

MARINE AND PORT ADVISORY COMMITTEE

Meeting Minutes

PURSUANT TO Board of County Commission Resolution No. 057-1991 the Marine and Port Advisory Committee of Monroe County conducted a meeting on **November 5, 2013** beginning at 6:03 PM at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida.

MARINE AND PORT ADVISORY MEMBERS:

Paul Koisch, Chair	Present
James Fitton	Present
Bill Kelly	Absent
Lynda Schuh	Present
Mimi Stafford	Present
Pete Worthington	Absent

STAFF

Richard Jones, Sr. Administrator	Present
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COMMISSIONERS

Sylvia Murphy	Present
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MOTIONS MADE

Motion 1

To approve minutes of July 30, 2013

Motion/Second	Passed
Mimi Stafford/Lynda Schuh	Unanimously

CALL TO ORDER

Chair Koisch called the meeting to order at 6:03 p.m. Chair Koisch introduced new Committee Member James Fitton. Mr. Fitton gave a brief history of his Coast Guard career and stated he was appointed by Commissioner Carruthers. Mr. Jones then introduced Celia Hitchins, who has been hired full-time in the Marine Resources Division. Chair Koisch explained that David Makepeace is present tonight as a member of the public because his re-appointment by the Sanctuary Advisory Council (SAC) was not finalized due to the Government shutdown. Rich Jones further explained that once the SAC reappoints him they may send a letter to the County recommending his appointment to the MPAC, then once the Commission approves that appointment he will be back on the committee again.

PUBLIC MEETING

Item 1. Approval of minutes from the July 30, 2013 MPAC Meeting

Motion: Ms. Stafford made a motion to adopt the minutes as drafted. Ms. Schuh seconded the motion. There was no opposition. The motion passed unanimously.

Item 2. Update on the Pilot Program anchoring ordinance

Mr. Jones presented an update on the Pilot Program anchoring ordinance. Mr. Jones informed the Committee Members that a presentation was held before the Board of County Commissioners (BOCC) on October 16th at which Captain Langley from Florida Fish & Wildlife Conservation Commission (FWC) explained that the enforcement effort that FWC has put forth began with education and focused on the Boca Chica Basin area and the area outside the Garrison Bight mooring field. At the time of that presentation no citations had been given out, but a few dozen warnings had been issued. Captain Langley had indicated that the boats are all gone from the east side of Boca Chica and there are fewer boats in the no-anchoring zone outside of the Key West mooring field than prior to the ordinance. The enforcement implementation was started in the Lower Keys in early April and in the Marathon area in August. Rich Jones explained that one of the biggest successes with the Pilot Program ordinance has been the proof of pump-out requirement. Mr. Jones distributed documentation to the Committee members indicating that the number of pump-outs has been going up significantly since PumpOut USA began providing the service. He indicated that the regulation prohibiting vessels exhibiting pre-derelict conditions is not going quite as well as the pump-out requirement, but officers have begun issuing warnings for vessels exhibiting those conditions. Mr. Jones mentioned that some of the FWC officers were not completely up to speed on the difference between the County's pre-derelict condition prohibition and FWC's At Risk program, but criteria is basically the same, and that officers noticing boats being At Risk is essentially the same as pre-derelict (except there is no citation for At Risk vessels). Mr. Jones stated Sheriff Ramsay was also at the BOCC meeting and spoke. The Sheriffs Office is becoming more aware of the problems in the Boca Chica area and Sheriff Ramsay told the BOCC that the Sheriffs Office would step up enforcement of existing regulations, including the Pilot Program regulations, in the Boca Chica area and the Key West area as much as they can for the next three months. After that they may seek outside funding to help pay for officers to do that. Mr. Jones concluded that the requirement for proof of pump-out has been a big success. He then mentioned that Captain Shipp with the FWC Boating and Waterways Section has gathered input from the representatives from the five participants throughout the state in the Pilot Program and is preparing a report that is going to the FWC Commission in a few weeks. The FWC Commission will use that information to make a recommendation to the State Legislature in the spring on the Pilot Program.

Mr. Jones explained to Chair Koisch that PumpOut USA is paid a contract fee to meet the obligation of the contract, which calls for 1300 pump-outs per month minimum. PumpOut USA feels they can do more than that, but they have not met that mark yet. Chair Koisch pointed out the number of pump-outs went up drastically in September, but the sewage volume went down. Mr. Jones will look at next month's numbers and see if that trend continues and ask the vendor the reason for that. Mr. Jones clarified that the effluent is not metered and the discrepancy could be due to the operators estimating the effluent or, simply, smaller holding tanks are being pumped out. Mr. Jones mentioned that the quota of 1300 not being met was discussed before the BOCC and, even though the quota was not met, the Board did approve to go ahead and pay them their quarterly payment but requested that an audit be done by the Clerks Office at the end of the year or the beginning of 2014. That report will go to the BOCC to see if the Board wants to continue to pay them if they are not meeting their quota. Sean Cannon, Ports Director for the City of Marathon spoke, stating that the City of Marathon passed their anchoring ordinance at the end of August and there have been no problems in getting vessels to move from the buffer zone and pump-outs in the area are beginning to increase. Twelve derelict vessels were identified and given warnings and five of them have been removed by the owners. Mr. Jones stated that Captain David Dipre with FWC has stated one difference observed about derelict vessels since the anchoring regulations were implemented is that instead of a boat owner letting their vessel become derelict and going out and getting another vessel that would then become derelict, the Pilot Program is causing a change in the trend in that after a vessel becomes derelict that owner usually leaves the Keys.

