

**BURNT STORE ISLES  
CANAL ADVISORY COMMITTEE MEETING  
DECEMBER 9, 2008**

**MEMBERS PRESENT:** Joseph Gil, Chairman  
Gary Brewster, Leslie Totten,  
Frank Wiechec

**MEMBERS ABSENT:** Charles Zajicek

**OTHERS PRESENT:** Rich Benson, Canal Maintenance Supervisor  
Butch Arenal, Police Chief  
John Kennedy, Marine Officer  
Rick Keeney, Public Works Director  
Dennis Murphy, Growth Management Director  
Randy Broderon, Project Manager  
Perri Turner, Code Compliance Officer  
Jason Hale, Norm Jones

**CALL TO ORDER/ANNOUNCEMENTS**

- A. Roll Call
- B. Next Scheduled Meeting - Tuesday, January 13, 2009 - 1:30 p.m.

**APPROVAL OF MINUTES**

- A. Regular Meeting - September 8, 2008
  - Mr. Wiechec MOVED, Mr. Brewster SECONDED approval of the September 8, 2008 minutes. MOTION CARRIED UNANIMOUSLY.

**CANAL MAINTENANCE MONTHLY REPORTS**

- A. Permits Authorized by City Staff - Installation of Docks, Lifts, Outpilings, etc.
  - Mr. Rich Benson, Canal Maintenance Supervisor, reported one permit was issued in November 2008.
- B. Seawall Cap Replacement Schedule
  - Mr. Benson drew members' attention to the proposed seawall cap replacement schedule, as delineated in the agenda material, noting work was on schedule. He announced the perimeter canal was currently being dredged, adding he hoped same would be complete in time for the boat parade. He stated seawall cap was currently being replaced on Santander Court, and a new wall was scheduled to be installed at 430 Valetta Court.
- C. Budget Utilization Report
  - Mr. Benson drew members' attention to the Budget Utilization Report (Report), as delineated in the agenda material, providing a brief review of same.
  - Mr. Gil confirmed there were no questions regarding the Report.

- Mr. Wiechec thanked Mr. Benson for the quick response regarding the lots occupied by equipment as discussed at the Committee's previous meeting.

### NEW BUSINESS

- A. Presentation on Speeding in Canals - Butch Arenal, Police Chief
- Police Chief Butch Arenal announced the main patrol boat, purchased through a Marine Advisory Committee (MAC) grant, had been out of service since August 25, 2008, after a series of small problems which developed over time. He advised the boat had since been replaced, free of charge. He mentioned the marine officer had operated the volunteer's boat in the meantime. He then stated two marine enforcement strategy meetings had been held in July and August 2008, out of which a matrix was developed of a combination of problem areas, specifically days, times, schedules and solutions. He noted the marine officer's duty shift had also been altered to place him on a later schedule every other weekend. He stated volunteers' schedules had been altered somewhat to an evening shift, adding he had been meeting with the City Attorney regarding the possibility of allowing marine code enforcement officers to issue citations by mail. He announced marine Volunteers in Policing (VIPs) had decided to enter into stationary choke points as part of their regular patrol. He reported the monthly marine patrol report had been redesigned, offering to provide the Committee with a sample report, which was broken down into several different categories, and listing same as follows: self-initiated activities (warnings, incident reports, inspections, etc.); directed patrols, targeting specific problem areas; events, meetings and presentations (public education); vessel maintenance and repair; notable upcoming dates such as the Lighted Boat Parade. He stated a great deal of time was spent on public education, adding he was working closely with his officers to ensure callers were provided with adequate response. He mentioned Mr. John Kennedy, Marine Officer, had developed a marine enforcement PowerPoint presentation, which included everything from descriptions of fish to the most commonly observed marine violations and problems. He continued a tri-fold educational brochure had been developed, providing members with copies of same. He announced a marine patrol section would be made part of the Police Department's web site, a marine enforcement article was planned for inclusion in the upcoming "City Hallways" newsletter and reoccurring information would be printed on City utility bills.
  - Mr. Wiechec commented on the ability of volunteers to be able to issue citations, stating he assumed same would be issued through the mail.
  - Chief Arenal reminded members this conceptual idea would first require an ordinance change via City Council approval.

