

ADOPTED

**Myakka River Management Coordinating Council
Lemon Bay Park
570 Bay Park Blvd.
Englewood, Florida 34223**

**February 1, 2013
9:05 A.M. – 12:30 P.M.**

MINUTES

The meeting began at 9:05 A.M. with Jono Miller presiding. This meeting was advertised in the Herald Tribune on Friday, January 18, 2013.

MEMBERS IN ATTENDANCE

Jono Miller - Sierra Club
Mary Jelks - Friends of Myakka
Ed Flowers - FFS
Tom Williams - FFS
Lou Kovach - Homeowner
Mike Chouinard - Homeowner
Belinda Perry - Sarasota County
Corky Pezzati – LWVSC
Marlene Guffey – Homeowner
Kathleen Weeden - City of Venice
Tara Poulton – SWFWMD

Jerry Cattelane - Homeowner
Kevin Kemp - FWC
Suzanne Lex - FDEO
Mark Schultz - DOT
Jim Beever - SWFRPC
Becky Ayech - ECOSWF
Bill Byle - Charlotte County
Allain Hale – ECOSWF
Megan Mills - DEP
Elizabeth Wong – City of North Port

INTERESTED PARTIES

Tara Spieler - KCA
Jon Robinson - Myakka River State Park
Kaley Miller - Mosaic
Natalie Cole – FPS
Lee Amos - Conservation Foundation
Richard Howard - FDOT

Hugh D. Dinkler - ESA
Valinda Subic - FPS
Chris Becker – FPS
Judy Meents - FPS
Paul Foley – KCA

BUSINESS MEETING:

- **Call to Order, Roll Call and introductions were made.**
- **There were no public comments.**

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- **Chair and Vice-Chair Elections:** Becky moved that the current officers, Jono Miller and Tom Williams, continue to serve until the next meeting. Corky Pezzati seconded the Motion. The Motion passed.
- **Additions to the Agenda:** DEP permitting office update was added.
- **Revision and Approval of the Meeting Minutes from October 5, 2012 Council Meeting.** On the last page the spelling of Erin Dean is to be corrected. Becky Ayech moved adoption of the Minutes. Belinda Perry seconded. The Minutes were adopted.

OLD BUSINESS: NONE

NEW BUSINESS:

Bill Byle – Charlotte County Update:

Charlotte County is working to improve several hundred miles of canals in Port Charlotte, which includes about 10,000 septic tanks between Murdock and the Peace River. Charlotte County is suing a couple large residential areas on canals near the river.

The Lemon Bay Conservancy is doing a tarpon research project on a restoration project that was once an old golf course north of the Boca Grande Toll Bridge.

The Yucca Pen Hydrologic Restoration Project will help restore sheet flow from Cecil Webb on the east side of I-75 to the southwest.

Belinda Perry – Sarasota County Update:

Acquisition: 1) The County expects to acquire 0.21-acre in-holding bordered by county owned parcels along Warm Mineral Springs Creek. This purchase will expand the conservation corridor bordering the creek, a tributary to the Myakka River and a cold weather refuge for West Indian manatees. Funds for this acquisition will come from the Environmentally Sensitive Lands Protection Program. The negotiated price of \$11,000 is 42% less than the fair market value.

2) On January 29, the Sarasota County Commission offered \$2 million to buy out the City of North Port's interest in the 81-acre Warm Mineral Springs site. The offer included several stipulations such as North Port having no regulatory authority and removing the property from the municipal boundaries. The next regularly scheduled city commission meeting where this may be discussed is February 11.

Little Salt Springs is also being looked at to see if the county might be able to help. There was a fund-raising effort this past week.

Myakka River Bridge Replacement: 1) On December 11, 2012, the Board of County Commissioners awarded the bridge replacement design contract to Reynolds, Smith and Hills, Inc., a Tampa engineering firm. A new 2-lane bridge will be designed with bike lanes and sidewalk on one side. 2) Preliminary conceptual plans are anticipated in March

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2013. The county's public works project manager will be available to review and discuss with the council. The design completion is anticipated by September of 2013.

