

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT

MINUTES OF REGULAR MEETING

Tuesday, November 17, 2009

The regular meeting of the St. Augustine Port, Waterway & Beach District was held at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida on Tuesday, November 17, 2009.

CALL TO ORDER:

Vice-Chairman, Carl Blow, called the meeting to order at 3:00 p.m.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the flag of the United States of America followed.

ROLL CALL:

Vice-Chairman Carl Blow, Commissioners Jerry Dixon, Tom Rivers and Jay Bliss were in attendance. Chairman Barry Benjamin was absent. The meeting was also attended by the following staff: Dennis Bell, Secretary-Treasurer, Elyse Kemper, Assistant Secretary-Treasurer, District Attorney James E. Bedsole; Dr. Steve Shropp and Dr. Rajesh Srinivas of Taylor Engineering.

SECRETARY-TREASURER'S REPORT:

Dennis Bell presented the Treasurer's Report of October 31, 2009. Funds available as of October 31, 2009 totaled \$1,707,000.00. All of the funds budgeted for last year have been received, except some small items due from prior years. As of November 12, 2009, \$1,698,000.00 is available. He has received Letter of Compliance from the Department of Revenue that the district is in compliance with TRIM regulations.

APPROVAL OF MINUTES OF REGULAR MEETING HELD ON Tuesday, October 20, 2009:

Regular minutes of the meeting of Tuesday, October 20, 2009 were presented. Also presented to the Board were revisions of minutes for the September 16, 2009 meeting.

A motion by Commissioner Rivers and seconded by Vice-Chairman Blow to approve the minutes of the October 20, 2009 meeting was unanimously approved.

A motion by Commissioner Bliss and seconded by Commissioner Dixon to approve the minutes of the September 16, 2009 meeting was unanimously approved.

KEN KRAUTER, CONSULTANT:

Mr. Krauter indicated he had nothing to discuss at this time.

ENGINEERING REPORT:

Dr. Steve Schropp had four items to report:

Salt Run Dredging: The Project Engineer attended the pre-construction meeting with the City and the contractor. They are waiting for some of the contractors' final submittals for review, after which the City will be issuing a Notice to Proceed. When final DEP approval for the dredge material off-loading site is obtained, the project should proceed.

San Sebastian River Dredging: A request for additional information is due on December 17, 2009 for the permit application and a draft response is ready. They are waiting for DEP to approve the disposal area for Salt Run before the final application is made. Vice-Chairman Blow has been making inquiries about potential off-loading sites along the San Sebastian River.

St. Augustine Mooring Fields: The City now has a permit from ACOE. They also received permit from the Coast Guard and that is all the permits they need in order to proceed.

Taylor Engineering, Inc. Contract: The extension on their contract will expire at the end of December, 2009. Vice-Chairman Blow asked Taylor work up a proposal and schedule the matter for the December meeting.

Commissioner Rivers asked about the City's approval of the mooring fields. Jim Piggott indicated the second reading of the ordinance for the mooring field and harbor management plan would be on December 14, 2009. They are in the process of finalizing the harbor management plan and working on the fees and rates structures. Cost will vary for residents and non-residents, live-aboards and non-live-aboards, and for boats in Salt Run or the other mooring fields. Commissioner Bliss asked which residents would be included and when the final plan would be available for review. Piggott said the final plan would be put on the City website. The City would like one of the Port Board members to attend the City Commission

meeting. It was decided that Commissioner Dixon would attend on behalf of the Port. Vice-Chairman Blow asked Dr. Schropp if the City has the required permits for the marker buoys and Dr. Schropp indicated that those permits have already been obtained.

OLD BUSINESS:

Philip Alia from Vivid Media Concepts:

Mr. Alia distributed a Board member questionnaire regarding the enhancements to the Port website. The transition to Vivid Media of all site maintenance and up-dates have been completed. Server transition will be completed once the substance of the questionnaire has been finalized. Vice-Chairman Blow asked about the press release status. Mr. Alia said they are waiting for some photography of the new fire boat, the lift and the marine rescue boat before releasing it. Mr. Alia advised that the Port's website address is staugustineport.com where minutes, agendas, boating events calendar, and general information on the commissioners can be found.

