



**Charlotte Harbor National Estuary Program
Policy Committee
Approved Minutes
May 19, 2008
Arcadia, Florida**

Members Present:

| | |
|------------------|--|
| Jim Blucher | City of North Port |
| Don Cailouette | City of Venice |
| Adam Cummings | Charlotte County BOCC |
| Wayne Daltry | Lee County Smart Growth (alt. for Ray Judah, Lee County BOCC) |
| Mick Denham | City of Sanibel |
| Richard Ferreira | City of Bonita Springs |
| Lizanne Garcia | SWFWMD Resource Mngmt Dept. |
| T.M. Gurr | Central Florida RPC |
| Debra Highsmith | CHNEP CAC |
| David Hutchinson | SWFRPC (alt. for Mayor Eric Feichthaler) |
| Rufus Lazzell | SWFWMD |
| Jennifer Nelson | FDEP, South District Office |
| John Ryan | Sarasota County Water Resources/TAC |
| Jeffrey Spence | Polk County |
| Philip Stevens | FWRI Charlotte Harbor |
| Jon Thaxton | Sarasota County BOCC |

Also Present:

| | |
|------------------|--------|
| Lisa Beever | CHNEP |
| Liz Donley | CHNEP |
| Maran Hilgendorf | CHNEP |
| Nichole Gwinnett | SWFRPC |

Agenda Item #1 - Call to Order and Introductions

In the absence of both Co-Chairmen Welborn and Iglehart, DEP Representative Jennifer Nelson was elected as Co-Chairman and called the meeting to order at 9:31 am.

Agenda Item #2 – Agenda Additions or Deletions – Jennifer Nelson, Co-Chair

Co-Chairman Nelson noted that Mr. Daltry had requested that two resolutions be added to the agenda after Item #12 honoring Mr. Bo Crum’s service and Ms. Catherine Corbett’s service to the CHNEP.

THE AGENDA WAS APPROVED AS AMENDED.



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Agenda Item #3 – Public Comments on Agenda Items – Jennifer Nelson, Co-Chair

No public comments were made at this time.

Agenda Item #4 – Policy Committee Minutes – Jennifer Nelson, Co-Chair

MR. DALTRY MOVED AND COMMISSIONER BLUCHER SECONDED TO APPROVE THE MINUTES FROM THE MARCH 24, 2008 POLICY COMMITTEE MEETING. THE MOTION CARRIED UNANIMOUSLY.

Agenda Item #5 – FY 09 Workplan and FY08 Amendments – Lisa Beever

The workplan is the annual budget for the Charlotte Harbor National Estuary Program (CHNEP). It conforms to specifications outlined by EPA and provides information for inclusion in the Southwest Florida Regional Planning Council's budget. The CHNEP workplan is a task-based budget which directs implementation of projects by staff, CHNEP's contractors, and through grants. There are 5 tasks:

1. Management Conference
2. Public Outreach
3. Research
4. Restoration
5. Advocacy.

EPA funds are directed primarily to Management Conference support, public outreach, and special grant-funded research. DEP funds research and restoration. Water Management Districts fund research and staff time. Local Governments and the Water Supply Authority provide funding with the most flexibility available, necessary for advocacy and obtaining additional grant resources.

Amendments of the existing year's workplan budget are necessary to include grants that have been obtained and differences in anticipated time investments in each task.

The CAC, TAC, and Management Committees recommended approval of the FY 09 Workplan and FY08 amendments.

MR. DALTRY MOVED AND COMMISSIONER BLUCHER SECONDED TO APPROVE THE FY 09 WORKPLAN AND FY08 AMENDMENTS. THE MOTION CARRIED UNANIMOUSLY.

Ms. Garcia noted that SWFWMD may be "tweaking" some line items for their annual report.



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6. Environmental Indicators Report Update

During the last 2007 meeting cycle, the Management Committee recommended approval of the Environmental Indicators Report update, pending a review of the final CCMP and that the CHNEP staff work with the SWFWMD staff on the Myakka River targets. We have included the SWFWMD language for the Myakka River in this version of the Environmental Indicators report.

Further, the Management Committee recommended that the Management Conference be surveyed regarding indicators that are most important to be added to the State of the Estuary and Watersheds Document. As of April 21, 2008, twenty-two Management Conference participants completed the survey. Additional respondents are welcome.

