



**Charlotte Harbor National Estuary Program
Management Committee
Approved Minutes
August 1, 2008
Fort Myers, Florida**

Members Present:

Greg Blanchard	CHNEP TAC
Warren Bush	CHNEP CAC
Joan Bush	CHNEP CAC
Mike Coates	Peace River/Manasota Regional Water Supply Authority
Holly Downing	City of Sanibel
Erin Dykes	FDEP
Lizanne Garcia	SWFWMD, Resource Management Dept.
Joy Hazell	FL Sea Grant – Lee County
Ken Heatherington	SWFRPC

Also Present:

Lisa Beaver	CHNEP
Liz Donley	CHNEP
Maran Hilgendorf	CHNEP
Judy Ott	CHNEP

Agenda Item #1 - Call to Order and Introductions – Meeting was called to order by Ken Heatherington, Co-Chairman at 9:40 a.m. Introductions were made.

Agenda Item #2. Agenda Additions or Deletions – Ken Heatherington, Co-Chairman

MS. GARCIA MOVED AND MS. HAZELL SECONDED TO APPROVE THE AGENDA AS PRESENTED. THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #3 – Public Comments on Agenda Items – Ken Heatherington, Co-Chairman

No public comments were made at this time.

Agenda Item #4 – Management Committee May 2, 2008 Minutes

MR. BUSH MOVED AND MS. HAZELL SECONDED TO APPROVE THE MINUTES OF MAY 2, 2008. THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #5 – CCMP State Clearinghouse Comments – Lisa Beaver

On March 24, 2008, CHNEP approved a major update of the Comprehensive Conservation and Management Plan (CCMP). The CCMP was submitted to the Florida State Clearinghouse for Intergovernmental Review and Coordination (ICAR). Based on the information contained in the CCMP and the state agency comments received, the state



**Charlotte Harbor National Estuary Program
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has no objections to the allocation of federal funds for the subject projects and, therefore, the funding award is consistent with the Florida Coastal Management Program.

The South Florida Water Management District submitted two recommendations and editing comments to the State Clearinghouse:

- Under SG-B, language should be added to incorporate local schools into research, monitoring, and restoration activities.
- Under SG-H, education curriculum is addressed. Through this process the possibility to incorporate schools to participate in research, monitoring, and restoration activities shown under SG-B.
- Check pagination for pages 139-158.
- Include the summary of objectives and actions under the Table of Contents.

The TAC and CAC recommended the following motion.

MS. GARCIA MOVED AND MS. HAZELL SECONDED TO RECOMMEND POLICY COMMITTEE AMEND CCMP TO INCORPORATE SFWMD COMMENTS. THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #6. Research and Restoration Partner Program RFP – Lisa Beaver

Staff drafted the Fiscal Year 2009 Research and Restoration Partners Grants Request for Proposals (RFP). The following major revisions were made:

- CCMP priority problems, quantifiable objectives, priority actions, and environmental indicators gaps were updated.
- Priority Actions and Environmental Indicator Gaps were moved to Appendices E and F respectively. This was done to reduce the length of the instructions by 3 pages and to cite a specific locations in the text rather than “below.”
- The last appendix with past approved projects was removed and a website address was included. This reduces the length of the document.
- Footer was reformatted to be consistent with other CHNEP documents.
- Map of the Study Area was replaced with the basin map from the Environmental Indicators Report update.

SFWMD staff recommended that CHNEP include language to emphasize those types of projects that are of the highest priority to the Management Conference. The following language was recommended by the TAC in response:



**Charlotte Harbor National Estuary Program
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Charlotte Harbor National Estuary Program is particularly interested in projects which address environmental indicators and gaps listed in Appendix F, especially the following immediate needed projects:

1. Identify pollutant sources in impaired waterbodies;
2. Track changes in subbasin hydrology through restoration and other activities; or
3. Map freshwater submerged aquatic vegetation.

