



MINUTES

CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE

Thursday, February 10, 2022

9:30 a.m.

Charlotte County Centennial Blvd Bldg.

1120 Centennial Blvd.

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 January 6, 2022
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.

B. Approval of the Minutes of the Regular Meeting from January 13, 2022.
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.

C. FY22-23 MAC Grant Application Review – Jim Darden

Jim Darden said he provided a list of all the projects and applications for the FY 2023 cycle for funding. He broke them down into the recommended grant sources. There are 3 – Local, WCIND and BIF State. They have different criteria's so I arrange them and note the project to the most likely funding source. He went

over some of the items on the FY 23 Boater Revolving fund application chart. He said on the County website, all of this information is listed under the Boards and Committees link and then Marine Advisory Committee (MAC). He said any questions can come up at the pre-agenda meeting in March on the 3rd. Then at the regular meeting on March 10th, they will vote on these grant requests. He also provided the historical documents for past approvals and how much they used.

Chuck Witzke, Punta Vista Waterway maintenance MSBU, asked regarding the sunrise channel, asked about the dredging and he did not see it on this sheet.

Mr. Darden said they did not request any funds this year.

There was some discussion about the past dredging, signage, and maybe having a bulk head.

Mr. Ireland asked Mr. Disher about an article in the newspaper saying the need for dredging is gone.

Gary Disher, Jr., Manager with the City of Punta Gorda, said he was not at that meeting, but he heard that was the boaters sailing club saying they did not need it dredged because they did not need more than 6 inches of water to get their boats out. There was discussion about the history of the dredging in this area, if it could be added to the County wide dredging or possibly added to DEP or Army Corp. fast tract project.

Mr. Darden said if it is not permitted by June, then WCIND cannot approve the project. They want projects to be permitted and shovel ready before they fund them.

Deputy Aaron Williams, Charlotte County Sheriff's office, said they are catching up on some derelict boats. Some will be pulled soon. They arranged with the County to get some training to get all the members lifeguards certified.

Mr. Ireland said he received 2 emails from people who said South Gulf Cove the Lennar stretch, there was a dockworker builder in there and he had a red flag up, which is supposed to signify no wake within 300 yards.

Deputy Williams said that recently came up as an issue and there is one at Harbor West area, and under the new law that came into place in July last year related to special hazards for construction vessels or barges, actively engaged in work, they have to have a 2 foot by 3 foot orange flag and that is required within 300 feet not yards. No wide berth, just within that 300 feet at slow speed minimum wake. With those complaints, he started to look into this and the construction companies said we want to have enforcement on this, so I asked them about their signage. They did know what they needed to have signage wise, so he started asking people around and no one had any idea. We focused that on education more. We have had some marine deputies out and they respond to that and educated people. We met with the Homeowners Associations and explained to them. They also reached out to the South Gulf Cove communities and educated them. Also at the yacht club.

Mr. Hickey asked what is going on with the Riviera marina? When will we see the boats in the water be removed? I know they might be touching land, but when the tide goes up and down, they are leaking diesel fuel. These were submerged at one time and drug over to this area.

Deputy Williams said about 2.5 – 3 months ago the Sheriff's office and FWC went to the Riviera marina and documented all the boats and started the process involving DEP for the fuel, and started working through

that. The problem is we did that based on a civil judgement that had been out of granting, but the man who is trying to take over ownership and control, said once they get that established, they can work with us to get the boats out. However, the former individual who was controlling it after the original owner passed away, that individual filed an appeal to the civil ruling. That stopped the process.

Commissioner Deutsch said there are 2 possible ways we have to do something at a comfortable case; if it is an environmental issue or if its an aid to navigation or threat to navigation. Those are the only 2 avenues I can think of. If we can make a case for either one of those, is it possible to circumvent that legal process. Some people say this can be another 2 or 3 years.

Deputy Williams said we've had issues where DEP was involved multiple times. They do help, so once we get them involved, they take over the environmental issues. Once a boat is tied to land, we can no longer do a derelict vessel investigation. Environmental issues (sea grass etc) goes to DEP.