Sarasota County Parks and Recreation:

1) Parks and Recreation has been working with contractors to remove exotic vegetation at Senator Bob Johnson's Landing (Myakka River/U.S. 41 Site). Installation of fencing at the site will be done prior to scheduling an event at the park in recognition of Senator Johnson. Staff is currently in communication with FDOT to address access into the site from US 41 and plans are to provide a project update to the County Commission in the near future.

2) Proposed shoreline improvements at Snook Haven have been funded through a West Coast Inland Navigation District (WCIND) Grant received this fiscal year (October 2012-September 2013). These improvements include the addition of an ADA accessible fishing pier, new docks, and replacement of failing bulkheads with a planted shoreline.

Improvements are ongoing at the Snook Haven restaurant. The plan is to reopen the restaurant February 1st. Sarasota County has approved an agreement with the Venice Pier Group (operates Sharky's on the Pier). Staff from the Florida Division of Recreation & Parks, Department of Environmental Protection, Sarasota County Conservation and Environmental Permitting, and Parks and Recreation met with Venice Pier Group staff on Monday January 28th for an educational opportunity regarding the Myakka Wild and Scenic River and for a question and answer period.

3) Parks and Recreation is currently in the process of hiring a design consultant to prepare a preliminary design for the Snook Haven Addition park features. This design will incorporate many of the public suggestions made at last spring's public workshops, including a potential shift of the motorized boat launching facilities from the existing location to the addition. Opportunities for public input will be scheduled once a draft design is prepared.

Elizabeth Wong announced that the City of North Port and Sarasota County are jointly hosting a workshop at North Port City Hall Tuesday evening at 6:00pm to discuss a connector nature trail between North Port and Sarasota County. This trail is planned to connect Myakkahatchee Creek Park to a Sarasota County preserve for hiking, biking and horses.

Tom Williams – Myakka State Forest Update:

Two projects have been approved recently. The first project is a campground expansion. Right now there are 10 sites existing in the campground which are full during the season. The plan is to construct another 10 sites near the existing campground which will accommodate tents and RVs smaller than 24 feet. They plan on maintaining the privacy of their campsites. Two accesses to the new campground are planned. They hope to have the work done by June and if not by the end of the calendar year.

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The 2nd project is a canoe/kayak launch at the north side of the river. They are working with the City of North Port to get access to the tract. The launch will be located on 22-acre borrow pit that was dug prior to the State Forest acquiring the property. They plan to purchase the material before the end of their fiscal year (June) and expect the launch to be completed by the end of the calendar year.

Natalie Cole – Myakka River Biologist Update:

Natalie went over the highlights of the Myakka Wild and Scenic River Annual Report. She explained the transfer of permitting portion of program over the DEP regulatory offices is still under consideration. The negotiations to delegate permitting authority are expected to continue after the transfer of DEP permit responsibilities for Sarasota County to the South District Office in Ft. Myers are completed.

For 2013, a proposal was resubmitted to decriminalize the Myakka Wild & Scenic River Rule. This will allow minor violations such as speeding on the river to be punishable by fines instead of Second degree misdemeanors.

Snook Haven has been an ongoing permitting project. There have been some minor improvements to the restaurant area. These have been out of the river area and have been exempted projects. Future improvements are also expected at the Myakka River Oyster Bar.

The construction of S.R.72 Bridge across the Myakka River was completed in November. Plantings were installed at the park in the area impacted by the temporary bridge. Monitoring reports from DOT are expected to follow.

Coordination is ongoing with FDOT and their consultants Kissinger Campo and Associates regarding the I-75 construction project. We are trying to resolve how to prevent runoff that is directly entering the Myakka River through scupper holes in the bridge. A permit condition included in their 2004 bridge expansion project required them to address the runoff water prior to opening up the new travel lanes on the bridge.

Natalie has also been coordinating with the Conservation Foundation and their new acquisition property.

2012 incidents on the river included a sign reading “eat more manatee” affixed to one of the slow speed minimum wake signs near Tarpon Point, a couple unauthorized vegetation removals in the river area, alligator shootings and several reports of illegal campfires on Sarasota County property. There have also been reports of people digging in the river for fossils using shovels and trowels which is also against the River Rule. FWC law enforcement officers were notified.