Mr. Dixon asked about the protocol for each Commissioner in making comments to the press. The consensus of the Board was that each Commissioner should preface any individual comment by indicating that it was his opinion and not the opinion of the entire board. Major issues would be directed to the Chairman as the point person, but all Commissioners' contact information will be listed on any press releases.

Mr. Alia also said that they were working with the St. Augustine Yacht Club and the Regatta of Lights to maximize the Port's exposure at these events.

Commissioner Rivers mentioned that Mr. Brunson of the Regatta of Lights would like the Port to choose one Board Member to judge the event. Commissioner Dixon volunteered.

NEW BUSINESS:

The placement of the "Public Input" item in the meeting agenda was discussed, and the Board decided that Public Input would follow each presentation tonight.

A. Army Corps of Engineers.

Shelly Trulock, ACOE Project Manager for the Intercoastal Waterway presented a slide program, along with brochures and hand-outs. Ms. Trulock provided information about the scope of the ICW, including its length and channel specifications.

She then gave a summary of the planned dredging. Typically the dredging occurs every three to four years, the last time was in 2005. The Vilano Beach Shoal was last dredged in 1996. 200,000 cubic yards will be removed from the ICW and about 300,000 cubic yards from the Vilano Beach Shoal. Dredge sand will be placed on the beach south of the inlet per the Inlet Management Plan. There is no provision to place the sand north of the inlet. The discharge pipe will run through Salt Run crossing Anastasia Island across the narrowest point. The pipe is floated down Salt run because if it is placed along the beach, it can potentially impact the shore birds, beach mice and sea turtles and if it is placed behind the dunes, it can potentially impact the beach mice and dune vegetation. The pipe will be both floating and submerged depending on the timing of the material running through it. Dredging should start in September, 2010.

Schematics and aerials of the dredge area were shown. All dredging activities will occur within the federal easement. The plans and specifications for this project will be completed in May, 2010. Water quality certification from DEP is anticipated at the end of March, 2010. Environmental assessment is out for public review and the comment period closes on November 23, 2009. Commissioner Rivers asked if the location of the dredging was in the same location as the previous project. Paul DeMarco, also from the ACOE, indicated that it was almost the same location.

Ms. Trulock stated the ACOE is authorized to maintain a channel 12 feet deep and 125 feet wide in this area, which is currently on a maintenance dredging cycle intended to maintain the channel. Periodic surveys determine areas that need attention. Due to the dynamics of the ICW, our inlet is on a much more frequent cycle than other areas, which may go 10 to 15 years between dredging. A current survey showed channel depth in the ICW as shallow as 7 feet. As the shoal accretes, it constricts the channel and the velocities pick up drastically, which creates a very dangerous inlet. By removing this shoal, the inlet is widened and will flow more slowly, creating a safer inlet. The jetty north of the inlet is not sand tight, meaning that as the sand migrates down the coast, it passes through the structure and collects on the shoal. The management plan contemplates gathering that sand and placing it on the beaches to the south of the inlet. For both the Vilano Beach Shoal project and the ICW project, the material is always placed to the south. The Inlet Management Plan only allows for placing dredge material south, and does not provide for placing material north of the inlet. In order to place material north of the inlet, the Inlet Management Plan would need to be revised and approved by the DEP.

Ms. Trulock also discussed the St. Johns County Beach Erosion Control Project. Currently, the authorized borrow area is the St. Augustine Inlet ebb shoal, and there are plans for 3.1 million cubic yards of material to be removed in a 10-year period. Some transport modeling

is being conducted by ACOE to be sure that dredging the ebb shoal does not have a negative impact on the beach.

Regarding the St. Johns County Shore Protection Project, a feasibility study is underway to evaluate the need for hurricane and storm damage reduction alternatives in South Ponte Vedra, Vilano Beach and Summer Haven. That study will consider benefits of different alternatives, available sediment sources and environmental concerns. It is expected to be completed in 2012.

Commissioner Bliss mentioned an incident in Salt Run during 2005 which deposited a large amount of dredge sand in Salt Run. He asked what could be done to have that removed. Paul DeMarco said their field managers had differing opinions on the situation and asked if there were photographs or someone who could point out the area. Commissioner Bliss suggested that Anastasia Water Sports staff witnessed the occurrence, but did not know if photographs exist. Vice-Chairman Blow indicated he was familiar with the location, and said that oysters have inhabited the sand bar now and it could be easily found.

