

MEETING MINUTES
ALLIGATOR CREEK WATERWAY ADVISORY COMMITTEE
January 15, 2015 – Regular Meeting
10:00 a.m. – Public Works Conference Room

Attendees: Howard Brooks, Ken Fahrback, Ed Minzer, Michael Shaughness and Mark Vaivoda

Absent: Robert Robinson (unexcused)

County: Mike Dallenbach, Dawn Harrison, Karly Greene, Francine Lisby, and Matt Logan

The meeting was called to order at 10:00 a.m. A roll call was taken. A quorum was present.

The minutes from October 7, 2014 were unanimously approved as written.

Citizen Input on Agenda Items Only (3 Minute Limit)

- None.

Unfinished Business:

- Dredging – Kris Thoemke from Coastal Engineering indicated he has worked with the project for more than a year, noted he coordinates the permitting work, provided an update related to the December 2014 Public Notice, the comment period, noted that the permit for the dredging to 6 feet was approved by DEP and is awaiting the Army Corps of Engineers approval, gave an overview of the process for permit review and approval, stated he received an email in late December from the Corps regarding the date of the sea grass survey from National Marine Fisheries, detailed the timeline to be followed, and spoke to issues faced with National Marine Fisheries and deadlines for reviews. There was discussion regarding confirmation that the letter was mailed around December 15, 2014, indications that the timeframe would take approximately 3 months from December, concerns of the lack of progression, the possibility to dredge on an emergency basis, problems within the s-curve area, past dredging in Alligator Creek Waterway, inquiries as to how the smalltooth sawfish would be observed while dredging occurred, and whether contacting the Congressman's Office requesting a congressional inquiry would help propel the project forward. Mr. Thoemke stated the letter is in draft form and needed to be approved by the section Chief, advised 2 separate reviews take place, noted the Corps cannot move forward without obtaining National Marine Fisheries approval first, indicated he would be able to make contact regarding the consultation after January 20, 2015, explained needed existing permit modifications, affirmed he would review the criteria for emergency dredging permits, spoke to elevated review requirements due to the smalltooth sawfish habitat, and confirmed correspondence with the Congressman's Office may assist with project progression. Discussion continued related to information that should be included for a congressional inquiry. Mr. Fahrback motioned to pursue gathering data to present to local representatives to investigate the timeline of getting a dredging permit reviewed, seconded by Mr. Brooks and passed unanimously. Mr. Thoemke affirmed he would update the related timeline and provide it to Ms. Harrison to distribute to the Committee. Mr. Logan indicated discussion has occurred regarding congressional inquiries for all ongoing projects. Discussion continued related to agency review, timelines, that agencies are understaffed, inefficiencies of the process, proposed dredging timelines, opinion that the Corp does not prefer multiple permits for the same area, time spent waiting for permit review, and Coastal Engineering contract inclusions. Mr. Minzer commented on the Ponce Outlet dredging by the City of Punta Gorda. Mr. Logan indicated the City of Punta Gorda maintains their canals on a continual basis and have permit in hand. Mr. McIntosh questioned what will be done with the materials removed during dredging. Mr. Thoemke stated the materials would be put on a site disposed of through the landfill. Mr. Fahrback stated contact information was provided in the past for people who were interested in allowing staging of the dredged materials on

their land. Mr. Minzer questioned if the County has ever dredged an area and placed the materials into Charlotte Harbor. Mr. Logan indicated he was not aware of any project and discussion ensued related to using dredged materials as fill.

New Business:

- Financial Reports – Ms. Lisby explained the 2 year budget process, spoke to funding programmed for maintenance dredging, and inquired if the CIP could be closed to add money to the 6 foot dredge in FY 2016. Mr. Vaivoda commented on project status updates, noted there were no changes, and stated he wanted to ensure funds were placed into the appropriate years. Ms. Harrison suggested one CIP for the 6 foot dredge and include language stating if the permit is not received then dredge to 5 feet. Discussion occurred regarding permits being combined and expiration of existing permits. Mr. Fahrback spoke to amounts budgeted for the 5 and 6 foot dredges and questioned where the \$300,000.00 should be moved. Minzer asked if the permit was received in the near future if there was enough money to go out to contract. Ms. Lisby stated Mr. Logan felt that there was not enough funding for the dredge to 6 feet. Mr. Dallenbach read a portion of the Status Project Update into the record related to both the 5 and 6 foot dredges. Mr. Fahrback motioned to transfer \$100,000.00 into the 6 foot dredge CIP, seconded by Mr. Minzer and passed unanimously. Mr. Minzer asked details of the process if project costs come in higher through the bidding process. Ms. Harrison indicated a budget adjustment could be made but would need to be approved by the Board of County Commissioners. Ms. Lisby indicated the budgeted items will be viewed towards the end of the year to see if there are any adjustments needed. Mr. Fahrback questioned reserve balances and the possibility of a rate increase and discussion ensued. Ms. Harrison affirmed she would provide the adjustments made to the Committee. Mr. Vaivoda questioned if there was a methodology in place to view changes made. Ms. Harrison noted the system tracks comments entered but the end viewer would only see number modifications.
- Election of Chair & Vice Chair – Mr. Fahrback nominated Mr. Minzer as Chair, there were no other nominations, and Mr. Minzer accepted the position.

Open Discussion:

- Mr. Fahrback asked where complaints could be directed regarding the widening of the lock. Mr. Minzer advised Gary Brewster, Chairman of the Burnt Store Isles Canal Advisory Committee.
- Mr. Shaughness requested the motion be reviewed regarding the congressional inquiry. Ms. Greene read the motion into the record. Mr. Fahrback motioned to amend his motion to read “present information to Congressman Tom Rooney’s Office”, seconded by Mr. Brooks and passed unanimously.
- Mr. Fahrback indicated requests have been received for a minimum wake zone sign just east of the lock. Ms. Harrison will follow up with the Signing and Marking department and provide information to the Committee.

Citizen Input on MSBU Related Items (3 Minutes Limit)

- Ms. McIntosh questioned if a petition would assist with the congressional inquiry. Mr. Minzer indicated that a petition could be done but wanted to inquire ground rules prior to conducting one. Discussion continued.

The next meeting is scheduled for Thursday April 2, 2015 at 10:00 am in the Public Works Conference Room. The meeting was adjourned at 11:20 am.

Submitted by:



Karly Greene Public Works Department

