



## Beaches and Shores Advisory Committee

Murdock Administration Building, 18500 Murdock Circle,  
Building B, Room B-106, Port Charlotte, FL 33948

<u>Board Members:</u>	<u>District:</u>
Don McCormick, Chair .....	District 2
Nichole Beyer .....	District 3
Vacant .....	District 1
Wendy Lang, Vice-Chair.....	District 5
Stas Matias.....	District 4
Jeff Anlauf.....	Member-at-Large
Vacant.....	Member-at-Large

### MINUTES

**January 6, 2022, at 9:00 A.M.**

1. Call to Order:

**Don McCormick** called the meeting to order at 9:00 a.m.

2. Pledge of Allegiance

**Don McCormick** asked those in attendance to stand for the Pledge of Allegiance.

3. Roll Call / Determination of a Quorum

Upon Secretary Bennett calling the roll call, it was determined a quorum was present.

Wendy Lang was absent.

4. Approval of Minutes

- o Approve the Minutes from December 2, 2021

**Mr. Matias** made a motion to approve the December 2, 2021, minutes, seconded by **Mr. Anlauf** the motion passed unanimously.

5. Changes to the Agenda

None offered.

6. Citizen Input on Agenda Items

**Damian Ochab, SMSKA**, spoke about signage on the beach. As discussed before there has been talk about what's private vs what's public regarding issues that are going on primarily on the south end of the beach. They are in need of a conclusion because they are having a difficult time with people regarding access to the beach. They found out that at one of the public access points there are several properties that do not go all the way to the ECL line, which technically makes the remainder property short of the property line state property. There are a couple of issues; 1.) the signage, shouldn't it be on the beaches according to what they heard from the

DEP; 2.) the signs that are on there, they are incorrect. The signs say to the water's edge, which it's not the water's edge. It's the Mean High-Water Line (MHWL) or Erosion Control Line (ECL); 3.) Some of the property that is designated as an ECL/MHWL actually isn't their property. The image that was passed around of the plots clearly shows that it's in dunes at the Meredith Public access point and the rest of the beach is public. Another issue is the people across the street are being told false info on where the property line ends, and public access begins. The bottom line is this is a mess, and we need the county's help for clarification and education on the matter.

**Commissioner Deutsch** expressed that he has been in communication with the county attorney regarding this matter. The reality is, there is no definitive answer. As for the signs there's no prohibition from a person being able to put up a sign in their yard.

**Michael Poff, Coastal Engineering Consultants, Inc.**, informed them that they performed a MHWL survey in May of 2019, that became the ECL. However, there is about a 1,400 ft gap that does not have the ECL, because a handful of people within that area wouldn't sign the construction easements. Even though majority signed for the construction easements in that 1,400 ft gap, they couldn't weave in and out of the properties for the labeling of the ECL. They do have a plat recorded in the county, and if someone's deed says we own to the MHWL of the Gulf of Mexico and an ECL was established on their property the ECL is now their seaward property and replaces that MHWL. In the gap, if their deed says we own to the MHWL, then their property line changes everyday with the tides.

**Matt Logan, Public Works**, informed **Mr. Ochab** that they are looking into this and are working on getting some clarification on this matter.

**Mr. McCormick** suggested for the beach signs to be on the agenda in the future.

#### 7. New Business

- **CCSO- Marine Unit – Discussion on rules and regulation & Channel Markings**

**Richard Carley, DFC with Charlotte County Sheriff's Office**, explained that the Marine Units does a lot of patrolling, and their main goal is safety education on the waters. They do not do a lot of fishery enforcement, FWC handles that. They do deal with Sea grass beds. He explains with the Channel Markers it depends on the location, depending on if it's located with the state or the county jurisdiction. As far as placing or moving channel markers, that is with the Natural Resources and their process for it, or the Coast Guard. A lot of the seagrass areas are not marked well, they are marked by little white PVS pipes. Where a lot of people don't know what it means. The Marine Unit tries to educate the fishers on the seagrass area, by explaining you can fish in the seagrass area, but you can't use anything motorized to get through it.

**Commissioner Deutsch** with his experience in Florida the channels are very poorly marked even from a safety perspective and point of view. The channels are not clear and there not marked.

**Mr. Carley** explains a couple of scenarios about uneducated boaters' experiences in our waters and also emphasize the importance of education needed.

**Mr. Ochab** asked whose responsibility is it to educate the boat renters or the boat renter company's? Who regulates the boat renters?

**Commissioner Deutsch** commented that the county doesn't have a requirement for boating license only if your underage, you need to take a boating safety course. He believes it's the department of business rights, because there is nothing marine related, that he knows of, that gets involved in terms of making sure people know what they are doing on the water.

**Mr. Carley** comments they do literary inspections with the boat rental companies. FWC does more of them, but they are required to have certain signs. If you are at that age for the boater safety card, they have a choice of going online and taking a free 8-hour course. If you rent a boat and your underage and you don't have a safety card, they give you a piece of paper that has questions on it and that's what is required for the day. As far as channel markers he knows Gasparilla Marina, has a channel that goes out to the mainland. If the piling or channel markers goes down, they are responsible for it.

## 8. Old Business

- Riviera Marina

**Commissioner Deutsch** expressed it's been moving but moving slow. The last he heard about the legal situation is that it might be years ahead.