- Mr. Wiechec opined the definition of a “slow speed wake” was different for every resident.
- Marine Officer John Kennedy offered to sit with residents on their docks so he could personally observe what they believed were violations, stating definitions were certainly subject to interpretation. He explained if the stern dropped into the water and a wake was pushed, minimum wake restrictions were being violated. He distributed his business card, pointing out Idle Speed/No Wake and Slow Speed/Minimum Wake were defined on the reverse side of same. He acknowledged he could not be in all places at all times; however, he urged residents not to hesitate to contact him.
- Mr. Gil stated he resided on the perimeter canal, adding there were a number of visitors which traveled through the area violating the wake restrictions.
- Officer Kennedy acknowledged it was necessary to push the throttle at times to travel through the boat lock location; however, he agreed that was no excuse. He reminded members of the potential for an increase in theft rate with the upcoming mullet season.
- Mr. Totten asked how the brochures were disseminated.
- Chief Arenal replied they were available in the front lobby at the Police Station, adding Officer Kennedy distributed copies throughout his shifts and to various civic groups. He suggesting placing an additional copy on the City’s web site.
- Mr. Totten mentioned the Civic Association provided new residents with a welcome packet, suggesting inclusion of the brochure within same.
- Officer Kennedy asked members to direct new residents to the Police Department’s web site.
- Mr. Gil asked if the activity report displayed by Chief Arenal was more of a PGI report card.
- Officer Kennedy replied it was an overall City report.
- Mr. Gil stated it may be helpful to know if the number of violators in the BSI community was increasing; thus, the community could disseminate that information. He clarified he was not seeking personal names but rather numbers.
- Chief Arenal agreed the Police Department could generate those reports.
- Mr. Gil then requested clarification of marine inspections, as delineated in the activity report.
- Officer Kennedy replied the main purpose of marine inspections was to ensure boaters’ safety, stating he checked life jackets, safety equipment, flares, etc. were available.
- Mr. Gil asked if Officer Kennedy looked for proper registration on vessels.

- Officer Kennedy replied affirmatively, stating decals which were difficult to read seemed to be a prevalent violation.
- Mr. Gil expressed the Committee's appreciation for Chief Arenal's and Officer Kennedy's time this date.
- Chief Arenal reminded members to contact him with any concerns.
- B. Volunteer Water Quality Monitoring Program - Al Cheatham, Charlotte Harbor Environmental Center (CHEC) Representative
  - Mr. Rick Keeney, Public Works Director, introduced Mr. Jason Hale, Senior Scientist, who would make a presentation on the subject program, noting Mr. Cheatham's schedule had not allowed him to attend at this time.
  - Mr. Hale provided a brief description of CHEC's purpose, announcing CHEC planned to implement the subject program, which would include monthly monitoring of six surface water quality stations by trained citizen volunteers. He stated the site locations had been chosen to maximize public access/safety as well as proximity to existing data sources and potential pollution sources. He explained volunteers were asked to observe temperature, water clarity, salinity, pH and dissolved oxygen and to collect samples for laboratory analysis of nutrients and phytoplankton abundance. He mentioned volunteers would first participate in a training workshop to learn proper collection procedures, adding results would be made publicly available via CHEC's web site and through community presentations. He clarified the program's objective was to provide a hands-on approach to educate residents about water conservation, water quality and the impact of land management practices, i.e., fertilization and irrigation. He concluded the program was a cooperative project funded by the Southwest Florida Water Management District (SWFWMD) and through in-kind services provided by the City and CHEC. He noted two of the above mentioned stations fell within BSI, both of which were on public property, adding he hoped two volunteers could be recruited for each station. He stated there would be a training session in December 2008. He displayed an overhead depicting the four PGI and two BSI locations, stating two types of data were collected on a monthly basis. He mentioned interested parties could learn more from CHEC's internet web site. He described the data which would be collected as follows: nutrients, cloudiness, oxygen, chlorophyll, clarity, salt exchange, sunlight, temperature, water depth, tide stage.
  - Mr. Wiechec clarified one location in BSI was at the boat lock while the other was at the far end of BSI on Monaco Drive, noting one received heavy water flow and the other did not.

