

**M inutes**

**Regular Meeting of the  
Captiva Erosion Prevention District**

Tween Waters Inn, 15951 Captiva Drive, Captiva, Florida 33924

August 12, 2015 @ 1:00 P.M.

**Commissioners Present:** Jim Boyle, Chairman; Harry Kaiser, Secretary; Dave Jensen, Treasurer; Mike Mullins, Commissioner.

**Commissioners Absent:** Doris Holzheimer (excused).

**Staff Present:** Kathy Rooker, CEPD Administrator; John Bralove, CEPD Assistant to the Administrator; Hans Wilson and Robin Mixon, Hans Wilson and Associates.

Stroemer & Company: Jack Alexander

**1. Call to Order**

Chairman Boyle called the meeting to order at 1:00 P. M.

**2. Roll Call**

The roll was called and the results are outlined above.

**3. Approval of June 10, 2015 Meeting Minutes**

Commissioner Kaiser moved and Commissioner Jensen seconded a motion to dispense with the reading of the minutes from the June 10, 2015 Regular Board Meeting and approve them as presented. The motion passed unanimously.

**4. Public to be Heard**

Jack Cunningham asked what CEPD's authority was regarding approval of construction on gulf front properties. The Chair responded that the authority lay beyond the Erosion Control Line (ECL).

**5. Financial Report**

**a) Budget Performance Ending July 31, 2015**

Treasurer Jensen reported everything looked good and he did not have any comments on the budget performance for either the General or Capital Project Funds. He asked for questions but there were none. The Treasurer added that he had signed the engagement letter for this year's audit, which is the second year of a 3 year contract with Mauldin & Jenkins. He said they expect to start in November.

**6. Old Business**

**a) Blind Pass Study**

Steve Boutelle, Operations Manager of the Lee County Division of Natural Resources, was asked by the Chair to update the Commissioners on this subject. Mr. Boutelle reported that the Lee County Board of Commissioners had approved the rankings of the bidders and authorized staff to negotiate with CBI, who was ranked first, on the scope of work and cost. The next step, he said, would be final approval of the scope and cost, which should occur in September.

Chairman Boyle asked Tom Pierro of CBI to comment and Mr. Pierro said that CBI had scheduled work to begin on the Redfish Pass study the first week in October so he expected that CBI would be able to kick off the Blind Pass and Redfish Pass studies at the same time.

**b) Redfish Pass Study**

Chairman Boyle commented that since this study would commence at the same time as the Blind Pass Study, as mentioned above, stakeholders would be able to get a good handle on the hydraulics around the island for both passes.

Commissioner Kaiser asked Mr. Boutelle when dredging of Blind Pass might begin. Mr. Boutelle responded that it would be in about a year but that he would like to have the results of both studies in hand first in order to make the best decision within the constraints of the existing permits. He added that the County does not want the Pass to close and permits are in hand if dredging needs to be done earlier.

**c) Sanibel Permit Authorization**

Chairman Boyle said that CEPD had received a letter from Sanibel saying that they are interested in moving forward with this matter. However, the meeting between CEPD, CEPD's attorney, and Sanibel, scheduled for August 26, had to be changed. It is now tentatively scheduled to be held the first week in September.

**d) Jacksonville District ACOE Letter March 18, 2015 Update**

Chairman Boyle reminded Commissioners that in April CEPD had received a letter from the Army Corps of Engineers that said a government audit of their books indicated that CEPD owed the Corps about \$60,000 for the 2005 project. He said that Ms. Rooker went through the files and found old invoices from that project and submitted them with a cover letter. CEPD has received a reply that says that based on the invoices and documentation submitted CEPD owes just \$1,017. The Commissioners praised Ms. Rooker for her efforts.

