

# City of Jacksonville

1st Floor - Council Chamber  
117 W. Duval Street



## Meeting Minutes

Wednesday, September 9, 2020

9:30 AM

Virtual Meeting

## Jacksonville Waterways Commission

*CM Al Ferraro, Chair*

*CM Randy White, Vice Chair*

*CM Aaron Bowman*

*CM Terrance Freeman, Alternate*

*Robert Birtalan*

*Lindsey Brock*

*Matt Brockelman*

*Lane Burnett*

*State Rep. Cord Byrd - Excused Absence*

*Mark Devereaux*

*Marc Hardesty - Late Arrival*

*Jill D. Haskell*

*Raymond S. Pringle, Jr.*

*Marshall Adkison, Ex-Officio - Excused Absence*

*Adam Hoyles, Ex-Officio*

*Jessica Smith, Legislative Assistant*

*Susan Grandin, Asst. General Counsel*

*Dr. Quinton White, Jacksonville University*

*Dr. Gerard Pinto, Jacksonville University*

*Richard Distel, Research Assistant*

*Jim Suber, Waterways Coordinator*

If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, such person will need a record of the proceedings, and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

#### RULE 4.505 DISRUPTION OF MEETING

No member of the audience shall applaud nor make any noise or remarks that are audible to the Committee that would indicate approval or disapproval of anything being discussed. Any disregard of this rule may result in removal by the Sergeant at Arms.

#### REQUEST TO SPEAK:

1. Fill out a speaker card.
2. Sign it if you are going to speak.
3. Read the rules on the back of the card.
4. Place card in tray.

**PARKING:** If you park in the Library Garage (Entry on Duval St, W of Main St), Please see the Legislative Assistant for ticket validation.

**Present** 11 - Commissioner Robert Birtalan, Commissioner Lindsey Brock, Commissioner Matt Brockelman, Commissioner Jill Haskell, Commissioner Raymond Pringle, Commissioner Lane Burnett, Commissioner Mark Devereaux, Commissioner Marc Hardesty, Chair Al Ferraro, Council Member Aaron Bowman, and Vice Chair Randy White

**Excused** 1 - Commissioner Cord Byrd

**Note: Our next scheduled meeting is Wednesday, October 14th, 2020**

**Meeting Convened: 9:32 AM**

**Meeting Adjourned: 11:42 AM**

1. **Approval - Jacksonville Waterways Commission Minutes for August 12, 2020**

**Approve 10-0**

**The minutes were approved from the previous meeting with a 10 to 0 vote.**

**2. St. Johns River Status Report on Water Quality and Manatees - Dr. White & Dr. Pinto**

**Dr. White said that the St. Johns River has been hot and the temperatures have created fuel for hurricanes. There has been no major algae bloom and the water levels remain high. Dr. White said that Mayport is being used as a film location. Dr. White said that they are continuing to work with the City for the docks at Mayport. Dr. White said they have been working on the 2014 artificial reefs which were heavily impacted by Hurricane Irma and he said that the wildlife has come back but not how it was expected.**

**There have been 8 manatee deaths this year to date with none being from watercraft. There were also 2 that were reported but never found.**

**CM Bowman asked about manatees that were struck and if the boaters know they hit it. Dr. White said most don't realize they hit the manatee. CM Bowman asked if manatee zones have been successful. Dr. White said they have been very helpful.**

**3. New Business:**

- **Sandbar Created, Possibly as a Result of River Dredging - Eric Green**
- **Final Dredging from Jax Port & the Army Corps - Eric Green/Jason Harrah**
- **Dredge Spoil Removal From Disposal Sites - Eric Green/Mark Crosley**
- **Extension of Jacksonville University's Manatee Protection Project Continuation Contract - Dr. White**

**Motion to Approve 11-0**

- **No Wake Zone around Dinsmore - Jill Enz**

**Sandbar Created, Possibly as a Result of River Dredging - Eric Green**

Fred Wong, Jax Port, discussed the sandbar created and the possibility that it is a result of river dredging. He detailed that the team took a tour on the St. Johns River with Mr. Hardesty and went around by Blount Island.

Jason Harrah, Army Corps of Engineers, said while doing the deepening the turbidity level can't be exceeded certain levels according to the Department of Environmental Protection. Mr. Harrah said he does not believe the turbidity levels are caused from the deepening project. Mr. Harrah said that the shoals are not part of the federal channel so the Army Corps of Engineers could not work on it through their budget. Mr. Harrah said it would have to be a project with the City of Jacksonville to fix that issue. Mr. Harrah said he does not think the deepening is due to the river dredging. Mike Hollingsworth, USACE, defined turbidity is the amount of sediment stirred up and the amount of cloudiness due to the dredge. Mr. Harrah said he will meet with Mr. Hardesty to come up with solutions on how to get rid of the shoal.

Mr. Devereaux says that the shoaling does take place on his land, and has only been there in the past 10 years, and it has not been there since the dredging and seems very coincidental that it is there now. He stressed that this is a safety issue.

Adam Hoyles asked where the shoals are located. Mr. Devereaux said the deepest part is near Blount Island. Lindsey Brock asked if there are turbidity measurements along with the dredging. Mr. Hollingsworth said that a turbidity measurement is not required for the drag bar operation.

Mr. Hardesty reiterated the concerns expressed by Mr. Devereaux and talked about the boat tour he went on to show the erosion areas in Clapboard Creek. He talked about what location the shoal occurs.