The TAC further recommended that the deadline be advanced 1 month in order to gain an award date 4 months earlier. The draft RFP has been sent to partners to notify them of the possible earlier due date.

The TAC and CAC recommended the following motion.

**MS. GARCIA MOVED AND MS. HAZELL SECONDED TO RECOMMEND
POLICY COMMITTEE APPROVE AND ADVERTISE THE FY 09 RESEARCH
AND RESTORATION PARTNERS GRANT REQUEST FOR PROPOSALS.**

Ms. Garcia referred to page 24 of 69, where it states that it intends to use with SWFWMD funding. She explained that it should not be specifically stated that it would be used from SWFWMD's funding. Dr. Beever stated that she would change it to read "that it may use funding from SWFWMD."

Ms. Garcia also noted that it also states that only digital copies would be accepted and she thought that email copies were acceptable also. Ms. Donley explained that the reason that email was not listed as being acceptable was because under Florida's Sunshine Law, email would be considered a public record and staff was concerned that there could be an opportunity for someone to obtain information through email on someone else's proposal.

Ms. Garcia noted that on page 25 of 69 states that the final projects must be submitted in writing or electronic format. Dr. Beever stated that is an error.

THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #7. Charlotte Harbor 7-County Watershed Report – Lisa Beever

Two days after the Policy Committee approved the Environmental Indicators Update on May 19, 2008, the CAC Environmental Progress Subcommittee met to discuss the components of a "state of the harbor" report. Twenty-three CAC members and others participated. EPA performance measures were reviewed. Model documents from other NEPs were critiqued to identify desirable characteristics for a CHNEP report. As a draft title, attendees suggested calling the document the "Charlotte Harbor 7-County Watershed Report." They also consented to using top selected indicators from the survey



**Charlotte Harbor National Estuary Program
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administered to members of the Management Conference in March and April. The subcommittee will meet again the afternoon of Wednesday, July 16.

Based on the top selected indicators and gaps related to those indicators, projects were identified for funding under the FY09 Workplan. A total of \$140,000 is available to support this effort, \$30,000 of FY08 funds to support water quality refinements and \$110,000 of FY09 funds to support research priorities and indicators gaps.

Janicki Environmental Services, Inc is uniquely qualified to conduct the following work to support the watershed report:

- Water clarity targets, segmentation scheme, and decision support system (using methods consistent with Tampa Bay Estuary Programs and Sarasota County), \$30,000
- Seagrass targets (using methods consistent with Tampa Bay and Sarasota Bay estuary programs), \$15,000
- Pollutant loading estimates, \$60,000.

The cost to fund the total scope of work is \$105,000, leaving \$35,000 to be programmed for additional watershed report gaps.

- FWC has been contacted to provide a measure of fish community structure, abundance and diversity over time, and exotic fish based on existing Fisheries Independent Monitoring data and perhaps additional Lemon Bay data.
- The Management Conference will develop a map of restoration projects (with a shape file of hydrologic restoration impacts.
- The CAC will develop the "Citizen's Toolkit."

The TAC and CAC recommended the following motion.

MR. BUSH MOVED AND MS. HAZELL SECONDED TO RECOMMEND POLICY COMMITTEE APPROVE SCOPE OF WORK TO PROVIDE NEEDED INFORMATION FOR THE WATERSHED REPORT AND TO DIRECT STAFF TO NEGOTIATE A CONTRACT WITH JANICKI ENVIRONMENTAL SERVICES AS A SOLE-SOURCE PROVIDER OF THE REQUIRED SERVICES.

Ms. Garcia suggested adding maps for clarification of the three segmentation schemes (optical model, seagrass and Charlotte Harbor Monitoring Network), and also the 12 segments that Charlotte Harbor is divided into.