Vice-Chairman Blow asked the ACOE if they received responses to their public notice and then provided each commissioner with a copy of the letter from Mark Knight of the City of St. Augustine which was sent in response to the public notice.

Vice-Chairman Blow said that while this current dredging project does not address the issue of the pipe damage, he would like to see that something is done to be sure that in future jobs, the contractor is held accountable for any damage the dredging project causes. He suggested approaching DEP to place one of the lines behind the dunes on one of their fire roads. Ms. Trulock said implementing these changes would be possible on future projects, but not for this current project unless the permit process was entirely repeated. Commissioner Bliss suggested that the agency which created the problem should solve it. Discussion of various solutions ensued. Ms. Trulock said they were watching this situation and were doing pre-project surveys of the area.

Vice-Chairman Blow said that there are approximately 70 private vessels anchored in that area. He asked ACOE how these private vessels would handle any damage caused by the dredging. Ms. Trulock said that the contractor is responsible to prevent any damage to private property. But, should damage occur, the contractor should coordinate resolution with the private owner.

Vice-Chairman Blow also suggested that a survey of the navigational aids in the Salt Run channel be made prior to the commencement. Ms. Trulock said she would see that the plans and specifications clearly indicated where the navigation aids are located and provide for a

means of re-locating them, if necessary. Ms. Trulock said that the ACOE would be responding to Mr. Knight's letter, which response Mr. Piggott would then share with the Port. All commissioners indicated that they would respond to the public notice individually.

PUBLIC INPUT:

Barbara Jeness of 313 Porpoise Point Drive asked for clarification of the depths and location of the dredging around Porpoise Point. Ms. Trulock showed a map which indicated depths around Porpoise Point. She said that everything should stabilize around this channel once the channel and a few areas outside of that channel have been dredged. She was also able to determine that the distance from the dredging area to the Jeness property is approximately 450 feet. Ms. Jeness said she just wanted to be sure that the dredging won't go any further north.

Sean McMullen of 3490 Coastal Highway said he and his neighbors have spent over \$250,000 for a limestone seawall to protect their houses. He has seen a significant amount of erosion since the dredging started. Yet, their tax bills remain the same. There are 650 homes threatened by serious erosion on that side. Even low tide is very close to A1A. The DEP has allowed them to build structures to protect their houses.

Mark Heleman of the Conch House Marina said his concern is where the pipe will run down Salt Run. He asked if the pipe could be run down the east side of Salt Run so it crosses the inlet where it is very deep and stay to the east side of the channel. Years ago, many boats hit the pipeline because it wasn't buried very well. Paul DeMarco stated that there is salt marsh along that eastern shore of Salt Run and the pipeline will probably be run along that shoreline just to accommodate all of the vessels. Vice-Chairman Blow suggested Mr. Heleman formally make that recommendation to the ACOE. Commissioner Dixon suggested that Mr. Heleman be sure to relate the incidents that occurred during the prior dredging project. Commissioner Bliss asked what pipe depth will not obstruct the channel. Mr. DeMarco indicated that it varies depending on whether it is pumping material or not, and hoped that if they could run it along the east side of the channel, it would resolve the problem of it being hit. Vice-Chairman Blow pointed out that the only problem he saw was that the shore of Conch Island was a very popular beach.

Bill Jeness of 313 Porpoise Point Drive requested clarification of the Inlet Management Plan where it defines the affected beaches as 19,000 feet north of the inlet and 30,000 feet south of the inlet. He stated the plan says to place the material in the areas of greatest need, yet Ms. Trulock had indicated the plan would not allow for placement of dredge material north of the inlet, and asked Ms. Trulock for clarification. Vice-Chairman Blow said ACOE was not

attending the meeting to address the north beach issue, but it would be addressed in the next presentation.

Commissioner Rivers asked if the dredging at the south end of Porpoise Point would take any material away from any of the existing beaches at Porpoise Point. Ms. Trulock said the dredging would occur within the federal easement that is currently under water, and that the easement line is basically the property line of those houses that face to the south.

Don Glisson of 509 Porpoise Point Drive said he had his house surveyed in 2002 and again in 2007, and he is now 21 feet closer to the water. He feels that he loses beach when dredging occurs. He has natural accretion every year, but the dredging projects take it away. The Commissioners discussed the location of his home and the dredging area and determined that there was still approximate 250 feet between the dredging site and his beachfront.