**Final Dredging from Jax Port & the Army Corps - Eric Green/Jason Harrah**

Mr. Harrah gave an update on the Army Corps of Engineers about where they are at in the dredging process. The 11 mile stretch was divided into 3 contracts. Contract A has been completed and contract B should be finished in the next two weeks. Contract C will be awarded in the next few weeks and is projected to be completed in 2 years (Dec

2022).

### **Extension of Jacksonville University's Manatee Protection Project Continuation Contract**

Dr. White described the manatee protection project. He explained that this is an extension of this contract and requested approval to move it forward. There was a vote on the plan. 11-0 voted and passed to move along to draft the legislation.

### **No Wake Zone around Dinsmore – Jill Enz**

Ms. Enz talked about a resident requesting a slow speed/no wake zone sign for the Dinsmore boat ramp area. Ms. Enz was bringing forward this issue to the Commission. Chair Ferraro said that he would like to add for possible next meeting and look into this issue.

Chair Ferraro said he would be working with John Pappas, Public Works, to look into the issues with storm water and drainage. CM Pittman had previously expressed to Chair Ferraro about wanting to talk about the trash collecting up in the area and this can be added to the next meetings New Business where Mr. Pappas can talk about storm water.

**4. Old Business:**

- **The Derelict Vessel/Floating Structures Committee - Lindsey Brock**

**Motion to Approve Drafted Legislation 11-0**

- **Statewide Enforcement of Derelict Vessels - Brad Richardson, Division of State Lands, FDEP**
- **Dredge Spoil Site Schedule - Commissioner Birtalan**
- **Updates on Shad Creek - CM Ferraro**
- **FIND Subcommittee Volunteers - CM Ferraro**

**Derelict Vessels and Floating Structures – Brock**

Mr. Brock talked about the work done with local, state and federal officials. He explained that floating structures are not regulated by the State so the Committee is drafting up an ordinance. The ordinance was approved in the Committee to be moved forward to the full Commission. This ordinance will put the floating structure regulations under the Neighborhoods Department and this gives them the authority to work on the floating structures through the updated ordinance. Ms. Grandin, Office of General Counsel, detailed the technical changes. Ms. Grandin explained that Council Member DeFoor asked for \$200,000 in the new FY budget for floating structures. The Committee said that \$100,000 would be helpful for funding that would not go through legislation for the removal. This would be helpful when derelict vessels are also under the City's purview. Mr. Brock talked about adding a place possibly on the MyJax app for people to report floating structures. The Commission voted to move forward the drafted ordinance 11-0.

**Statewide Enforcement of Derelict Vessels – Brad Richardson**

Mr. Richardson, Florida Department of Environmental Protection, talked about how his organization represents the Board of Trustees and that it is a case by case process with the rules. In regards to derelict vessels the rules are that the activities on sovereign lands are functional and that includes both the structures and their activities. If they are not functional then it might not be in compliance. He said that there are issues applying this rule over all different waterways and he detailed broad strokes of the enforcement.

**Dredging Spoil Site Schedule – Birtalan**

Mr. Birtalan talked about the strategic plan for dredging. He said that there are three parts to the dredging: residential, commercial and city area dredging. He talked about Reed Island and the City's commitment to that area. Mr. Birtalan detailed the plan

through a PowerPoint which showed the canal system south of Blount Island. Mr. Birtalan showed a video that shows the spoil site. Mr. Birtalan talked about the issues with invasive species; the project is in process to remove the invasive species. Mr. Birtalan showed the process of disposal activity. He detailed special projects and explained which are completed and those which are still in process. Mr. Birtalan detailed the dredging which is proposed and the timeline and amount of dredging.

Chair Ferraro stressed that there a lot of homes on the water and if they are not accessible then the homes are worth less and the tax value is lost when people leave the area.

Adam Hoyles asked what the plan is to remove the material from the spoil site when it is finished and what happens to the fine material. Mr. Birtalan said there is no plan to remove any material when the project is finished and it is not a cost effective plan to remove material.

#### **Updates on Shad Creek – Ferraro**

Brian Burket, Parks Department, gave an update on Shad's Creek and the process in getting no wake zones in that area. Mr. Burket went over the information through slides that cover the Florida Statute 327.46 which covers boating restricted areas and the process going through the state and the process in requesting an expansion of boating restricted zone. He detailed what type of restriction will be implemented and how it is identified. There would be a draft ordinance that also is accompanied with pictures for the evidence of vessel traffic and water levels which show a case to the State proving it is a necessary speed zone area. He talked about the consultation with USCG and ACOE. FWC reviews the application and then the time table for them to act if there is a need for public safety, vessel traffic safety and maritime property. Mr. Burket explained the FWC review process.

#### **FIND Subcommittee Volunteers – Ferraro**

Mark Devereaux will head this Committee. Mr. Pringle and Ms. Haskell said they will volunteer on the Committee.

#### **5. Public Comment**

#### **6. Adjournment**

Pursuant to the American with Disabilities Act, accommodations for persons with disabilities are available upon request. Please allow 1-2 business days notification to process; last minute requests will be accepted; but may not be possible to fulfill. Please contact Disabled Services Division at: V 904-255-5466, TTY-904-255-5476, or email your request to KaraT@coj.net.

Minutes: Richard Distel, Council Research Division  
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Posted 9.24.20 6:00 p.m.