There was discussion that some boats were under water, they were raised up and put on land. The fuel was removed. They know the ground is polluted. They feel this may take a long time yet because of the law suit. They said DEP reports should be allowed to be reviewed.

Dr. Stube thanked the sheriff's department for their help and water ambulance.

D. MSBU Update – Zach Patchell/Matt Logan

Mr. Patchell was not present. **Matt Logan** went over Zach's update memo.

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

Alligator Creek – The MSBU Advisory Board has requested the County initiate a spot dredge project, County staff is currently preparing documents to start the engineering design process for that dredge project.

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 the new Nation Wide 35 permit available after April 2022 to cover this project.

Edgewater North – No active project.

Gulf Cove Waterways – A request letter of interest went out to engineering firms to complete the design of the Gulf Cove interior dredge project. Coastal Engineering was selected for the design project. CEC has received the most current bathymetric data and is currently working on reducing that data into a plan to submit to permitting agencies for a proposed dredge event.

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 – The County purchasing department is currently processing the bid package for this dredge project and will be advertising for bids in the coming weeks.

Manchester Waterway – The MSBU Advisory Board has recently requested that the County initiate an engineering design phase ahead of a dredge project for the Christopher, Knox and Bay harbor waterways.

Northwest Port Charlotte – The Purchasing department is currently working on a quality control review of the interior dredge bid package documents and seeking approval to advertise for bids.

Peace River shores: No active projects at this time.

Pirate Harbor: Request for letters of interest went out to engineering firms for the design and permitting of a maintenance dredge project and Coastal Engineering was selected as the design firm. A PO has been issued. CEC is working on preparing documents to submit the proposed plan to agencies for permitting.

Southbridge Waterway: No active projects at this time.

South Gulf Cove: Marine Contracting Group is the successful low bidder for the maintenance dredge project of the access channel and a pre-construction meeting is scheduled for 2-2-22, where a start date will be agreed upon.

South Gulf Cove Parallel Lock: Lock design working towards 90%. Awaiting ACOE response on permitting, EOR has requested updates, ACOE has provided they are waiting on US Fish and Wildlife approval. ACOE permitting may be further delayed due to a manatee death incident in early Oct. 2021 at the existing lock. US Fish and Wildlife is performing an investigation and will advise on manatee safety conditions. The County received and reviewed engineering scope for additional services to add a Tender House to the design. Comments and questions were given, and negotiations continue. Currently awaiting fees and a finalized scope. In regard to obtaining the ACOE construction permit, US Fish and Wildlife is requesting the County man the lock full tie in addition to being a manatee observer. Charlotte County is reviewing this request.

Suncoast Waterway: No active projects at this time.

Mr. Logan said to follow up on some of the questions, I don't have any current knowledge of the project that is going on at the Port Charlotte Beach. That is a Parks and Rec project. They are putting stone out there. Coastal Engineering is doing a study on the Port Charlotte Beach complex. In their review, they found instead of placing that material just north of the pier like we have on a couple of previous dredging at Sunrise, continue to pump it further south or take it south of the pier so there is a longer duration. However, with the last one, that is what they did. We had a storm come through and it pushed it right down by the beach. We have some seagrass just off the shore that we have to be aware of. We want to stabilize it without having to impact the seagrass. They would consider a living shore line option. Probably in the next 3 months we will have a full report. The MAC grant funding we have applied for in the past, the reason we don't have an application in this year is because we had an application last year. The money for the Sunrise channel will be taken out of the grant that was received last year.

Mr. Killion said we had restricted access, who would be the one to talk to, Tommy Scott?

Mr. Logan said he will reach out to Tina to get an update. Dredging is the cheapest but it's not the best for long term. He said one of the employees from Signing and Marking wanted to be here, but another meeting came up last minute. Currently there is no update on Ainger Creek regarding the missing pilings. They are still waiting on our Legal department to get through their review. Final FWC approval on the Manchester piles in the upper extensive system, should have been replaced after the last dredge. They are

waiting on that final review before they go out and install that. Stump Pass beach, they have had some delays on the dredging schedule because of the weather. They are mobilizing the Don Pedro portion of the project. For stump pass, they will not be working during sea turtle nesting, but on Palm Island they are allowed to work during sea turtle season as long as we meet certain criteria. The entire project should be completed by April 1, 2022.