**7. New Business**

**a) 1 Year Post Construction Engineering and Monitoring Report**

Tom Pierro, P.E. and Michelle Pfeiffer, P.E. of CB&I Coastal Planning & Engineering, presented a PowerPoint presentation of the First Annual Project Monitoring Results. The data provided is based on the Pre-Construction Survey (September 2013), the Post-Construction Survey (January 2014), and the First Annual Monitoring Report Survey (May 2015).

Regarding Captiva Island, the report indicated that its beaches are performing well overall. 84% of the sand volume placed remains in the project area; 68% of the beach width remains; traditional hotspots are showing up as expected; and the long term nourishment program has resulted in 160 feet of beach and 2.8 million cubic yards of sand in place.

Regarding Sanibel Island, the report indicated that project area losses were high. There is 6% less volume in the project area than was placed. The data is skewed by variability that maybe related to the Blind Pass Inlet Channel. Further investigation into the erosion contributors will occur via future annual monitoring and the Blind Pass Inlet Management Study. The next monitoring will take place spring/summer 2016.

Mr. Pierro reported on two other items at which he was asked to look. The Redfish Pass groin has worked very well: it has held a tremendous amount of sand, has stabilized the north end of the island, and its design to allow sand to flow through and over it to nourish the interior shoreline has worked.

The second item, Mr. Pierro said, was the erosion at Sunset Beach. The area has indeed eroded and some grasses lost. Plantings had been doubled up in some areas, perhaps had been planted more seaward than they should have been, and had been lost. There has been some recovery this summer but it is something that will be looked at in the Redfish Pass Study.

Commissioners congratulated Mr. Pierro and Ms. Pfeiffer on a great presentation and gave a round of applause.

**b) Proposed Millage Rate**

The Chair said no action was required on this item. It will be acted upon at the Tentative and Final Budget Hearings held in September and reflects the Commissioners' desire to stay with the rolled back rate of 0.2901 as discussed at the June Board Meeting.

**c) Proposed FY 15/16 General Budget**

The Chair said no action was required on this item. The Budget matches the Proposed Millage Rate in Agenda Item 7(b) and will be discussed and ultimately voted upon at the two September Budget Hearings.

**d) Proposed FY 15/16 Capital Project Budget**

The Chair said this item too will be discussed and reviewed at the September Budget Hearings.

**e) Hans Wilson & Associates Management Consulting Contract 9/1/15 - 8/31/16**

Mr. Wilson confirmed that for the second year in a row, he is not asking for a rate increase. Chairman Boyle thanked Mr. Wilson for this on behalf of the Board and the public.

**f) Assistant to the Administrator Position**

Chairman Boyle reported that John Bralove has given notice that he will be retiring at the end of September. Hans Wilson and Associates and Ms. Rooker have conducted interviews and selected a well qualified applicant for further interviews. Chairman Boyle said he will be interviewing this individual on Saturday and invited the other Commissioners to participate.

**8. Administrator Report**

**a) Budget Hearing Dates**

Ms. Rooker reminded Commissioners of the following meeting dates in September:

- Tentative Budget Hearing on 9/10 @ 5:01pm in the Ding Darling Room, 'Tween Waters Inn
- Regular Board Meeting on 9/21 @ 3:00pm in the Wakefield Room, 'Tween Waters Inn
- Final Budget Hearing on 9/21 @ 5:01pm in the Wakefield Room, 'Tween Waters Inn

**b) Local Government Funding Request**

Ms. Rooker said this request is to the State DEP for the budget year 2016-17. With participation from Mr. Pierro and Ms. Pfeiffer of CB&I, two funding requests were submitted. The first, under Beach Renourishment Funding, includes funding the 3<sup>rd</sup> year of post construction monitoring and development of a beach nourishment borrow area resulting from the Redfish

Pass Inlet Study . The second, under Inlet Management Funding, is for funding of t he Redfish Pass Inlet Management Stu dy. Ms. Rooker said she also contacted the West Coast Inland Navigation District to determine whether the Redfish Pass Inlet Study would qualify for funding from them. At this time, no funding is available.

