



## MINUTES

CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE

Thursday, November 10, 2021

**9:30 a.m.**

Charlotte County Administration Center

18500 Murdock Circle Room B-106

Port Charlotte, FL 33948

1. Call to Order and Pledge of Allegiance

**Chair Ireland** called the meeting to order at 9:30 a.m.

2. Roll Call

Upon the roll being called it was determined a quorum was present.

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, STAFF AND VISITORS TO PLEASE SILENCE THEIR CELL PHONES.

4. Changes to the Agenda

None offered.

5. Citizen Comments on Agenda Items

None offered.

6. Regular Business

A. Approval of the Minutes of the Pre-Agenda Meeting from October 7, 2021  
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.

B. Approval of the Minutes of the Regular Meeting from October 14, 2021.  
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.

C. FY21-22 MAC Grant Application Review – Jim Darden

**Jim Darden** was not present.

#### D. MSBU Update – Zach Patchell/Matt Logan

Mr. Patchell was present.

Ackerman and Manchester Waterway – no projects at this time – refer to Manchester waterway.

Alligator Creek – No active project at this time.

Buena Vista – Coastal Engineering prepared and submitted permitting plans to state and federal agencies. FDEP exemption status has been received. ACOE permit application submitted and awaiting a response following request for more information submission. Pre-storm bathymetric survey for Buena Vista interior canals is complete and final deliverables have been received. Results will be reviewed with MSBU at next scheduled meeting.

Edgewater North – Coastal Engineering completed the field survey work for the bathymetric survey of this system and volumes for -3.5' MLW and -4.0' MLW. The results will be reviewed by both the County and the MSBU Advisory Board for determination on whether to proceed with a dredge project.

Gulf Cove Waterways – Atkins has completed the interior bathymetric survey project. All deliverables received. Final budget approval was granted at the fiscal budget public hearing. An RLI has been initiated to select a firm to complete the maintenance dredge design and provide construction oversight.

Harbour Heights – Johnson Engineering was selected to design the upcoming maintenance spot dredge project. Johnson is preparing permitting plans and application to submit to agencies.

Hayward canals – Initial design complete and permitted. A change order was completed to fund a new bathymetric survey of the main channel and plan update of quantities ahead of the bid process. Johnson has completed an update survey and is finishing updating the plans for final review.

Manchester Waterway – AIM engineering has completed the 2021 pre-storm survey of the Manchester interior waterways. Final deliverables have been received and reviewed. Awaiting next MSBU advisory meeting to discuss options.

Northwest Port Charlotte – Design phase is complete. Interior dredge project will be rebid this fall. NWPC access channels included in pre-storm bathymetric survey was completed and reviewed by the MSBU, no project planned at this time.

Peace River shores: No active projects at this time.

Pirate Harbor: The County is working on putting out an RLI to firms for a maintenance dredge design, permitting, and construction oversight project.

Southbridge Waterway: No active projects at this time.

South Gulf Cove: We have received all permitting, and Johnson engineering is finalizing the plans and specifications for bid readiness. County staff has completed the draft bid document review and is working towards finalizing the project bid specs.

South Gulf Cove Parallel Lock: Lock design working towards 90%. Awaiting ACOE response on permitting, EOR has requested updates, ACOE has provided they are working on this project and approved permit is expected soon. ACOE permitting may be further delayed due to a manatee death incident in early Oct. 2021 at the existing lock. FWC is performing an investigation and will advise on manatee safety conditions. The County received and reviewed engineering scope and fees for additional services to add a Tender House to the design. Comments and questions were given, and negotiations continue.

Suncoast Waterway: No active projects at this time.

**Commissioner Deutsch** said we had our Veterans Day parade Saturday and we had over 700 youngsters in that parade between the bands and others. The Elks supported Charlotte County. Tomorrow, Veterans Day, we will be at the William R. Gaines Jr. Veterans Memorial park. We have 28,000 Veterans in Charlotte County. We will have a color guard with the Sheriff's office, Fire fighters, American Legion Post, the RoTC and the Marines. There will be 2 female speakers, one is recently a Veteran with 20 years in the air force and the other is a 9<sup>th</sup> generation ascendant of a soldier from Pennsylvania who is her great great great great great grandfather who served in the Revolutionary war. We will have the official groundbreaking at the Gaines Park. There is also a 1 o'clock at the American Legion Post and then South Gulf Cove is at 4 o'clock.

#### E. Derelict Vessel Report – Roger DeBruler

**Roger DeBruler** said he had a few updates.

**Mr. DeBruler** said all of the agencies are working hard to identify and find derelict and abandoned vessels. The numbers on the list shows that CCSO and a volunteer group is working hard looking for vessels.

