



**Charlotte Harbor National Estuary Program
Policy Committee
Approved Minutes
August 18, 2008
Fort Myers, Florida**

Members Present:

Jim Blucher	City of North Port
Wayne Daltry	Lee County Smart Growth (alt. for Ray Judah, Lee County BOCC)
Richard Ferreira	City of Bonita Springs
Rufus Lazzell	SWFWMD
Jennifer Nelson	FDEP, South District Office
Jon Thaxton	Sarasota County BOCC

Also Present:

Lisa Beever	CHNEP
Liz Donley	CHNEP
Maran Hilgendorf	CHNEP
Kayton Nedza	Hardee County Outdoor Classroom
Judy Ott	CHNEP
Nichole Gwinnett	SWFRPC

1. Call to Order and Introductions

The meeting was called to order at 9:31 am. Due to the absence of both Co-Chairmen Mr. Bob Howard of EPA and Mr. Jon Iglehart of DEP the Committee needed to elect a Chairman.

MR. LAZZELL MOVED AND COMMISSIONER BUCHER SECONDED TO NOMINATE MR. WAYNE DALTRY AS CHAIRMAN FOR THE AUGUST 18TH MEETING. THE MOTION CARRIED UNANIMOUSLY.

Ms. Donley explained the Roberts Rules of Order.

MR. DALTRY MOVED AND COUNCILMAN FERRIER SECONDED TO HAVE THE MEETING HELD AS A SUBCOMMITTEE AS THE WHOLE. THE MOTION CARRIED UNANIMOUSLY.

2. Agenda Additions or Deletions

No additions or deletions were made to the agenda.

3. Public Comments on Agenda Items

No public comments were made at this time.



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4. Policy Committee Minutes

Mr. Daltry stated that the minutes of the May 19, 2008 meeting were accepted as presented.

5. CCMP State Clearinghouse Comments – Lisa Beever

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 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 Management Committee, TAC and CAC recommended the following motion.

Ms. Donley noted that she has been working on the annual reporting which the CHNEP is required to complete for EPA with leveraging, and she is using the new CCMP to describe each of the actions or projects that have occurred in the watershed, which helps implement the CCMP. One of the opportunities that we might be missing out on because of the rewrite of the CCMP is that there isn't specific language that states about providing the public with opportunities to experience the natural environment. In the Stewardship Gaps it discusses the opportunity to participate in restoration, monitoring, etc. as opposed to going out and experiencing the natural environment. She was hoping to get the Management Conference's approval to either interpret that to include opportunities to experience the natural environment or to add an additional priority action that would capture that concept.

MR. DALTRY STATED THAT IT IS A UNANIMOUS CONSENSUS OF THE SUBCOMMITTEE TO AMEND CCMP TO INCORPORATE SFWMD COMMENTS, TWO MAPS, AND THE STEWARDSHIP GAPS.



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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.

SWFWMD 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 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 Management Committee, TAC and CAC recommended the following motion.

MR. DALTRY STATED THAT IT IS A UNANIMOUS CONSENSUS OF THE SUBCOMMITTEE THAT IT SUPPORTS THE RECOMMENDED ACTION TO APPROVE AND ADVERTISE THE FY 09 RESEARCH AND RESTORATION PARTNERS GRANT REQUEST FOR PROPOSALS.

Ms. Hilgendorf requested discussion regarding next year’s deadline so that it can be included in the 2009 Calendar. Dr. Beaver stated that staff will include the anticipated dates in the calendar.



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Mr. Daltry stated that it was the consensus of the Subcommittee to accept the timeline of the RFP.

7. Charlotte Harbor 7-County Watershed Report – Lisa Beaver

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 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.”



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The Management Committee, TAC and CAC recommended the following motion.

Commissioner Thaxton asked if the CHNEP is consistent with the State of Florida bidding requirements. Ms. Donley replied that the CHNEP is consistent with the bidding requirements both for the State of the Florida and federal government.

MR. DALTRY STATED THAT IT IS A UNANIMOUS CONSENSUS OF THE SUBCOMMITTEE TO RECOMMEND APPROVAL OF THE 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.

8. Compilation, Peer Review And Editorial Review For Special Issue Florida Scientist – Liz Donley

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 Management Committee, TAC and CAC recommended the following motion.

Commissioner Thaxton asked if the item was not budgeted, then where is money the coming from. Dr. Beever explained that the money is coming out of staff salaries and there will be a budget amendment in the future.

MR. DALTRY STATED THAT IT IS A UNANIMOUS CONSENSUS OF THE SUBCOMMITTEE TO APPROVE THE SCOPE OF WORK AND STAFF TO NEGOTIATE AND EXECUTE A CONTRACT FOR THE PERFORMANCE OF THE SOW.



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Commissioner Thaxton suggested placing the items on a consent agenda for the November meeting to be ratified.

