

**ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT**

**MINUTES OF REGULAR MEETING**

**Tuesday, January 15, 2013**

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, January 15, 2013

**CALL TO ORDER**

Vice-Chairman Barry Benjamin 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 Barry Benjamin, Commissioner Herb Rippe and Commissioner Jay Bliss were in attendance. Chairman Jerry Dixon was absent. Commissioner Chuck Hennessey arrived at 3:13 p.m. The meeting was also attended by Dr. Rajesh Srinivas of Taylor Engineering and Secretary-Treasurer Elyse Kemper.

**SECRETARY-TREASURER'S REPORT**

Secretary-Treasurer Kemper reported that as of December 31, 2012, the District had net funds available for use of \$1,914,000. Of \$8,000 budgeted for St. Augustine Police Department overtime, \$585.00 has been spent. Of \$15,000 budgeted for County Sheriff's Department overtime, \$2,776 has been spent. Total committed funds are \$243,215, of which \$7,531 has been spent to date. Including operating expenses, total expenditures to date for this fiscal year are \$54,749. Budgeted taxes for the fiscal year were \$370,155, of which \$288,485 has been received. The balance of expected tax income is \$81,670. The City of St. Augustine has sent notice that \$275,000 for San Sebastian and Salt Run dredging will be due in June or July. Commissioner Bliss asked if this amount was listed in our committed funds. Ms. Kemper said it was not. Commissioner Rippe said the \$100,000 budgeted for dredging is part of that. Ms. Kemper said one project was \$75,000 and the other was \$210,000. Commissioner Rippe clarified that while there is \$100,000 budgeted for dredging, the District has actually committed a total of \$275,000 to the San Sebastian and Salt Run projects.

## **APPROVAL OF MINUTES**

**A motion by Commissioner Jay Bliss, seconded by Vice-Chairman Barry Benjamin, to approve the revised minutes for the October, 2012 regular meeting, and the minutes for the November and December, 2012 regular meetings, was unanimously passed.**

## **ENGINEERING REPORT**

Dr. Rajesh Srinivas delivered the report on behalf of Taylor Engineering. He said the new signs replacing Salt Run marker #4 have arrived. Yelton Construction has been notified that these signs and the slow speed signs are ready to be installed but the signs have not been picked up. Vice-Chairman Benjamin suggested Taylor search for a new contractor for marine services. Commissioner Rippe suggested Taylor include Minor Marine in Palatka in their search. Dr. Srinivas said that there were few local options and that they may have to expand their search. Commissioner Bliss agreed that Taylor should expand its use of similar companies.

Regarding the Summer Haven restoration project, Dr. Srinivas said they are waiting for a response from DEP and FWC about the plan submitted in December. That plan would create a wider berm and add three additional acres of bird nesting habitat. This would offset the loss of nesting habitat elsewhere. They expect to have a permit by April or May of 2013. Once the state approves a permit, federal agencies usually comply a month or so after that.

## **OLD BUSINESS**

### **A. Discussion regarding Inlet Management Plan - Dr. Rajesh Srinivas**

Dr. Srinivas provided the Commissioners with a draft of the Recommended 2012 Inlet Management Plan Update from FDEP, and summarized the proposed plan.

Commissioner Rippe said one of his goals today is to prepare for the appearance of Bob Brantley from DEP, at the March, 2013 regular meeting. He suggested that Florida Inland Navigation District, Army Corps of Engineers, St. Johns County, and representatives from the Vilano group attend. He suggested Commissioners develop a list of items they would like to see in this plan, such as long-term permits for the entire channel and permits to move sand north, to assure the perpetual benefit of the plan. Dr. Srinivas agreed that Commissioners should seriously consider the District's responsibility as set out in the new plan.

Dr. Srinivas said the first Inlet Management Plan (IMP) originated in 1996, with funding from the District. Bob Brantley, the Coastal Engineer with FDEP will come to the District's regular meeting in March to review the new plan. Commissioner Rippe told Brantley the District would provide DEP with feedback prior to the March meeting, so they can prepare to answer questions.

Vice-Chairman Benjamin pointed out two commissioners were absent from today's meeting and recommended a delay in any decisions until the February meeting. Dr. Srinivas said FIND has asked Taylor to review the new IMP. All commissioners agreed that FIND should be invited to the March meeting.