Two exotic plant workdays with Sarasota County took place in 2012. One was by boat from Snook Haven to Border Road mainly treating Brazilian pepper. There was several county staff that went by canoe from the Myakka River State Park to Border Road

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treating mostly cogon grass. The 2nd coordinated workday was by land on the Carlton. Numerous small areas of climbing fern have been popping up on the river.

Island Apple snail eggs have been spotted in Upper Myakka Lake. Volunteers have been removing the egg cases. She has not seen any egg cases downstream on any of her trips.

The river inspection data has been entered up to 2008. This data goes back to 1990. Natalie has spoken to FNAI and all the observations can be submitted into the element occurrence database.

The May upper river inspection had to be hiked because the river level was too low to paddle a canoe. Manatees were in the upper river at Myakka State Park over the summer and rookery was data also included in the annual report.

Jono announced a new service called Google Mapmaker. It is basically Wikipedia for cartographic information.

Jim Beaver – Fertilizer Ordinance Update:

In November of last year it was anticipated that we would see another attempt to preempt our local fertilizer ordinances by the legislature. Jim is happy to report that we don't have any legislation this year attempting to preempt the local fertilizer ordinances.

The Florida Pest Management Association is looking to be exempt from the fertilizer ordinances. The League of Counties put this as a top priority not to have any preemptions. It's anticipated the organization might try to slide a rider onto one of the agriculture bills or they might try to slide a rider into one of the bills about certification for different professions.

Megan Mills – New DEP Permitting Location:

As of January 1st 2013 the South District Office in Ft. Myers is now regulating Sarasota County. They are hosting three open houses in March 7th, 12th and 17th (dates may change) located in Sarasota, North Port and Venice from 5-7pm. Besides the geographic transition their office is undergoing major staff reorganization.

The statewide ERP rule is expected to be finalized in Spring 2013. There is a website to follow up on all the latest rule drafts that can be accessed via the ERP Statewide Rulemaking link on the DEP homepage. The SWFWMD handbook was also updated at the end of November.

Their office is working with seven state parks in the region to host a run series of 5K and 10K at each of the parks at Lake Manatee, Paynes Creek, Highlands Hammock, Charlotte Harbor, Fakahatchee and Little Manatee River. Information located on active.com.

Becky Ayech made a Motion that the Council request Sarasota County take into consideration material they use to replace docks and look at contaminants being

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used at Snook Haven. Corky Pezatti seconded the Motion. Belinda Perry abstained and Marlene Guffey opposed. The Motion passed.

PRESENTATIONS:

Lee Amos – Conservation Foundation of the Gulf Coast/Myakka River Preserve:

The foundation is a land trust, a not for profit which protects land. They hold conservation easements, own nature preserves, and educate the public regarding the environment. Their mission is to protect the character and natural integrity of the Gulf Coast.

A recent piece of property on the Myakka River was donated to them by a former county commissioner named Charley Richards. The foundation is planning on calling the parcel the Richards's Property. The Myakka State Forest is to the south and Bob Johnson Landing is to the north. The property is 1 1/3 acres in size consisting of some saltmarsh, mangroves, cabbage palm, and uplands which have a great view of the marshes. The uplands are composed of spoil generated during construction of a canal and dumped on the property at one end. The canal was dredged sometime between 1948 and 1969 and may not have been properly permitted.

While paddling the river it could be used as a landing to stop at and rest. They plan on providing educational signage and brochures to help navigate while paddling through the waterways. They are also considering primitive camping by invitation to groups west of the kayak landing.

Restoration activities include removing Brazilian pepper, cogon grass and wedelia. A kayak landing is planned off the river and tucked into the vegetation. There will not be access to the river from land. The canal opening is shallow which is conducive to paddlers and should exclude motorboats.

Questions and answers followed. It was discussed they take reservations not invitations so there would not have to be a concerted effort on their part to invite people, but they could still control the number of people accessing the property. They could further control the reservations by stating which groups they would take reservations from.