Mr. Daltry agreed and stated that all items, except for the minutes, would be placed on the consent agenda.

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. 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.



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The Management Committee, TAC and CAC recommended the following motion. The Management Committee further recommended that consideration of NSM designation include a review of restrictions, enforcement, boundary issues, and the kinds of projects that can or cannot be funded with this mechanism.

Mr. Daltry asked if the designation part of the CCMP's outcome. Ms. Donley replied it depends on the marine sanctuary area and on how landward it goes. Based on the research that she had performed, it appeared that in other regions of the country where a marine sanctuary area and a National Estuary Area are geographically close to each other, it depends on whether or not the CHNEP can obtain the marine sanctuary designation to overlap into what is currently the CHNEP.

Councilman Ferreira asked if it would be possible to find out what the restrictions would be. The problem that he sees is setting up the criteria for additional funding or overlapping funding, but at the same time excluding a population that supports us heavily on seagrass restoration, use of motorcraft in certain areas, etc. He stated that he doesn't want to lose public support from key areas. He then suggested deferring action on the item until the next meeting.

Mr. Daltry stated that he agrees in deferring the item and also ask staff to clearly define the term "explore." He also recommended bringing the item back to both the TAC and CAC for their review and comment.

Mr. Lazzell stated that SWFWMD has concerns on what restrictions would be imposed and if there were any conflicts with any of the other programs.

MR. DALTRY STATED THAT IT IS A UNANIMOUS CONSENSUS OF THE SUBCOMMITTEE TO HAVE CHNEP STAFF EXPLORE AND BRING BACK A REPORT TO THE FULL POLICY COMMITTEE AT ITS NOVEMBER MEETING.

Commissioner Thaxton clarified that the report would go through the TAC, CAC, and Management Committee before it returns to the Policy Committee in November.

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.



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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 Management Committee, TAC and CAC recommended the following motion.

MR. DALTRY STATED THAT IT IS A UNANIMOUS CONSENSUS OF THE SUBCOMMITTEE TO APPROVE THE 2009 CALENDAR OF COMMITTEE MEETINGS.

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 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),



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239/338-2556 x 240) will coordinate between CAC members and those issuing proclamations. *Thank you.*

Mr. Lazzell announced that the SWFWMD has a proclamation.

12. CHNEP Director Evaluation, continued – David Hutchinson

At their May meeting, the Policy Committee asked for information related to SWFRPC merit increases. The range for FY08 is 0%-2%. SWFRPC administrative staff report that most employees received 2% this fiscal year.

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.

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.

Ms. Donley explained that after reading the CHNEP's Policy By-Laws, there is some concern in deferring the item until the November meeting.



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Mr. Lazzell suggested holding a special meeting of the Policy Committee to discuss the item.

Commissioner Blucher stated that even though it would be difficult for the accounting process to wait until November, he would prefer to wait until the next full Policy Committee Meeting in November.

MR. DALTRY STATED THAT IT IS A UNANIMOUS CONSENSUS OF THE SUBCOMMITTEE TO DEFER THE ITEM UNTIL THE NOVEMBER POLICY COMMITTEE MEETING FOR ACTION AND ANY PAY INCREASES WOULD BE RETRO ACTIVE.

13. TAC Report

Dr. Beever gave the TAC Report.

14. CAC Report

Mr. Kayton Nedza gave the CAC Report. He explained that the CAC is recommending having quarterly meetings for green issues and also going paperless.

Ms. Hilgendorf announced that the deadline for submission of the Public Outreach Grants is Wednesday, September 3rd.

15. ABM Report

Dr. Beever gave the ABM Report.

16. NEP Program Report

Dr. Beever briefly reviewed the deliverables.

Ms. Hilgendorf reviewed the following:

- 2009 CHNEP Calendar Survey
- Student Book
- National Estuaries Days
- Smart Growth Workshop

Dr. Beever introduced Ms. Judy Ott as the CHNEP's new Senior Program Scientist.



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17. Member Comments

Mr. Daltry asked if the TAC By-Laws have been changed or if any technically oriented person can still be a member of the TAC. Dr. Beever explained that the TAC members are appointed by the Policy Committee and they represent their organization. The Science Forum is set up for any individual who has any technical interests and multiple members of organizations may attend. They don't deliver any recommendations, but the discussions that come out of the Science Forum go to the TAC for formal review and recommendations.

Mr. Daltry stated that his recommendation is to review the language on the website and spell out the way by which a technical oriented person may become a member of the TAC.

18. Public Comments

No public comments were made at this time.

19. Next Meeting's Topics, Location and Date

The next Policy Committee meeting was scheduled for Monday, November 17, 2008 in Sarasota at Kimal Lumber. Topics for discussion include: RRPP Project Selection and Shoreline Mapping Deliverables.

20. Adjourn

The meeting adjourned at 10:24 am.