3. Update on the Feasibility Study for additional mooring fields

Mr. Jones reported that the BOCC wants Marine Resources to recommend a site for at least one additional mooring field. Mr. Jones explained that earlier this year a scope of services was written to hire a consultant to do a feasibility study to look at three different problem anchorage areas: Jewfish Creek, Buttonwood Sound and Boca Chica Basin. Coastal Systems International (CSI) was hired to perform the study and they are still working on their draft. Mr. Jones distributed a conceptual mooring field design for each of the sites developed by CSI. Mr. Jones stated because the BOCC is discussing a Keys-wide mooring field system, the scope of the feasibility study was revised to have the pros and cons of each site evaluated with a recommendation for the highest priority, and to include a preliminary mooring field design for each area. The requirements for appropriate mooring field sites were described. Mr. Jones stated the Boca Chica site is far from optimal for moorings because of water depth and it has a complex shoal system and dense sea grass. Mr. Jones informed the Committee members that a grant has been submitted for the BP Restore Act, one at the local level for \$500,000 and another at the State level for \$4 million, which money could be useful for buying, retrofitting, and operating a shoreside facility instead of going into a partnership with an existing shoreside facility. Chair Koisch believes a better target market for moorings would be 40-footers as opposed to 35-footers. Mr. Jones explained 35 feet (illustrated on the preliminary mooring field

maps) was just a very basic starting point and those swing circles will be further designed as the project proceeds. Mr. Makepeace would like the potential size of the vessels to be articulated clearly so the number of potential moorings will be accurate. Mr. Jones confirmed that is already articulated in the rough draft. Mr. Jones argued that the study is very conservative in the size of swing circles and believes they can be significantly smaller.

4. Update on the County pumpout program

Mr. Jones reported that pump-outs are on the increase, but they need to increase further to meet the contract obligations. Based on what happens in the next couple of months with the numbers and the audit that the Clerk will perform, the Board will decide at that time what changes need to be made to the contract. PumpOut USA thinks they will reach the goal of 1300 pump-outs a month once season starts. The numbers are now at 961. Chair Koisch suggested the target goal be decreased to a thousand and adjusted accordingly. Commissioner Murphy assured Chair Koisch the Commissioners are not in favor of terminating the program. Mr. Makepeace commented that as long as growth is trending upward the program should be continued. Mr. Makepeace believes lack of communication is a factor in the numbers and believes that will improve with time. Mr. Cannon confirmed that the Marathon marina posts the information to inform the public. Sally and Ed Ballinger, cruisers, stated they were offered the services boat-side by the vendor while in Key West.

5. Committee discussion

Chair Koisch asked David Makepeace for an update on the Village of Islamorada's Indian Key Fill public access area. Mr. Makepeace reported that the Village of Islamorada is absolutely interested in improving public access within Islamorada, as well as re-marking some of the flats around the sandbar area and marking the grass beds on the south side of Whale Harbor Channel. Mr. Makepeace explained that one problem with Indian Key Fill is that there are multiple jurisdictions involved, both DOT and Islamorada. Staffing issues are a problem with cleaning up the mess left behind at Indian Key Fill after busy weekends. There have been some discussions about trying to view certain areas, like Indian Key Fill, as linear parks and finding ways to adopt an attitude and a maintenance schedule to make that happen. Chair Koisch asked if DOT had offered to redo the boat ramp and Islamorada refused the offer. Mr. Makepeace responded that egress and parking were issues in that regard and that this is not a straightforward issue. Mr. Makepeace will inquire and ask for a specific answer about the boat ramp. Chair Koisch asked if Boater Improvement Funds can be encompassed in this issue. Mr. Jones replied the Village can apply for Boater Improvement Funds for anything marine-related. Chair Koisch asked about Islamorada's pump-out facilities. Mr. Jones stated Islamorada does not pump out, but there is a pump-out facility at Founders Park. The County's pump-out vendor services boats anchored out past 1200 feet in the area. Ms. Stafford would like to see the boat ramp replaced at Indian Key Fill. Mr. Makepeace explained that the boat ramp once there used for tour boats 20 years ago was left fallow and has grown in with mangroves.

Ms. Stafford mentioned that the Navy had contacted her about renewing the lease for Boca Chica Beach and had asked whether or not the County was interested in having the boat ramp. Ms. Stafford described the area as a marl entrance into a canal on the other side of Geiger Key Marina. Ms. Stafford stated Dent Pierce is concerned with calling this a boat ramp because it is not approved. Ron Demes has said there are some funding sources for some improvement in the area in the future so that it can be elevated and capped and would, therefore, be less of a problem in terms of runoff sedimentation. Mr. Jones explained this is an area where the County went into an agreement with the Navy ten years ago because the neighbors in the area wanted to be able to continue launching there. Mr. Jones stated his understanding from DEP is this is a wetland and might never be able to be filled or improved to be a boat ramp. Ms. Stafford stated Mr. Pierce would agree to keep it open for the public as long as it is called a recreational area. Ms. Stafford feels this issue will come before the BOCC through Public Works and believes this would be a good project for future capital improvements. Mr. Jones stated he does not believe a motion is necessary since this will progress through Public Works. Mr. Makepeace agrees that eliminating storm water runoff in this area should be looked into.

Chair Koisch asked to discuss the Old Seven Mile Bridge. Chair Koisch encouraged the Committee Members to walk the two-mile nature walk over marine life out to Pigeon Key and back. Chair Koisch voiced concern over losing the bridge, but admitted the cost to preserve it is extreme and only serves the Marathon community. Commissioner Murphy pointed out that the maintenance of the bridge is ongoing forever, but agrees it is a very valuable tourist attraction, marine educational tool and historical tool for everyone, not just Marathon citizens. Chair Koisch suggested it go to a voter referendum or election.

It was discussed the next meeting would be held February 4, 2014.

The Marine and Port Advisory Committee meeting was adjourned at 7:11 p.m.