Bob Moore of 3840 Coastal Highway indicated he was an advocate for Vilano-South Ponte Vedra Beach and stated he thinks the sand deposited on Porpoise Point comes from the north beaches. He further stated that the main purpose of the Inlet Management Plan was to fix and repair the inlet, but it is not doing that.

Barbara Jeness of 313 Porpoise Point Drive showed an excerpt from the Inlet Management Plan which allows for the inlet dredge sand to be placed north of the inlet. She said the DEP determined that the north beaches are a critical area, but the DEP does not support placement there. She also said that two years ago there was state money available to place sand in South Ponte Vedra and Vilano Beach, but the County would not match the funds so the money was lost. She asked whether the sand being removed could be used for renourishing the north beach. Dr. Rajesh Srinivas of Taylor Engineering said that the Inlet Management Plan was meant to improve the navigational safety of the inlet, to evenly distribute the sand along the inlet and to push the natural deep water channel away from the south jetty because it was slowly migrating south. That is what the dredging of Vilano Beach and Porpoise Point should accomplish.

Vice-Chairman Blow asked for clarification that if any changes to the current plan were made, the entire process would have to be commenced again. Ms. Trulock said ACOE would be required to start over by obtaining a new permit from the DEP. Vice-Chairman Blow observed that the initial permit from the DEP takes up to 2 years to accomplish.

Sean McMullen asked if the DEP was in support of dredging from the ebb shoal. Ms. Trulock said she will take the question back to her counter-part but she had no information about that.

Vice-Chairman Blow determined there were no further questions or comments regarding the Salt Run dredging program, and reminded the public that comments for the ACOE could be made until November 23, 2009.

B. Bob Moore, re: Inlet Dredging

Mr. Moore stated that Congressman Mica called a civic meeting concerning beach erosion three years ago, representing the first time that all entities concerned with beach erosion in St. Johns County had met together. He pointed out that there are five agencies attending this Port meeting to discuss the same purpose, including the St. Augustine Port, Waterway & Beach District, Florida Inland Navigation District (FIND), the St. Johns County Engineers, the ACOE and the Florida DEP. He said that in 1998, the Port adopted the St. Augustine Inlet Management Plan prepared by Taylor Engineering and approved by the Florida DEP in 1998. He said that nothing in this plan has been accomplished and no one has asked for funding. He questioned whether the jetty is doing what it's designed to do, and said the jetty should be designed to let the sand by-pass Porpoise Point and go down to St. Augustine Beach. He quoted a press release from the Florida DEP website where the head of the FDEP in Tallahassee said that 80% of the beach erosion problems along the east coast of Florida is due to inlet problems.

Mr. Moore displayed a picture showing the dredging done to the ebb shoal in 2003 and 2005 and other data indicating beach sand losses from Vilano Beach for 1972-2007. Mr. Moore said a beach erosion mitigation plan for St. Johns County was needed. Commissioner Rivers took issue with Mr. Moore that nothing had been done with the Inlet Management Plan and further stated that 2 years ago he had written a letter to the ACOE asking them to look into the problem and the board has made efforts to address the problem.

Dr. Srinivas indicated that in September, 2005, the previous chairman for the District had asked ACOE to investigate what could be done to the jetties to improve navigation and reduce sand trapping. ACOE responded by saying that until they get authorization from Congress, they couldn't do anything. They further recommended a reconnaissance study be done, followed by a feasibility study.

Dr. Srinivas said that when he wrote the Inlet Management Plan, the software programs available were not as sophisticated and were part of the problem in finding a solution. The software and programs available today are technically far superior. He referred to Chapter 3, Pages 13 and 14 of the plan where it states that this problem should be investigated further and suggested that they go back to the federal government. He said the inlet traps 400,000 to 500,000 cubic yards per year and he finds it difficult to believe there is a structural solution that will completely take care of this problem and the entire system should be looked

at as a whole to see what is the best for all of the shoreline. His recommendation was to commit the funding of approximately \$1,000,000 to do a one-time comprehensive study of the entire beach area of St. Johns County to identify where the problem areas are.

Commissioner Dixon said that there should be a coordinated effort between the citizens, the County, the Port Authority, the City of St. Augustine Beach, Vilano Beach Association and everyone else to try to encourage the ACOE to get the funding or to match funds from the County and from the Port , possibly, to get this study done.