The CAC, TAC, and Management Committees recommended approval of the Environmental Indicators Report Update.

| Name | CHNEP Affiliation |
|------------------|--------------------------|
| Rene Janneman | CAC |
| Kayton Nedza | CAC |
| Debra Highsmith | CAC |
| Harry Phillips | CAC |
| Lizanne Garcia | Management |
| David Dale | Management |
| Jennifer Nelson | Management/TAC |
| Wayne Daltry | Policy |
| Charles Wallace | Policy |
| Tom Welborn | Policy |
| Melanie Grisby | Policy/TAC |
| Barry Wharton | Science Forum |
| Jim Beaver | Science Forum |
| Ford Walton | Science Forum |
| Annette Nielsen | Science Forum |
| Chris Anastasiou | Science Forum |
| Lisa Beaver | Staff |
| Greg Blanchard | TAC |
| Ernie Estevez | TAC |
| Matthew Logan | TAC |
| John Ryan | TAC |
| Rhonda Evans | TAC |



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MR. DALTRY MOVED AND COMMISSIONER BLUCHER SECONDED TO APPROVE THE ENVIRONMENTAL INDICATORS REPORT UPDATE.

Mr. Daltry noted that under discussion, within the adopted CCMP there is a stewardship section and there are no stewardship indicators within the report because of the environmental concept; however within the stewardship section there are a lot of management indicators that we would want to see, so he would suggest that with the next update that the committees be challenged to come up with some good environmental indicators under the stewardship section.

THE MOTION CARRIED UNANIMOUSLY.

7. Historic Hydrologic Subbasins Project – Mike Gurr

Mike Gurr will present the draft deliverables from the historic hydrologic subbasins project. This is a FY06 project to map historic hydrologic subbasins within the CHNEP study area. Mr. Gurr presented his methodology at a July 2007 TAC meeting for review and input and presented draft deliverables at the April 2008 TAC meeting. The TAC and Management Committees recommended approval of the draft deliverables and the CAC were given a project summary.

Mr. Ryan asked if the old layers are in GIS format. Mr. Gurr replied yes.

MR. DALTRY MOVED AND COMMISSIONER THAXTON SECONDED TO APPROVE DRAFT DELIVERABLES. THE MOTION CARRIED WITH MR. GURR ABSTAINING.

8. Resolution on Green Meetings – Lisa Beaver

At their last meeting, the Policy Committee directed staff to return with a Resolution in support of green meetings. The resolution was based predominately on a similar resolution from the TAC, adopted on February 13, 2008.

Significant issues include:

- Paper packets will not be routinely sent to all members, but to members that have a standing “order” and those that request them in advance of the send-out date. This may necessitate completing a quorum call 2 weeks prior to the meeting. Other related issues include the encouragement of members to have their



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materials on their laptops rather than having paper copies, which is a component of the SWFRPC resolution.

- No more than 2 copies of agenda packets and informational material will be brought to the meeting.
- Submittals of proposals, reports, and other data will be in electronic form, within constraints.
- In addition to reporting hours devoted to the program as part of the sign-in sheet, members will be asked to report carpooling or other energy-efficient mode.
- The issue of conference calling and other remote participation methods will be discussed.

MAYOR DENHAM MOVED AND MR. CAILOUETTE SECONDED TO APPROVE POLICY COMMITTEE RESOLUTION ON GREEN MEETINGS.

Mr. Daltry suggested adding a Section 5 to the resolution and have the advisory committees directed to review the CCMP for any unintentional anti-green recommendations and policies and bring their report back to the management conference for review.

Mr. Stevens asked if committee members would be able to bring their laptops with the agenda and backup materials loaded on their laptops, and will their be adequate power supplies available at the various meeting locations. Dr. Beever explained that the power supply availability will probably be an issue at certain locations since the meetings are held throughout the CHNEP's study area and not at one location, so she suggests that those members who wish to use laptops to try to have their batteries fully charged in order to ensure that they have adequate power supply.

Mayor Denham suggested adding hot links to the agenda packet to make it easier for the members to navigate through the agenda packet.

THE MOTION CARRIED UNANIMOUSLY.

9. WCIND/Lee County Notice of General Permit – Lisa Beever

Debra Highsmith of the CAC requested that the CHNEP review and provide comments if necessary on the WCIND Notice for General Permit (NGP) for dredging in Lee County. CHNEP staff had seen and provided comments to FDEP staff on an early version of the NPG related to funding enforcement, monitoring, and public education for Non-Internal Combustion Motor Zones (NICMZ). Lee County hired a marine enforcement officer who has spent the intervening period bringing enforcement action on derelict vessels. Lee County provided CHNEP staff with GIS files for the channels and NICMZ for analysis which was presented to the TAC and CAC in April.