Ms. Garcia stated that most of the other comments are issues which she feels, that as long as the SWFWMD are involved in, can be worked out. She wanted to bring them to the Management Committee's attention, that the scope is approved conceptually, but there may be some



**Charlotte Harbor National Estuary Program
Management Committee
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August 1, 2008
Fort Myers, Florida**

modifications as it is finalized and she doesn't believe that any of the modifications would change the intent of the work and there would be other opportunities for the committee to review the results that are coming out.

THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #8. Compilation, Peer Review and Editorial Review for Special Issue Florida Scientist

The Charlotte Harbor National Estuary Program held its triennial Watershed Summit in March 2008. The Technical Advisory Committee directed staff to explore publication of the 2008 Watershed Summit in a special issue of the Florida Scientist. The CHNEP has obtained approval and entered into a Memorandum of Understanding for a second special issue of the *Florida Scientist* from the Florida Academy of Sciences.

Since the development of the MOU and project publication timeline, the Charlotte Harbor NEP has undergone a staffing change that makes it cost effective to engage a qualified contractor to assist in the compilation, peer-review and editing of the special issue.

The attached SOW was developed based on the process utilized for the publication of the 2005 Watershed Summit Proceedings.

The TAC and CAC recommended the following motion.

MS. HAZELL MOVED AND MS. GARCIA SECONDED TO RECOMMEND THE APPROVAL OF THE SCOPE OF WORK TO THE POLICY COMMITTEE AND THAT STAFF NEGOTIATE AND EXECUTE A CONTRACT FOR THE PERFORMANCE OF THE SOW. THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #9. National Marine Sanctuaries Act – Liz Donley

On June 14, 2008, CHNEP staff participated in a meeting with U.S. Congressman Tim Mahoney to discuss options for increasing funding to improve the water quality and natural environment of Charlotte Harbor.

During the discussion, Congressman Mahoney stated that the National Marine Sanctuaries Act is up for reauthorization and this is an opportunity for Charlotte Harbor to pursue designation as a National Marine Sanctuary (NMS). CHNEP staff explained the current funding mechanism for the National Estuary Programs and that there may be an opportunity in FY2010 appropriations process for an increase in funding specifically for the CHNEP.



**Charlotte Harbor National Estuary Program
Management Committee
Approved Minutes
August 1, 2008
Fort Myers, Florida**

Following the meeting, CHNEP staff conducted research to identify advantages and disadvantages to NMS designation, based on the current structure of existing National Marine Sanctuaries. The preliminary list is depicted below; staff understands the list is not comprehensive.

Advantage	Disadvantage
Increased Federal funding	Increased Federal oversight
Increased Federal staff	Advisory Committee limited to between 15 to 20 members; final appointments approved by NOAA
Increased opportunity for partnering between EPA and NOAA	Possible restrictions on allowed activities within the NMS boundaries
Implementation of Oceans Commission Report	Program is marine resource-based so the funding may be available only for off-shore projects
Increased national recognition	
Increased resource management options	

The meeting concluded with CHNEP staff and the Congressman’s staff agreeing to work together to prepare a legislative package seeking Federal funding for Charlotte Harbor no later than January 2009.

The TAC and CAC recommended the following motion.

Ms. Garcia stated that she has concerns with the additional enforcement and oversight from the standpoint of having local governments and regulated public; she is not inclined to recommend looking at NMS designation because CHNEP is not an enforcement type of estuary program. In order to have the CHNEP to collectively recommend a NMS designation conflicts with reason why everybody joined the CHNEP in the first place.

MR. BUSH MOVED AND MS. HAZELL SECONDED TO RECOMMEND TO POLICY COMMITTEE THAT THE LEGISLATIVE SUBCOMMITTEE AND CHNEP STAFF WORK WITH REPRESENTATIVE MAHONEY’S STAFF TO EXPLORE INCREASED FEDERAL FUNDING TO CHARLOTTE HARBOR, THROUGH NMS DESIGNATION, SUPPLEMENTAL FUNDING TO THE CHNEP OR OTHER LEGISLATIVE MEANS.