We have a few vessels in question currently. The officers are working with the owners and finding out what is going on.

**Capt. Blago** asked about the stump pass dredging update.

**Commissioner Deutsch** said they are excited; they have a company with a good reference who is going to start the job soon. They bid much lower than others.

**Mr. Ireland** asked if MAC is still obligated to pay the \$50,000 toward the dredge? He thought with the groin, maybe the fee would be greatly reduced.

**Commissioner Deutsch** said he would have to check. He said he would check with Mr. Darden.

#### F. Community Services Update – Tina Powell

(Tina was not in attendance)

Ainger Creek – The park redevelopment project is managed by the Facilities construction and maintenance department. Due to the budget constraints of the RLI process, an RFP will be created and advertised for prospective design teams to continue the project.

Allapatchee – The fishing pier replacement design budgeted for this fiscal year; design has been completed. Staff is preparing the bid package for purchasing.

Anger Fishing Pier – No projects at this time.

Bayshore Live Oak park – Fishing Pier replacement design budgeted for next fiscal year.

Boca Grande Fishing Pier – no projects at this time.

Butterford Waterway Park – No projects at this time.

Cedar Point Environmental Park – No projects at this time.

Centennial Fishing Pier – No projects at this time.

Darst Park – No projects at this time.

El Jobean Boat Ramp – No projects at this time.

El Jobean Fishing Pier – No projects at this time

Englewood Beach at Chadwick Park Fishing Pier – No projects at this time.

Harbour Heights Park – No projects at this time.

Hathaway Park – Design for the Hathaway Park floating dock and gangway is complete. Staff is preparing the bid package for purchasing.

Lemon Bay Sunrise Rotary Park – No projects at this time.

Live Oak Point – No projects at this time.

Placida Fishing Pier – No projects at this time.

Placida Park – 2014 Sales Tax project for the boat ramp expansion is managed by Facilities Construction and Maintenance Department; the most current information can be found on the County's Project Status Updates webpage. Facilities provided the following: The project is currently in schematic design following the concepts of the master plan and are anticipated in mid-October.

Port Charlotte Beach Park – the 2020 sales tax project for recreation Center is managed by Facilities Construction and Maintenance Department; the most current information can be found on the County's Project Status Updates webpage.

Community Services is evaluating the addition of an ADA lift to allow the transfer of a handicap person from the seawall to a vessel.

Riverside Park – ramp has been closed due to safety issues for motorized vessels, cannot be addressed via repairs. Ramp full redesign is managed by Facilities Construction and Maintenance Department.

South Gulf Cove Park – Design for the South Gulf Cove Park boating is complete. Staff is preparing the bid package for purchasing.

Spring Lake Park – No projects at this time.

William R. Gaines Jr. Veterans Memorial Park – grant for additional trails, boardwalk, fitness equipment and interpretive signs was awarded; design in process; ACOE permits are being submitted this month. ADA canoe/kayak launch project is managed by Facilities Construction and Maintenance Department.

#### 7. New Business

**Mr. Scott** said he asked for time to talk about boating safety. He just received a publication from the Coast Guard on the 2020 statistics and fatalities are up an alarming 25% in 2020 from 2019 (this is nationwide). Our State had 840 reportable accidents and 72 deaths. He passed out a brochure on safety. He asked the members to go back to their groups (yacht clubs) and share this information.

**Commissioner Deutsch** said a volunteer group came up with the funds to redo the kayak launch at the Gaines Park. They are having a run on New Year's Eve day at the park. If you want to attend for a fund raiser, there should be a lot of people there.

**Mr. Scott** said non-fatal injuries were up 44%. The State statistic showed life jackets do save lives, but many people do not put them on. The majority of those who perished did not have a life jacket on. Alcohol is the number 2 problem. The law now says if you were born after 1988, you need to take a boating safety class. If you move here and buy a boat and are over 33 years old, you will not need to take the safety course.

**Commissioner Deutsch** suggested a boater safety class at the William R. Gaines park when they have the run on New Years eve day. He also said a kill switch is now required under boats under 26 feet. He said there was an accident with both men thrown from the boat, the boat went around and around and eventually it hits them and they get hurt or killed. The kill switch fixes that.

**Detective Aaron Williams** said the enforcement on that has not caught up with the State level yet regarding the kill switch. We are educating at this point and time.

**Mr. Savino** said he is a retired police officer from Connecticut and the average police officer had make one drunken driver pinch a year. The State police on average had 3 a year. He asked how often are you out on the water patrolling?

**Detective Williams** said they have volunteers and they report regularly to us. Currently they have 4 on the water on a daily basis. At night there are 2 on a boat, during the day, one on a boat. Obviously with bad weather, they do not go out.