Dr. Srinivas said the plan will allow the annual transfer of 278,000 cubic yards of sand from the inlet to adjacent beaches. The word "adjacent" is a significant change from the old plan which referred to "downdrift beaches". The new plan will place 100,000 cy/yr to the north beaches and approximately 178,000 to the south. The plan designates the beach regions eligible for sand placement by old survey monuments along the coastline. That computes to approximately 8 miles of eligible beach to the north and 5-1/2 miles south. The new plan proposes to truck-haul sand to South Ponte Vedra Beach and hydraulically pump sand from Porpoise Point to Vilano Beach. He questioned the specific terms "truck haul" and "hydraulic pump" because normally the contractor would use the best available and most economical method.

Commissioner Rippe said the District should not be committing to defined methods of sand delivery and that he would like that language removed as the specific methods should be cost-driven. He said studies show that the north beaches are eroding at one-half the rate of south beaches, which explains the "one-third, two-thirds" method of distribution. He said the cost to accomplish this could be very high, and suggested they question whether the new IMP should provide more flexibility in methods. Dr. Srinivas said the District could be locked into implementing the plan and being responsible for very expensive sand transfers.

Dr. Srinivas said pumping sand and access to critical erosion areas will be very expensive. Unlike the old IMP, the new plan suggests dredging the south lobe of the ebb shoal and the "entrance channel", where the old plan said to dredge the south lobe alone. It defines the three sources of sand to be the flood shoals west of the inlet, Porpoise Point and the shoal south of the ebb shoal, for a maximum of 280,000 cy/yr. The old plan allows for approximately 500,000 cy/yr. Commissioner Bliss asked if the terms "navigation channel" and "entrance channel" are used interchangeably. Dr. Srinivas said they are and that the new IMP suggests investigating modifications to the north jetty, which is leaking sand, to prevent sand from encroaching back into the inlet. It also suggests annual monitoring of the inlet and beaches, which could cost up to \$100,000 per year.

Dr. Srinivas is concerned the new IMP may make the District responsible for maintenance dredging and mitigating the extent of erosion caused by the inlet, pursuant to Section 161.142(6), Fla.Stats. This could mean a commitment of millions of dollars. Even though there are agencies who handle portions of the work, there is no assurance they will do so in the future. This should be clarified to assure the District does not become responsible for handling these problems.

Dr. Srinivas discussed data regarding the recent inlet dredging provided by ACOE. He suggested the District continue to support the County Shore Protection Plan to encourage better up-front communication on areas important for dredging. The Shore Protection Plan currently is authorized to nourish only the south beach. The existing renourishment plan places approximately 500,000 cy/yr of sand. The new IMP will place a maximum of 179,000 cy/yr which, in his opinion, will not meet the needs of the south beach.

Commissioner Rippe said there needs to be some clarification of whether the proposed maximum can come only from the inlet, and whether additional sand can come from other sources. Commissioner Bliss asked for clarification of the terms “entrance channel” and “navigation channel”. Dr. Srinivas said from the data and studies he had, it was not clear what the difference was but he said the federal government describes the entrance channel as starting somewhere near the ebb shoal and, as it cuts between the jetties, becomes the “navigation channel” which goes all the way to the Intracoastal Waterway. Dr. Srinivas said his interpretation is that the term “channels” as used in the plan refers to the 16 foot-deep federal channel and anything else is a shoal, including Porpoise Point. Commissioner Bliss said he would like to have these terms defined. Commissioner Benjamin suggested the District set up a workshop with the authors of the new plan.

Commissioner Hennessey asked if any sources are excluded from areas that can be dredged. Dr. Srinivas said that anything that is “inlet navigation channel”, and “shoals” inside the inlet can be dredged, but there is ambiguity in the definitions. Commissioner Hennessey asked Dr. Srinivas to locate the language in the new IMP that specifically states that a certain amount of sand goes north or south. Dr. Srinivas directed him to page 10 at paragraphs 2 and 4 of the draft plan. Commissioner Rippe said paragraph 5 on page 10 answered Commissioner Hennessey’s question, which discusses additional borrow areas. Dr. Srinivas said he would rather the plan allowed more flexibility in the placement of sand.

Commissioner Hennessey said the plan also talks about the federal channel, which is actually a straight line in, but that it does not match the location of the navigation buoy which seems to be a more natural channel, so there is a discrepancy with what is the official federal channel and what is actually navigable.

Commissioner Rippe said he was pleased that DEP seems to be combining maintenance of the navigation channel and beach renourishment because that is the only way we will obtain funding. He said the new plan to allow taking 179,000 cy/yr from the ebb shoal and the rest from other sources ties into the Vilano group’s concerns because they believe removing sand from the ebb shoal means they lose more beach sand. He said the new IMP attempts to cap what is taken from the ebb shoal and force beach renourishment sand to come from other sources, such as the inlet, flood shoals and Porpoise Point. He said if the terminology can be clarified, the new plan will be a huge accomplishment for the District.