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All channels under the NGP total 668 acres, with channels requiring dredging totaling 83 acres. NICMZs total 1246 acres. Seagrass areas that would require dredging total 2 acres, however, it is anticipated that this will be less based on mapping errors and through adjusting channel locations as required in the permit. Of the 1246 NICMZ acres, 990 acres are of seagrass, with 592 acres moderately or severely scarred.

As a result of the presentation, TAC committed to assisting Lee County with the development of the Monitoring Plan. Neither CAC nor TAC made a motion related to this issue. CAC invited Debra Highsmith to continue this issue through the Management Conference. The attached letter is the result of the invitation.

During the TAC and CAC discussions, key issues were:

- Acknowledgement that the NGP would serve as a blueprint for other area in the CHNEP study area and in the state,
- Acknowledgement that both new dredging in the aquatic preserves and the establishment of NICMZ was precedence-setting,
- Acknowledgement that the NGP constitutes a long range plan for channels limited to a specific level of service and forfeit certain maintenance dredging rights,
- Commitment from the TAC to assist Lee County with the development of the NICMZ Monitoring Plan, to document benefits, if any, of NICMZs,
- Expansion and continuation of environmental enforcement (which implements the CCMP), and
- Interest in expanding NICMZs but no specific proposal for this NGP.

The Management Committee voted to have the Science Forum hear presentations on closed zones, such as NICMZ, experiences from elsewhere in the state. Neither CAC nor TAC made a motion related to this issue.

Mr. Stevens asked who is choosing the locations. Dr. Beever explained it was negotiated between Lee County, WCIND, and DEP. The original proposal from Lee County and WCIND had more channels and through the negotiations, those impacts were more limited through the draft process and they worked together to tie together five new no-motor zones.

Mr. Stevens asked if there are any representatives from the boating community. Ms. Highsmith explained that there has been interest from the Coastal Conservation Association (CCA). Mr. Stevens stated that he is concerned that there is a missed opportunity for the boating community to become involved with. Ms. Highsmith stated that she hopes that with the CHNEP and also the federal partners that they could work together to get the word out and bring the communities together.



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Mr. Daltry asked if this is going to be the limit of request for dredging by WCIND and Lee County. Dr. Beever replied that is her understanding.

Mr. Hutchinson asked what type of outreach programs are there going to be. Dr. Beever explained part of it includes notifying all of the members of the conference, including the fishing industry and the law states to work with other representatives as needed. The focus of the forum is to obtain information from the outside and the effectiveness of the types of zones.

Mr. Stevens suggested having the kayaking community be involved.

Commissioner Blucher stated that it seems that the “villain” is the recreational boater and asked if anyone has ever tried to educate the recreational boater. Dr. Beever explained that the CHNEP does work with the recreational boating community as part of the CCMP, through FL Sea Grant for better boaters’ guides, better signage, and also give out information so that recreational boaters stay out of sea grass beds.

Councilman Ferreira explained how the City of Bonita Springs instituted a no wake zone and explained how the imperative it is to get the word out accurately.

Mr. Hutchinson stated that we need to make sure that we don’t only target the non-internal combustion motors, where electric motors might cause more damage in certain areas than jet skis, air boats if they are operated properly.

Ms. Garcia stated that she feels that the science forum would provide a very good opportunity to discuss the issues and have the CHNEP staff also be able to obtain information from all communities/agencies involved. She feels that it is imperative that the comments that the CHNEP makes be based on sound technical science.

**COMMISSIONER BLUCHER MOVED AND COUNCILMAN FERREIRA
SECONDED TO HAVE THE SCIENCE FORUM REVIEW AND DISCUSS
PRESENTATIONS ON CLOSED ZONES EXPERIENCES, SUCH AS NICMZ.
THE MOTION CARRIED WITH CO-CHAIR NELSON ABSTAINING.**

10. CAC Appointments

Since the November 2007 Policy Committee meeting, the Citizens Advisory Committee has nominated additional candidates for the Policy Committee to appoint to the CAC.



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Candidates for CAC Membership

| | | | |
|---------|------------|---------------------------|---------------|
| Richard | De Gennaro | Lemon Bay Conservancy | Charlotte-Lee |
| Merrill | Hoswill | Palm Island Environmental | Charlotte |
| Randee | LaSalle | Rotonda West | Charlotte |
| Kevyn | Schweim | Rotonda West | Charlotte |

A fifth person, Kristin Collins with Manatee County EMD, was nominated but was not able to accept the nomination at this time.

MR. DALTRY MOVED AND COMMISSIONER THAXTON SECONDED TO APPOINT CAC MEMBERS.

Mr. Lazzell asked how citizens could be encouraged to join the CAC. Dr. Beever explained that Ms. Hilgendorf attends events and tries to encourage citizens to attend and become members of the CAC. Mr. Lazzell stated that there needs to be a balance in the membership.