E. Derelict Vessel Report – Roger DeBruler

Roger DeBruler said the report stands. There are a bunch of boats that have come down through the different storms. Our officers as well as CCSO and FWC have been diligent in letting us know which boats they are working. We have a few more boats in the Sunrise Bay area in Englewood. Another sail boat washed up on the shore and another one that lost its mast. As soon as we get the okay to start removing, we will be removing a lot of boats. We will be applying for some State money as well.

F. Community Services Update – Tina Powell

Tina Powell was at another meeting – Roger DeBruler when over her report

Ainger Creek – The park redevelopment project is managed by the Facilities construction and maintenance department. The most current information can be found on the County's Project Status Updates webpage. Facilities provided the following: Project is in negotiations with the design team.

Allapatchee – The fishing pier replacement design budgeted for this fiscal year; the construction bid is being awarded. The next step will be pre-construction with the contractor.

Anger Fishing Pier – No projects at this time.

Bayshore Live Oak park – Fishing Pier replacement design will kick off after the holidays.

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; the construction bid package has been submitted to purchasing.

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

Live Oak Point – Facilities Construction and Maintenance will be managing the sunken pavers and erosion issues. Additionally, they are managing the boardwalk that was damaged during the big windstorm in December. Both projects are preparing to go to purchasing for design work.

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. Facilities provided the following: Design team is working on revised schematic design plans for cost saving alternative solutions.

Port Charlotte Beach Park – the 2020 sales tax project for recreation Center is managed by Facilities Construction and Maintenance Department. Facilities provided the following in their December project report: Negotiations with the design team are completed and sent to purchasing for processing. Approve Ranking for the Construction Manager is scheduled for February 8.

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

Riverside Park – ramp has been closed due to safety issues for motorized vessels. Due to safety issues, cannot be addressed via repairs. Ramp full redesign is managed by Facilities Construction and Maintenance Department. Facilities provided the following in their December project report: Negotiations for design have been completed and sent to purchasing on January 24th for processing.

South Gulf Cove Park – Repairs to the South Gulf Cove Park boardings are anticipated to begin April 4th and will require the boat ramp be closed for 2-3 weeks; a PSA will go out prior to work starting.

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; ACOE and SWFWMD permits have been applied for. ADA canoe/kayak launch project is managed by Facilities Construction and Maintenance Department.

7. New Business -
None offered.

8. Old Business –

Mr. Darden reminded all if you want to ask anyone about their grant request, you have to let me know so I can ask them to attend the pre-agenda meeting on March 3rd. You vote on March 10th.

Mr. Welsh said he hates to bring it up, but \$44,000 for the water fest again. I would like to see the books of this organization. How much money do they make, how many grants do they give with the money that was excess revenue? I think as MAC, we give \$44,000 to somebody, we need to understand are they walking

away with a pocket full of money? He would like the detail of the finances of this operation. We are told it is self-sustaining but it never is. Then they give away grants themselves.

Mr. Darden said he can call them and let them know. Although he said you are not asking the other folks about their income for the grants they are requesting.

9. Other Business –
None offered.

10. Citizen Comments –
Robert Elie, President of Elie Electric Services, said electrical work on waterways is not being regulated. Contractors working on the waterway without any kind of insurance are doing that illegal. USLH (long shoreman’s insurance) was required by the County and the City to work on the waterway. It used to be required when you asked for a permit, you had to show proof of this insurance. Now you no longer require it. Employees who work out there are taking a major risk, if they get hurt, there is no insurance to cover their costs or compensation. The County requires this for County jobs on land.

11. Good of the Order -
None offered

12. Next Meetings

- The next **Pre-Agenda Meeting** will be held Thursday, March 3, 2022 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, March 10, 2022 at 9:30 a.m. at 18500 Murdock Circle 2 Story Building Room B-106, Port Charlotte.

13. Adjournment

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

The meeting was adjourned at 10:46 a.m.

Minutes Approved



Tom Ireland, Chair