Commissioner Hennessey said he was pleased the north jetty was included in their investigation because the aerials show what seems to be a channel close to the beach before the north ebb shoal starts, and the jetty sand appears to be used up. He thinks the jetty needs to be raised and lengthened at least another 500 feet to stop sand migration back onto Porpoise Point.

Commissioner Bliss asked if Dr. Srinivas thought there was enough language in the new plan to insure an open navigation channel because the plan seems to be very specific about the removal and placement of sand but does not specifically state that the main objective is to keep the navigation channel open. Dr. Srinivas agreed, but warned there may be unintended consequences such as someone construing the District to be responsible for keeping the channel open. Commissioners Bliss and Hennessey said the new plan already suggests the District is responsible, even though it also includes ACOE.

Commissioner Rippe said the District should not be responsible for moving the sand, but should be able to force its removal from the inlet. He reminded the board that ACOE conducted elaborate studies which established the “one-third/two thirds” theory and critical erosion areas.

Dr. Srinivas said ACOE is doing another study of the need for beach nourishment county-wide. He said public access is a critical criteria in determining whether the project goes forward. ACOE does not want to put sand in privately owned areas. The South Ponte Vedra beach areas will suffer from that criteria because there is not enough public access there. The study may take 5 to 10 years to complete due to the cost and small amount of yearly funding from the government.

Commissioner Hennessey asked if the Florida Department of Transportation would provide funding if erosion affected highways. Dr. Srinivas said occasionally they will do so, but they prefer to put up seawalls or revetment because they are more permanent solutions.

Commissioner Rippe suggested that if the process to obtain permits was made easier, the County might be more likely to assist in the removal and placement of sand. He said that obtaining permits now might make future projects easier and faster. He said ACOE has a ten-year maintenance program, and even though they do not usually share permits, it would be a possibility. Commissioner Rippe said the Porpoise Point dredging permits are actually held by FIND. Carl Blow of FIND came to the District for funding, stating that they had the permits to dredge Porpoise Point but not the funding. It ultimately became part of the beach renourishment project. Commissioner Bliss said ACOE actually paid for that renourishment, even though FIND had the permits.

Vice-Chairman Benjamin said he would prefer to have a workshop prior to the March 19 meeting with all parties involved in the IMP to discuss and document the District’s concerns with a written statement developed setting forth the results of these discussions.

## **NEW BUSINESS**

Secretary-Treasurer Kemper submitted a proposal from Avid Design Group, LLC as a possible replacement for the current website provider. Vice-Chairman Benjamin asked Ms. Kemper to have a representative from Avid Design come to the next meeting.

## **PUBLIC COMMENT**

Lt. Steve Zukowski, Florida Fish and Wildlife Conservation Commission, reported there were no new derelict vessels. The Tiger Lily, located north of the Vilano Bridge, will soon be removed by the City of St. Augustine. Regarding fisheries, shallow water grouper and sea bass season is closed until April 1. In response to a request by Commissioner Bliss, Lt. Zukowski spoke to the water taxi captain to explain the Vilano Beach idle speed zone and the marker system.

Regarding the yacht "Raise the Bar" which ran aground in fog last month, the Coast Guard is handling the investigation. He discussed the boating accident at the Matanzas Inlet where a small boat ran aground. The three men aboard panicked and jumped out of the boat, resulting in two of them drifting out to sea. St. Johns Fire & Rescue assisted in retrieving the boaters, including a 71-year old who was apparently in cardiac arrest.

Commissioner Bliss asked about a boat on the west side of north river by Hutchison Creek. Officer Zukowski said Officer Pedonti has made contact with the owner and followed up with the required letter. There is also a push tug grounded near Marineland. The owner has received a two-week continuance from the judge and will appear in court next month.

Sgt. Jay Bucher, St. Johns County Sheriff's Department, introduced Deputy Chris Bonneville, who has been communicating with the commissioners regarding the inlet. Commissioners indicated they appreciated the information he provided.

### **COMMENTS BY COMMISSIONERS**

There were no comments by the Commissioners.

### **NEXT MEETING**

The Vice-Chairman announced the next regular meeting is scheduled for Tuesday, February 19, 2013, at 3:00 p.m. in the same location.

### **ADJOURN:**

There being no further business, Vice-Chairman Benjamin adjourned the meeting at 4:52 p.m.

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Secretary-Treasurer

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Vice-Chairman