Mr. Heatherington asked how other NEPs used it to implement their CCMP. Ms. Donley stated that she doesn’t know of any other NEPs that have gone after NMS designation. The other NEPs that have received supplemental funding had received either additional earmarks in organic legislation where the NEPs get funding or just some additional add-ons.



**Charlotte Harbor National Estuary Program
Management Committee
Approved Minutes
August 1, 2008
Fort Myers, Florida**

Ms. Garcia suggested amending the motion to direct staff to review the enforcement and restrictions, what are the boundaries, what is the relative amount of funding would come to the CHNEP, and what types of projects the funding be used for.

Both Mr. Bush and Ms. Hazell agreed to the amendment as presented by Ms. Garcia.

THE MOTION CARRIED AS AMENDED.

Agenda Item #10. Committee Meetings for 2009 – Lisa Beaver

The draft FY09 workplan calls for preparation of a 2009 calendar with beautiful images of the CHNEP study area to distribute to citizens. In the past, we have included conference meeting dates in this calendar and conference members have reported that this inclusion is helpful.

Setting dates has become a routine matter for the Conference. In order to expedite the development in the calendar later this autumn, the Conference is being asked to consider the 2009 dates now.

Finally, the CHNEP Director has been asked by Policy Committee members' assistants for meeting locations for their calendars. In order to be responsive to our members, draft locations for the remainder of 2008 and for 2009 have been proposed.

The TAC and CAC recommended the following motion.

MS. HAZELL MOVED AND MR. COATES SECONDED TO RECOMMEND THE POLICY COMMITTEE APPROVE 2009 CALENDAR OF COMMITTEE MEETINGS. THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #11. National Estuaries Days Proclamations – Maran Hilgendorf

Thanks to the many people who made seven years of Charlotte Harbor National Estuary Program's National Estuaries Days celebrations such great successes.

This year the official National Estuary Day is expected to be Saturday, September 27, 2008. Our local celebrations frequently have lasted more than a month and we anticipate the same to happen this year. As a result, we tweaked the name to National Estuaries Days to be more accurate for promotional purposes.

Program partners are asked to consider hosting an event — or several events — *that support the program's efforts to increase residents' and visitors' awareness of the estuary, the Charlotte Harbor watershed and program goals and plans.* CHNEP is again offering to provide up to \$300 to those who wish to organize an event that is open to the



**Charlotte Harbor National Estuary Program
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Fort Myers, Florida**

public but who need some assistance in covering expenses. Event information received by June 29 will be included in promotion offered by CHNEP. (This is also the deadline to request financial assistance.) Events received after that date will be added but will miss some promotional opportunities.

Request for proclamations: This year we again ask the cities, counties and agencies participating in the CHNEP to pass resolutions/proclamations of support. We are asking for this action to occur now rather than closer to the actual celebrations so that the support received can be used to help promote the events. A sample proclamation is provided.

Members of the Citizens Advisory Committee (CAC) would personally like to accept this support. Communications Manager Maran Hilgendorf (mhilgendorf@swfrpc.org, 239/338-2556 x 240) will coordinate between CAC members and those issuing proclamations. *Thank you.*

Agenda Item #12. TAC Report

Mr. Blanchard gave the TAC Report. He explained that there was a presentation given on the Photo Scientist Tidal Shoreline Map and the TAC was asked to approve a motion to accept the draft deliverables. This was without formal review by the TAC and the reason being was the deliverables was a Geo database which was unavailable. Dr. Beever explained that once staff receives the Geo database it will be made available on the CHNEP's FTP site.

Agenda Item #13. CAC Report

Mr. Bush gave the CAC Report of the July 16th meeting in Port Charlotte. The next CAC meeting is scheduled for October 15th.

Agenda Item #14. ABM Report

Dr. Beever gave the ABM Report.