- Michael Poff, Coastal Engineering Consultants, Inc.
  - South Beach (Knight-Don Pedro Island) Renourishment
  - Stump Pass navigation channel project
  - Mitigation reef
  - Terminal Groin placement on Stump Pass

**Mr. Poff** expressed that the Stump Pass navigation channel project kicked off. To date they have dredged approximately 40,000 cubic yards of the 200,000 cubic yards that are in the project. They are making good progress and hitting their average production rates that's expected for the job. They just finished dredging through the spit, at the very south end of the Manasota Key at the Stump Pass Beach State Park. They have been working closely with the state park rangers to make sure they mark their area well. They have taken care of some pedestrian access to allow them to go through. They started in the middle of the beach and work northward to build the first half then they'll put the pipe and go back to the south at the groin. Then they will move to Palm Island, and they will put 100,000 cubic yards of sand on Palm Island with a completion goal of March. They do have FEMA money left over from hurricane Irma that was able to be extended to this project, that's approximately \$480,000 is FEMA share. The state share is \$764,000 which leaves \$953,000 for the local sheriff. We are under \$1 million dollars again for the county's participation, which is about the same thing we paid in 2017. We are saving the money and we believe our groin system and channel is working well. The navigation channel has held the 5 ft mean low water control depth for the navigation channel since 2017. Over the last five years, they have only heard of a couple of complaints from the boaters and has heard nothing from the state park. Which is a win, because if there were problems, were the first ones to get called.

**Mr. Poff** commented that the major project on the Manasota Key has been completed, along with the renourishment of the south beach fill, Don Pedro – Palm Island – Knight Island complex, was completed in 2020. We are currently in monitoring mode for the project. There have been significant storm events in 2020 and in 2021, the county has to do the pre and post storm surveys. There was no declaration of disasters done for either storm in YR 20' or 21'. Even though the beaches in Charlotte County did experience some significant erosion. They have not elevated to the level of putting in a FEMA claim because the state did not go for a declaration of disaster because they are still working on Matthew and Irma and others. There permits are good for the initial

construction and two renourishment amendments. They only go 15 years, with extending it if need be. They are in good shape permit wise for Manasota Key and for the South Beach fill will have to have a permit removal here in the near future along with Stump Pass. They do have enough sand for Charlotte County, however with Sarasota County jumping on we will more than likely need some additional sand sources for the second renourishment.

There was some discussion about looking into a Groin placement for the Port Charlotte Beach Complex. **Mr. Poff** commented that they are working on the feasibility study for that and will probably have some more info here soon.

**Mr. Ochab** commented that there is erosion happening on Manasota Key, they have lost between 25-50 ft in some cases, luckily there are not any hot spots. The good news is that the sand source is out there.

**Mr. Ochab** also asked **Mr. Poff** if there is anything to report of a survey regards to the Mitigation Reef, that was paid for by the taxpayers? **Mr. Poff** replied that survey will be done in the summer. However, the survey could be affected if a red tide outbreak occurs.

- **Matt Logan/Zach Patchell, Public Works  
Engineering Projects Update Report**

**Mr. Logan** encouraged all to look at the MSBU update provided by Zach Patchell. He also added that they are currently working on the Port Charlotte Beach Complex feasibility study and hopefully in the next couple of months they will have some sort of report to bring to the table.

- **Derelict Vessel Update Report**

**Jamie Scudera, Natural Resources**, commented that:

- 5 have been removed back
- 7 are cited
- 4 open cases

**Mr. Carley** mentioned there are a couple of boats in Coral Creek, that they just started the process on. Some boats that have come up from the Riviera Marina by the crossway. They are in discussion with FWC to have another operation Night Light, to check Derelict Vessels for anchor lights, over in the Chadwick Cove area.

- **Shore Birds and Sea Birds**

**Ms. Scudera** stated they are starting the shore bird nesting site mitigation management which has been a difficult challenge because the amount of vegetation that moved into the area. Shorebirds don't like a lot of vegetation. She has reached out to the DEP, FWC and surrounding counties to find a different way to manage the vegetation. Monday they will start to do some vegetation management using herbicide. They have a licensed individual to start soon.

o Sea Turtles

The final sea turtle numbers for this year are:

- Total of 1,754 Nest (does not included LGI)/ Last Year was 1,475 which included LGI
- Logger heads total -1,657
- Greenback total - 96
- Kemps Ridley – 1

9. Correspondence and Communication

None offered.

10. Public Comments

None offered.

11. Comments by Administrative Staff or Consultants

**Commissioner Deutsch** invited everyone on January 12<sup>th</sup> at the William R Gaines Jr Veterans Memorial Park they are having the First Responders Memorial, which is honoring all of Charlotte Counties First Responders at 2pm. There will be a program and food.

12. Election of Officer

- Chair

**Commissioner Deutsch** called for nominations for Chair; with **Mr. Anlauf** nominating **Mr. McCormick for Chair**, second by **Mr. Matias**; motion passed unanimously.

- Vice-Chair

**Commissioner Deutsch** called for nominations for Vice-Chair; with **Mr. Matias** nominating **Ms. Lang for Vice-Chair**, second by **Mr. Anlauf**; motion passed unanimously.

Stas Matias was excused prior to the Sunshine Law.

13. Member Comments

None offered.

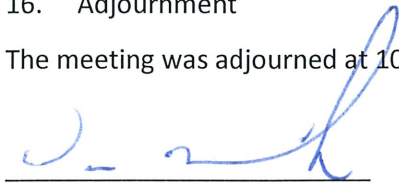
14. Sunshine Law – Video

15. Next Meeting

- The next Regular Meeting of the Beaches and Shores Advisory Committee will be **Thursday, February 3, 2022, at 9:00 a.m.** in the Murdock Administration Center, 18500 Murdock Circle, Room B-106 Port Charlotte unless otherwise announced.

16. Adjournment

The meeting was adjourned at 10:48 a.m.



Don McCormick, Chair