- Mr. Hale responded bracketed conditions were desirable, adding it was also hoped to perform testing from City property. He asked members to consider volunteering, further requesting the Committee's support of the program.
- Mr. Wiechec volunteered his services for the Monaco Drive location.
- Mr. Gil questioned the purpose of the program. He recalled a volunteer water quality testing program was conducted by 40 to 50 BSI residents some time in the past, asking how the results of that program were used.
- Mr. Hale expressed uncertainty regarding same. He noted one of CHEC's main goals was education, adding there was no intention to duplicate efforts. He mentioned counties and cities were questioning their water quality and whether or not to remove septic tanks or to enact fertilizer ordinances, for example. He clarified CHEC was not attempting to limit anyone's rights.
- Mr. Wiechec expressed hope nothing punitive would be derived from the program.
- Mr. Hale responded that same concern had been raised by the PGI Canal Advisory Committee (CAC).
- Mr. Gil asked if the fertilizer issue was the central theme
- Mr. Hale replied he felt it was not the central theme but rather could be considered inspirational.
- Mr. Gil asked how it could be determined any pollution which may be found was originating in the BSI community or within Alligator Creek.
- Mr. Hale mentioned CHEC was currently conducting a similar study for the City of Sanibel to determine whether pollution was the result of fertilizer, wastewater treatment, septic tanks or water re-use; however, the first question to ask should be relative to the concentration of nutrients within the canal. He noted the State was looking at Charlotte Harbor in particular as having excessive nutrients and questioning the cause of same; however, his question was whether nutrients were a problem at all.
- Mr. Gil explained the community was somewhat "gun shy" after their experiences related to removal of the boat lock doors.
- Mr. Hale expressed appreciation for the caution expressed by Mr. Gil, stating he would attempt to make available the results of the previous water quality testing mentioned earlier. He stated the Department of Environmental Protection (DEP) and SWFWMD had become increasingly concerned with water quality over the past six to eight years.
- Mr. Norm Jones commented "gun shy" was a minimum standard, stating he still did not understand the purpose of this program or its ultimate goal.

- Mr. Hale replied a scope of work was available as was CHEC's agreement with SWFWMD, offering a copy of same. He reiterated the purpose was two-fold, first to determine water quality and second to provide public education.
- Mr. Jones asked if raw data could be made available to the Committee.
- Mr. Hale replied absolutely, stating a lab in Gainesville would be utilized.
- Mr. Jones asked if the data would be transmitted to DEP.
- Mr. Hale replied DEP wanted any collected data; however, the method of collection was graded, adding this type of program would not be utilized in a legal sense.
- Mr. Wiechec commented this type of testing seemed redundant in light of the phosphate mining issues published over the years.
- Mr. Hale suggested virtually every industry operating in the watershed and along the coastlines was cleaner than 40 to 60 years earlier, for example. He reiterated he did not believe this program nor the education derived from it were redundant.
- Mr. Totten opined this program would move forward whether or not the Committee supported same. He expressed similar concerns with possible punitive effects from same.
- Consensus of the Committee was to endorse CHEC's Volunteer Water Quality Monitoring Program.
- Mr. Keeney then announced Mr. Benson would be retiring in December 2008, thanking him for his service to the City.
- Mr. Gil commended Mr. Benson on his dedication, patience and hard work, especially relative to the BSI community.

**ADJOURNMENT**

- Meeting Adjourned: 2:30 p.m.

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Joseph Gil, Chairman

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Mary Kelly, Recording Secretary