Agenda Item #15. NEP Program Report – NEP Staff

Lisa Beever referenced the Program Deliverables Summary included in the packet. She gave an overview of no-motor zones and the Cockroach Bay projects presentations.

Mr. Blanchard stated that one of the issues with the Cockroach Bay project that is not an issue with the National Wildlife Federation is the legal authority to place markers in the bay. Apparently, the Cockroach Bay organization might be able to accomplish it because of a fluke in the submerged lands and how they are assigned to Tampa Bay Port Authority.



**Charlotte Harbor National Estuary Program
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Dr. Beever stated that Mr. Robin Lewis, Environmental Consultant in Tampa Bay had a published paper which reviewed eight different mechanisms for seagrass mitigation for the Tampa Bay Port Authority. The published paper was distributed at the CHNEP's Science Forum and there were only two mechanisms which yielded mitigation credits. The first area was a pole and troll area and the second area was a spoil area.

Mr. Heatherington asked if they are coordinating their effort with One Bay approach in Tampa Bay. Ms. Donley replied that Ms. Holly Greening, Executive Director of the Tampa Bay NEP has been attending those meetings.

Dr. Beever gave an overview of the Greater Everglades Restoration Conference.

Mr. Heatherington stated that the Council was asked to host a workshop on Carbon Sequestering and Reforestation and asked if the CHNEP would be interested in being a partner in the workshop. Dr. Beever replied yes.

Ms. Donley announced that she had attended a pre-meeting on the Water Congress which is being hosted by the Century Commission in September 25-26 in Orlando.

Dr. Beever announced that Ms. Judy Ott is the CHNEP new Program Scientist. Ms. Ott gave an overview of her experience working with Mr. Beever of RPC staff on the EPA grant and thanked the CHNEP staff for the opportunity.

Ms. Hilgendorf announced that she received many images for the 2009 calendar and the survey will be ready by the end of today on the CHNEP's website.

Ms. Hilgendorf thanked Ms. Hazell for her efforts in serving as TAC representative on the committee for the Public Outreach Grants. She also announced that there is additional funding for the micro grants.

Ms. Hilgendorf announced that the Public Issues and Conflict Management Workshop is scheduled for December 16 and 17 at the Kimal Event Center.

Ms. Hilgendorf announced that the CHNEP received a \$15,000 grant from EPA to develop a Strategic Communication Plan.

Ms. Hilgendorf gave an overview of the children's book.

Agenda Item #16. Member Comments – Members announce upcoming events or current issues

Ms. Dykes announced that FGCU and Florida Coastal Watershed Institute are doing another Oyster Reef Restoration Project on August 9th at the Lovers Key Boat Ramp at 8:00 a.m.



**Charlotte Harbor National Estuary Program
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Mr. Heatherington announced that the SWFRPC, Central Florida RPC and Tampa Bay RPC are hosting the Sustainable Solutions: A Multi-Regional Approach Conference on October 16th at the Fete Ballroom in Manatee County.

Mr. Bush announced that the Lee County Florida Yards and Neighbors Program will be continuing with their popular "Rain Barrel Workshop" program. The next workshop is scheduled for August 23rd at the Rutenburg Environmental Center. The cost of a rain barrel is \$35.

Ms. Hazell announced that Florida Sea Grant of Lee County is hosting a Mangrove Symposium on September 22nd at the Rutenburg Environmental Center on how to grow mangroves because citizens have actually been showing interest in growing mangroves. Dr. Beever explained that the CHNEP has some programs showing the different ways to grow mangroves.

Agenda Item #17. Public Comments

None.

Agenda Item #18. Next Meeting's Topics, Location and Date

The next meeting is scheduled for Friday, October 31, 2008 in Sarasota and topics of discussion are: RRPP Project Selection and Shoreline Mapping Deliverables.

Agenda Item #19. Adjourn

Meeting adjourned at 12:00 p.m.