Chairman Boyle asked Ms. Rooker to comment on the status of the Federal Biological Opinion. Ms. Rooker said that although CEPD has a Florida DEP permit in hand for 15 years, CEPD must have a Joint Coastal Permit since it is a Federal project. The ACOE on behalf of CEPD must submit to the National Marine Fisheries Service (NMFS) for consultation. It was submitted by the ACOE on 8/7/2014 and CEPD is waiting on Marine Fisheries to return their opinion to the Corps. To date nothing has been received.

Consequently, Ms. Rooker said, CEPD has written Senators Nelson and Rubio and Congressman Clawson describing two issues CEPD has with bottlenecks in the Federal government. The first issue is not having a Joint Coastal Permit due to the NMFS holding up the Biological Opinion consultation for over a year. Ms. Rooker said she explained this situation fully in her letters and provided specific dates. She reported that Senator Rubia's office has contacted her twice, requesting the file number. They are pursuing things with the NMFS. She said many other Florida jurisdictions are in the same situation with the NMFS.

The second issue Ms. Rooker said she brought up in her letter is the FEMA situation. The letter included all the dates that CEPD had visited Washington and the promises FEMA had made. She requested Nelson, Rubio, and Clawson to intervene with FEMA to get this resolved.

## **9. Public to be Heard**

Jack Cunningham asked whether there were any correlation between the Erosion Control Line and the dune line. He was told that there is no correlation. Mr. Cunningham said he observed in the Monitoring Report that more sand was coming off Sanibel into Blind Pass than from Captiva. He had always heard that it was the other way around and at some point he thought there was talk of erecting a groin on the Sanibel side of Blind Pass. He asked for clarification . Chairman Boyle responded that the purpose of the Blind Pass Study was to determine where the sand is coming from and what is the best solution to stop the erosion at Blind Pass. Mr. Cunningham asked is it known whether more sand is coming off Captiva than Sanibel. Mr. Pierro said that it is hard to say but the purpose of the study is to determine this. Mr. Cunningham commented that he thought this was a very good meeting with lots of positive information and a good report .

Mr. Boutelle said he knows that Congressman Clawson's office is working on CEPD's letter because the County Manager's office had heard about it and had lent its support to CEPD' s efforts. He added that FSBPA has written a letter to the entire Florida delegation emphasizing the same concern with the NMFS. James Evans said Sanibel will also assist in writing letters. Tom Pierro said a coalition of communities each writing letters is a powerful force. Ms. Rooker said she has already contacted Collier County and Longboat Key. Mr. Pierro said this is a state-wide issue. Mr. Cunningham asked whether the CCA and CCP should write letters and the Chair responded that it certainly could not hurt. Mr. Cunningham asked that he be sent a draft of a letter they might write.

## **10. Commissioner Comments**

Commissioner Mullins asked Mr. Pierro whether the ECL had ever been changed. Mr. Pierro responded that it had not. The whole purpose is to create a permanent line since the beach is being built up with public funds.

Commissioner Mullins offered a motion to thank John Bralove for his five plus years of service to CEPD and to congratulate him on his retirement. Commissioner Jensen seconded the motion.

The motion passed unanimously.

Commissioner Mullins mentioned the sign he saw at the Turner Beach parking lot cautioning people about the rough surface and asked whether CEPD needed such a sign. The Chair said he thought it was a good idea.

Commissioner Kaiser said the results of the 1-Year Monitoring Report were so positive and so significant that the public should be told about it. The Chair said that the information from the report could provide a lot of material for the Newsletters and BeachBriefs coming up, particularly some of the charts. Commissioner Kaiser also said he liked the photograph in the 2015 Summer Newsletter of the college students' dunes education efforts.

Commissioner Jensen thanked Ms. Rooker for digging deep in getting money from the state and Hans Wilson and Associates for keeping the ship running in good shape and maintaining their costs.

## **Adjourn**

There being no other business, the Chairman adjourned the meeting at 1:14 P.M.