Andy Ames, St. Johns County Engineering Department, said that the federal feasibility study was originally a \$1.54 million dollar authorization. County Engineering took this plan over about 2 years ago. This year, the appropriated amount was \$263,000. The study has looked at known hot-spots on the FDEP's critical erosion list. The revised plan will cost an additional \$2,000,000. The County asked this year for the reconnaissance study to be done and did get stimulus money which was used for the identification of sand sourcing and evaluation. If full federal appropriation can be obtained, the study can be done in two years. The County isn't in a position to match funds, so the completion date of 2012 may not be realistic.

PUBLIC INPUT

Barbara Jeness displayed a copy of House Bill 1427 Summary Analysis. She read that the bill directs that all beach quality sand associated with inlet dredging be placed on adjacent beaches. She then read from Chapter 161, Florida Statutes, which provides for designation of Inlet of the Year.

Sean McMullen suggested that the County use its funds to repair their own beaches instead of waiting for all of the other agencies to provide financial assistance.

Bill Jeness asked for clarification of the definition for down-drift beaches. Dr. Srivinas said that the initial focus of the plan was south of the inlet because calculations showed the flow was from north to south. While it did show zones of influence north and south of the inlet, it basically said to dredge the ebb shoal and put the sand on the south beach. He didn't think that the inlet dredging was the cause of the sand erosion on north beach.

Pete Grant of Coastal Highway stated that if a hole is dug in the sand, it will be filled in and he feels that if the ACOE digs more big holes in the ebb shoal, more sand will erode from the north beaches.

Lee Meadows of 4336 Coastal Highway commented that the migration of the sand from the north to the south to refill the ebb shoal hole comes from their backyards, and the sand supply can't keep up if they continue to dredge holes for it to flow into.

Vice-Chairman Blow said the process to modify this project is so difficult and time-consuming that the concern becomes whether they will lose the funding for the project if modifications are requested. He suggested that DEP be contacted by all commissioners and the public to express their concerns.

Andy Ames of St. Johns County said they were preparing a general up-date on beach matters and project status and would like to bring it to the board. He volunteered to call DEP to see if they would come to the meeting at that time.

C. National Heritage Designation Resolution

Brendan Burke from the Lighthouse Archeology Maritime Program, appeared on behalf of this item. Vice-Chairman Blow asked if the City had approved the designation sought. Mr. Burke said negotiations are still on-going. Vice-Chairman Blow said that the Port is considering supporting the project but not committing funding. It was decided that all Commissioners would be allowed to review a proposed letter of support and any decision was deferred until the next Port meeting.

D. Sgt. Dale Mitchell, 911 Coordinator, re: 911 Waterway Addressing

Sgt. Dale Mitchell, St. Johns County Sheriff's Office, asked the Port for funding assistance and support for the 911 addressing of beaches, county docks, waterways, walkways and parks. Initiated by a local Eagle Scout, the project provides for address markers to facilitate identification of beach and waterway areas in emergencies. She provided photographs of sample signs which would be placed every tenth of a mile along the waterways, but only on the portions accessible by foot. They are also launching a campaign to get local property owners to address their docks at their own expense.

Each sign could cost \$30.00 to \$50.00 and 70 signs are needed. The total cost is \$3,500.00. There would be 15 signs north of the Guana dam, but a majority of the signs would be to the south of the dam. Vice-Chairman Blow and Commissioners Rivers and Dixon expressed support of the project, Commissioner Bliss withheld support until he received more information. It was suggested that the County prepare an Interlocal Agreement to be considered at the next Port meeting.

E. Deputy Robert Taylor, St. Johns County Sheriff's Office

Deputy Robert Taylor, St. Johns County Sheriff's Office, produced a revised Interlocal Agreement which now omits the reference to the funding of vessel maintenance and includes overtime payment. Vice-Chairman Blow indicated the agreement should be given to the Port's attorney for review at the next Port meeting. Commissioner Dixon indicated that the money had already been budgeted for this project and the approval would be a formality

NEXT MEETING:

The next regular meeting was scheduled for Tuesday, December 15, 2009 at 3:00 p.m. in the same location.

ADJOURN:

The meeting was adjourned by Vice-Chairman Blow.

Secretary-Treasurer

Vice-Chairman

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