Ms. Hilgendorf explained that some of the CAC members don't feel comfortable in providing biographical information. Mr. Lazzell stated that he would like to see what kind of interests/hobbies they have (boating groups, fishing groups, etc.)

Ms. Garcia stated that she has a concern with too many representatives from one organization. Ms. Hilgendorf explained that it has been hard getting volunteers for voting members.

THE MOTION CARRIED UNANIMOUSLY.

11. CHNEP Director Review – David Hutchinson

To: CHNEP Policy Committee
From: Nancy Doyle, H/R-Operations Manager
Through: Dave Hutchinson, Planning Director
Date: May 19, 2008
Subject: Evaluation of CHNEP Director, Dr. Lisa Beever

On March 24, 2008 The Southwest Florida Regional Planning Council sent out via email, a blank performance Evaluation Form to the Policy Committee Members, and the Co-Chairs of the other committees, for review and comments.



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Eight evaluations were completed and submitted. Seven members rated Dr. Beever's overall annual performance as "Above" expectations. One member rated her performance as "Meets" expectations.

Dr. Beever received a cost of living raise (COLA) of 3 percent on October 1, 2007, for the Fiscal Year 2008 as approved by the Policy Committee in 2006.

The current annual salary for the position of CHNEP Director is \$ 93,412.80.

The Southwest Florida Regional Planning Council budgeted a range of 0 – 2 % for annual merit raises in the Fiscal Year 2008 budget.

MR. GURR MOVED AND MR. SPENCE SECONDED TO APPROVE A 2% MERIT INCREASE.

Commissioner Thaxton asked if there was a cost of living (COLA) increase considered. Mr. Hutchinson noted that Dr. Beever received a COLA increase of 3% on October 1, 2007. Dr. Beever explained that as an employee of the RPC, she will receive an automatic COLA increase on October 1, 2008.

Commissioner Thaxton stated that due to the current economy situation and what each local government entity throughout the state is currently going through with budget cuts, he can not support the motion for a merit increase.

Ms. Donley explained that Dr. Beever does not have a contract through the CHNEP, she and the staff of the CHNEP are employees of the RPC, so what COLA increases are budgeted into the RPC's budget for this year they will receive on October 1st.

Commissioner Blucher thanked Dr. Beever for a job well done, but based on Ms. Donley's explanation he has to agree with Commissioner Thaxton and will not support the motion of a merit increase.

Mr. Lazzell stated that he also agrees with Commissioner Thaxton and will not support the motion.

Mayor Denham stated that he also agrees with Commissioner Thaxton and will not support the motion.



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Commissioner Thaxton asked what the RPC has done with staff merits this year. Ms. Donley explained staff has received the standard 0-2% merit increases. If an employee has received more than the standard 2% merit increase it was due to a change in their status/title.

Mr. Spence stated that the reason for his second on the motion was if other employees of the RPC are receiving merit increases then why Dr. Beever should be any different.

Commissioner Thaxton explained the reason why he asked the question of how many of the RPC employees have received a merit increase of 0-2%. Ms. Donley explained that from her understanding that up to the present time RPC employees have received from 0% to over 6% based on their reviews and title changes/increased responsibilities. Of the four CHNEP staff, two have received their reviews and have been between 0-2%. Commissioner Thaxton stated that if an employee is assuming more responsibility then he can account for the higher merit increase.

Commissioner Thaxton stated that he wants to know how many RPC employees have received merit raises based on just annual evaluations, not due to increased responsibilities or title changes. Mr. Hutchinson stated that he will be able to obtain that information. Commissioner Thaxton asked if this issue can be delayed until the next meeting. Ms. Donley explained that the RPC makes any merit increases retro active when an annual review has been delayed.

COUNCILMAN FERREIRA MOVED AND MR. DALTRY SECONDED TO DEFER THE ITEM UNTIL THE INFORMATION ON THE RPC EMPLOYEE MERIT INCREASES HAS BEEN OBTAINED FROM THE RPC. THE MOTION CARRIED UNANIMOUSLY.

11A. Resolutions of Service Honoring Bo Crum and Catherine Corbett – Wayne Daltry

Mr. Daltry noted that Mr. Bo Crum was EPA's contact person for the CHNEP since 1994 and served as the Co-Chair for the CHNEP Management Committee from 1994 to 2007.

MR. DALTRY MOVED AND MAYOR DENHAM SECONDED TO APPROVE THE RESOLUTION HONORING BO CRUM FOR HIS YEARS OF SERVICE TO THE CHNEP FROM 1994 TO 2007. THE MOTION CARRIED UNANIMOUSLY.