Tara Spieler, KCA – I-75 Construction from Sumter Blvd. to River Road:

The project begins at Sumter Blvd. and ends at River Road. They will be widening to 6 lanes for about 9 miles. Issues include the permitting, design of the ponds, extension of some cross-drains and utility coordination.

This project passes through conservation lands, however all the ponds are in the DOT right-of-way. They did not have to buy any pond sites on conservation or private lands. They have already coordinated with several groups including the Council, the City of North Port, SWFMD, Sarasota County and DEP.

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They will be widening to the inside of the highway for the entire project length. In the future when they widen to 8-lanes, the southern seven miles will be widened to the inside and the northern end will be widened to the outside. Future embankment will be placed in now with the 6-lane project so they don't have to come back later and add additional fill. They will also be doing some safety upgrades by replacing some guardrails.

In the City of North Port there are the bridges over Myakkahatchee Creek. These bridges have previously been widened and can accommodate 6 lanes of traffic. Deer Prairie Creek bridges are currently only wide enough for the 4 lanes that exist now. These will be widened to allow for the 8 lanes in the future but they will only be used for 6 lanes once the project is completed. The Myakka River bridges are all currently wide enough to accommodate 6 lanes of traffic.

There are many box culverts along the project corridor and they will be extending those as needed within the DOT right-of-way to make sure they are far enough away from the roadway for safety. They compensated for all floodplain impacts within the DOT right-of-way and did not have to buy any floodplain ponds outside of the right-of-way.

They designed all the ponds to accommodate the future 8-laning of the roadway. They have dry ponds on the outside of the roadway. In the bifurcated area they have wet detention ponds. For areas discharging to the Myakka River they did an additional 50% treatment in both the wet detention ponds and dry ponds. Control structures in the ponds will control how much water can leave the pond.

About 2.2 acres of the roadway are being treated now in the roadside swales with ditch blocks because of the previous bridge widening in these locations. In the future, once the highway is widened to 8 lanes, 18 acres will be treated. The area at the Myakka River Bridge has scuppers that allow the water to discharge into the river directly. Since they are not widening that area the scuppers will remain. They compensated for the scuppers by treating additional areas at the Exit 193 interchange.

The nutrient loading calculations that were completed showed there were no adverse impacts to the river by adding additional lanes because of adding the additional stormwater ponds treatment.

This project will temporarily impact 3.3 acres of wetlands and surface waters and permanently impact 6.5 acres of wetlands and surface waters. The DOT has bought mitigation credits in the Myakka Mitigation Bank to compensate for the impacts.

The Wood Stork foraging areas will be compensated for. The eastern indigo snake and the West Indian manatee will have construction criteria when the construction begins. A gopher tortoise survey and a Florida sandhill crane survey will also occur prior to construction.

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They are working on the Army Corps permit and also getting an individual environmental resource permit from the SWFWMD. A gopher tortoise relocation permit will also be sought if needed.

100% plans have been submitted to the DOT for review. Final plans will be available around March 2013. Construction should begin in September.

Questions and answers followed.

Concerns were expressed about the panther and other wildlife. Wildlife under crossings were discussed. Concerns were made regarding wildlife attracted to the retention ponds/water bodies in the median and proposed fencing. A suggestion was made to remove the roads at the closed River Road Rest Area when construction completed.

Marlene Guffey made a Motion that this Council request FDOT to meet with a representative of MRMCC to discuss and explore treatment of old rest area run off and ditch that goes into Curry Creek. Mary Jelks seconded. Marlene Guffey volunteered to meet with FDOT. She would tour the rest stop and report back. The Motion passed unanimously.

Becky Ayech made a Motion that asked the Chair to send a letter to DOT for response to the following concerns: climate change, wildlife corridors, attractive nuisances/ponds in medians and fencing. Marlene Guffey seconded the Motion. The Motion passed unanimously.

Future Agenda Items:

- Status of Management Plan
- Sea level rise-how it will affect the management plan – Jim Beever
- Status of phosphate EIS (area wide)
- Update on I-75 Rest Area

Next Meeting Date:

It was decided to use Doodle website for members to select a Friday for the next meeting.

Becky Ayech moved to adjourn. Corky Pezzati seconded. The meeting was adjourned.

The meeting ended at 12:30 p.m.