**Detective Carley** said Charlotte County is the second largest amount of water coverage in the State, Tampa Bay is first. We have the 2<sup>nd</sup> largest for law enforcement coverage. We cover more water area.

**Mr. Russell** said they have people in their area out at night without lights. We also have volunteers and when they see this, they call the Sheriff's office. One time a deputy showed up, they were yelling to the

boater in the water, he eventually came over, then they were able to get the guy. My question is, do you have a marine deputy on call, to back up the road deputy?

**Deputy Carley** said they are on call 24 hours.

**Mr. Hickey** said he is not sure if it's a safety issue or education issue, but at the intersecting point of Alligator Creek and Buckley pass, it is Marker 23, it used to be a solid green marker, it has been changed to a green over red, which according to the navigation rules, that means it's an alternate channel. I'm not sure if it's an alternate channel, it's an intersection channel. What is happening according to one of our captains, he said on any given Sunday, out of 12 boats, 8 of the boats did not follow the channel out around Marker 23 going down stream, they went right through Buckley's pass marker sets. I'm not sure if it would be better if this was solid green, so they know to go out and around, instead they are going out of the channel through. People with sail boats and trollers know they'd better stay on the other side or you may get stuck. There is a concern of those boats going straight through the Buckley pass.

**Commissioner Deutsch** said people who know the channel will take the short cut.

**Deputy Williams** said from the education enforcement at the Sheriff's office, we can explain to people how to read the channel markers. Unfortunately many people don't know. As far as enforcement, there really is no enforcement about channel markers, unless if there is some type of right of way or navigation or wake violation because you are really not restricted unless you are operating outside of our channels.

**Mr. Scott** asked is that the proper use for a dual colored marker because it is not an alternate channel. I read in one of the publications it is an intersection channel.

**Mr. Williams** said that is the proper marking for the intersection channel. The top color would be the preferred route, but it would be 2 different channels intersecting at that point.

**Mr. Mayes** said down by the 75 bridge, they have a few signs up now saying 25 mph minimal wake through the manatee area, but I was there recently, and they were going through there probably at 40 mph. Everyone speeds through that because they think it's 25 mph through there. It would be nice to have the signs changed.

**Mr. Russell** asked if everyone knew about Mosaic. He explained they are trying to get into DeSoto County with a rezoning so they can have another facility. He feels if they get this one in DeSoto County, it will probably be their last one. When they finish with all the phosphate, they will probably file chapter 7 and then chapter 11 after they mine all the phosphate, then they will disappear. We get stuck cleaning their mess up. Phosphate mining they take the first 15 to 30 feet off the top (dirt), then they dig 30 to 100 feet down and pull up the phosphate pebbles. They will have plate settling areas in DeSoto County and those things will be full of clay that is also full of toxic waste that can cause a lot of issues. They are doing workshops in DeSoto County to sell this to the people. FDEP should be calling the shots, but they don't show up at the meetings. So there is no one to question them. Mosaic is advertising everywhere. Their next workshop is in January. We have 100 people to show up to protest. Charlotte Harbor has been declared an impaired waterway and it is not just recently. This is for the last 3 years. What they put into our waters causes all the foam/suds coming down the river. They have all their existing operations up stream and this is what is coming from those operations. If they come to DeSoto, our water system will be ruined.

He said 3 of the Commission Board members in DeSoto County will be changing next year and Mosaic only needs 3 of the 5 commissioners. The new commissioners will not have the background knowledge. We need people to explain this to many others and attend the protests and spread the word.

8. Old Business –  
None offered.

9. Other Business -  
**Mr. Ireland** said next month there will be an election of officers. He and Mr. Meckenberg are willing to do this one more year, but if anyone wants to take over or make changes, it is next month.

10. Citizen Comments –  
None offered.

11. Good of the Order -  
None offered

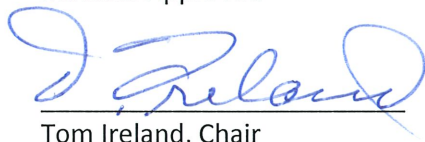
12. Next Meetings

- The next **Pre-Agenda Meeting** will be held Thursday, December 2, 2021 at 9:30 a.m. in the **E. Jay Carlson Large Conference Room. (f/k/a Building Construction Services)**
- The next **Regular Meeting** will be held Thursday, December 9, 2021 at 9:30 a.m. at 18500 Murdock Circle, Port Charlotte, in B-106 Conference Room. (Closed Thursday Nov 11 for Veteran's Day)

13. Adjournment  
**Dr. Strube** made a motion to adjourn, second by **Mr. Hickey**, the motion passed unanimously.

The meeting was adjourned at 10:30 a.m.

Minutes Approved



Tom Ireland, Chair