Mr. Daltry noted that Ms. Catherine Corbett was the CHNEP's Environmental Scientist from 2000-2008 and helped develop the TAC and its subcommittees and provided the flavor and depth. She has helped in achieving the directive in the goals and objectives of the CCMP.



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MR. DALTRY MOVED AND MR. LAZZELL SECONDED TO APPROVE A RESOLUTION HONORING CATHERINE CORBETT FOR HER YEARS OF SERVICE TO THE CHNEP FROM 2000 TO 2008. THE MOTION CARRIED UNANIMOUSLY.

12. TAC Report

Mr. John Ryan gave the TAC Report.

13. CAC Report

Ms. Debra Highsmith gave the CAC Report from the meeting in Wauchula at CF Industries.

Dr. Beever explained that the reservoirs mentioned were included in Lower West Coast Water Supply Plan, as well as the SWF Feasibility Study. They are optional locations in order to get further evaluation, so it is not a firm proposal on all of the reservoirs. The subcommittee has suggested having a technical forum to look at the cumulative impacts of the reservoirs in general and some of the design issues associated with reservoirs. They want to have scientists familiar with the issues both internally and externally to the area, as well as a peer review component. In addition, the subcommittee has suggested that a month or so after the scientific workshop that the information be prepared in a way that the public would be able to review it. She explained that the subcommittee would be set up through the TAC.

Mr. Lazzell stated that he would like to make sure that since there is a lot of activity going on with the reservoir issue with SWFWMD, that there are representatives from SWFWMD included in the discussions for their expertise on the topics because some of the issues are politically sensitive in nature.

Agenda Item #14 – ABM Report

Dr. Beever gave the ABM Report.

Agenda Item #15 – NEP Program Report

Dr. Beever briefly reviewed the deliverables.

Dr. Beever gave an overview of the Signing Ceremony for the CCMP which was held in March and also the Watershed Summit which was held at Edison Community College at the Charlotte Campus, where Senator Mel Martinez gave the keynote address and signed the ceremony signatory board.



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Ms. Hilgendorf announced that the Watershed Summit will continue to be held every three years and staff is looking into using Edison Community College as the venue for the next summit. She then gave an overview of the very first children's book which has been published and distributed throughout the study area to the seven school districts (3rd and 5th graders).

Ms. Hilgendorf gave a brief overview of the following issues:

- Nature Festival scheduled for November 22nd
- Memorial Page for the CCMP
- CCMP Summary Update
- July 19th Deadline for the 2009 Calendar

Dr. Beever announced that Catherine Corbett's last day was May 2nd and staff has advertised her position, she then gave a brief review of the environmental program scientist selection process.

Ms. Donley announced that the CHNEP was accepted by EPA to be a climate ready estuary and will be receiving a \$50,000 grant. She also announced that she will be working with Tampa Bay NEP on some funding mechanisms for NEPs throughout Florida on volunteer donation for a trailer license fee.

Agenda Item #16 – Member Comments

Mr. Lazzell asked who is replacing Bo Crum. Dr. Beever replied Bob Howard will be replacing Bo Crum as Co-Chair on the Management Committee.

Mr. Lazzell suggested that the CHNEP hold its meetings at the Charlotte County Cultural Facility and the contact is Mr. Jim Hageman at (941) 625-4175 ext. #214. Dr. Beever explained that the facility is on the list the next time the meetings are scheduled for Charlotte County.

Mayor Denham gave an overview of the Fertilizer Bill and Task Force and also thanked Commissioner Thaxton for his efforts on the Task Force. He also noted that the SWFRPC has approved Resolution 2008-02 on Wastewater Management and also its Lower West Coast Watersheds Subcommittee is currently working on a new resolution for stormwater runoff.

Mr. Daltry announced that Lee County has adopted a fertilizer ordinance.

Ms. Highsmith announced that Charlotte County adopted a fertilizer ordinance with a three foot setback, but no black out period.

Ms. Hilgendorf announced that a Smart Growth Workshop is scheduled for the end of July in coordination with Manatee County.



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Agenda Item #17 – Public Comments

No public comments were made at this time.

Agenda Item #18 – Next Meeting’s Topics, Location and Date

The next Policy Committee meeting was scheduled for Monday, August 18, 2008 at the Southwest Florida Regional Planning Council in Fort Myers. Topics for discussion include: 2009 Calendar, Research and Restoration Partners Request for Proposals, and Science Forum Dredging/No Internal Combustion Motor Zones Workshop Results.

Agenda Item #19 – Adjourn

The meeting adjourned at 11:55 am.