Thursday, December 3, 2015 at 9:30 a.m. **in the P&Z Conference Room of Building Construction Services.**
- The next Regular Meeting will be held Thursday, December 10, 2015 at 9:30 a.m. in Room 119.

13. Adjournment

On motion made and unanimously accepted, the meeting was adjourned at 11:07 a.m.

Respectfully submitted,

Gayle Moore,
Recording Secretary

Minutes Approved

Tom Ireland, Chairman
Marine Advisory Committee

EXECUTIVE SUMMARY

The Florida Fish and Wildlife Conservation Commission (FWC), has the authority to establish by rule, pursuant to chapter 120, restricted areas on the waters of the State for any purpose deemed necessary for the safety of the public, including, but not limited to, vessel speeds and vessel traffic, where such restrictions are deemed necessary based on the requests from the users, visibility issues, boating accidents, hazardous currents and/or water levels, vessel traffic congestion, or other navigational hazards. With this authority also comes the responsibility to ensure that any regulation of State waterways is done based solely on those criteria stipulated in section **(FAC) 68D-23.105**, Florida Administrative Code entitled Criteria for Approval of Regulatory Markers.

Due to frequent request from the residents close to the ICW, Charlotte County staff identified the need for a data-driven approach to evaluate the requests from these residents and users of the waters east of Gasparilla Pass, along the Boca Grande Causeway and west of the Placida Railroad Trestle. As a part of the data-driven approach, Charlotte County staff performed video data collection during Labor day Weekend (Sep. 4th & 5th 2015), which is one of the peak times for boating activity in this area.

The study was done between dawn to dusk hours on Sep 5th, Sep 6th & Sep 7th, 2015 and the results of the total vessel movements over the 3-day weekend are shown below:

Day	Date	Vessel Count
Saturday	Sep. 5 th 2015	1074
Sunday	Sep. 6 th 2015	1210
Monday	Sep. 7 th 2015	299
Total	Sep. 5th thru 7th, 2015	2,583

Based on the activity levels summarized in the above table, the Charlotte County staff feel that the installation of the needed signs extending the existing no wake zone will greatly enhance the Boating Safety in this area.

Public Works

Traffic Engineering

7000 Florida Street | Punta Gorda, Fl. 33950

Phone: 941.575.3625 | Fax: 941.575.3659

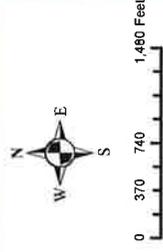
CHARLOTTE COUNTY
Video Vessel Traffic Count Location



Stateplane Projection
Datum: NAD83
Units: Feet

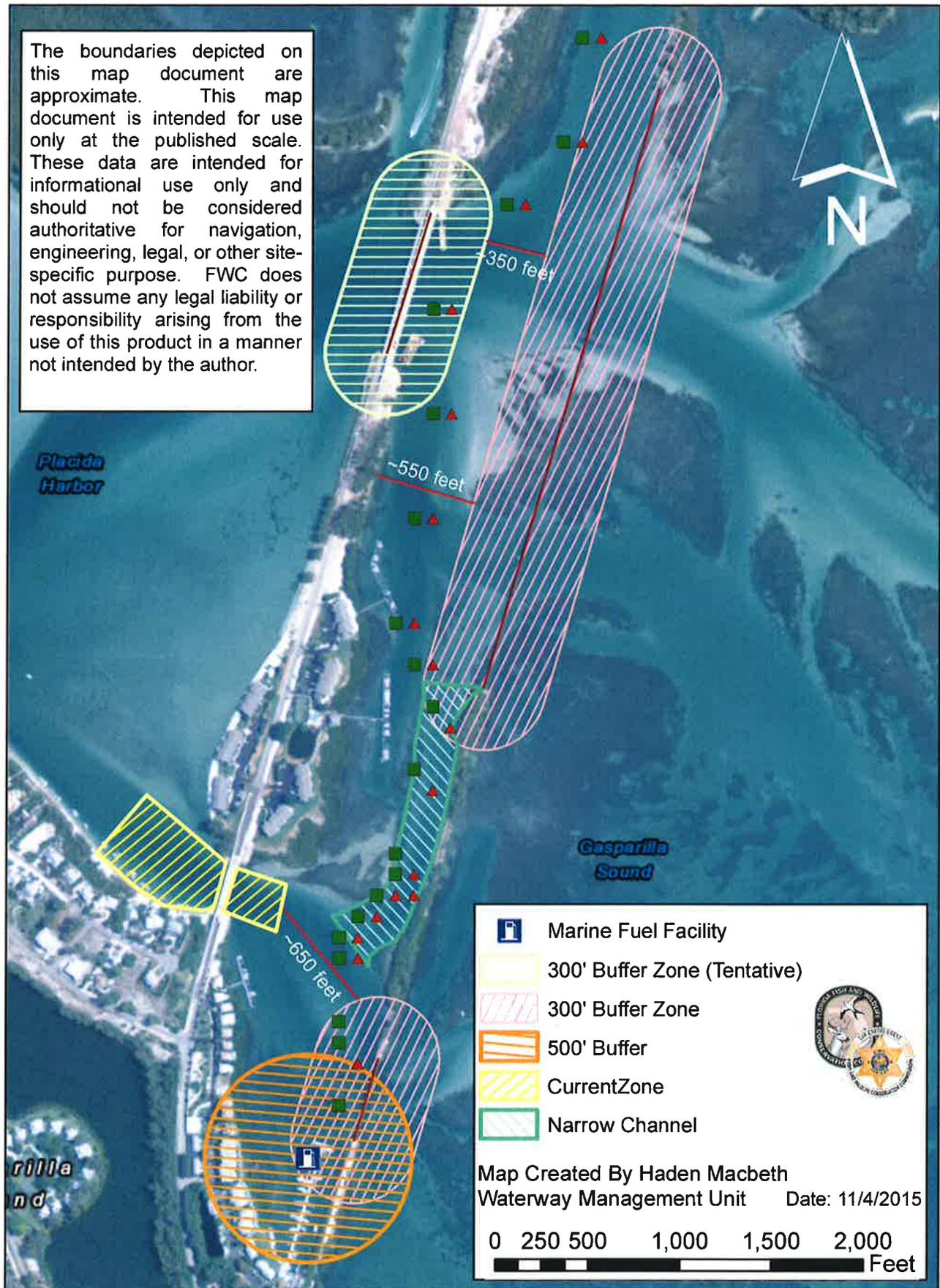
Source: Transportation Engineering
Metadata available upon request

Video Vessel Traffic Count
Performed on 9/5/2015 thru 9/7/2015
Between 6am to 9pm EST



Gasparilla Pass SSMW Proposed Boating Safety Zone

The boundaries depicted on this map document are approximate. This map document is intended for use only at the published scale. These data are intended for informational use only and should not be considered authoritative for navigation, engineering, legal, or other site-specific purpose. FWC does not assume any legal liability or responsibility arising from the use of this product in a manner not intended by the author.



Placida Harbor

Gasparilla Sound

Gasparilla Island

	Marine Fuel Facility
	300' Buffer Zone (Tentative)
	300' Buffer Zone
	500' Buffer
	CurrentZone
	Narrow Channel

Map Created By Haden Macbeth
 Waterway Management Unit Date: 11/4/2015

0 250 500 1,000 1,500 2,000 Feet