



## **Jacksonville Waterways Commission Lynette Self, Chair**

The monthly meeting of the Jacksonville Waterways Commission was called to order on Thursday, June 1, 2006, at 9:06 a.m., in the Council Chambers by the Commission's Chair,  
Council Member Lynette Self.

The minutes for the May 11, 2006 Commission meeting were approved.

Senator Jim King remarked on news and developments from the legislative halls in Tallahassee. In his view, Senator King felt that the year and legislative session were good for Duval County, that it was probably the best session for North Florida in the last twenty to thirty years. Senator King had high marks for the Waterways Commission's resolution to the Governor and Mayor Peyton's efforts in acquiring \$10 million for the St. Johns River clean-up/restoration initiatives.

In response to a previous Commission request, Ron Barton, Executive Director of the Jacksonville Economic Development Commission made a presentation on the aggregate number of docking slips for the downtown Riverfront. Mr. Barton discussed various projects that have come through the JEDC's Design Review Committee (DRC) process, including those projects that allocated slips, slips that have been permitted (200, in all) and proposed slips for permitting. Mr. Barton indicated that from an economic and amenity equation, the marine related industry creates a vibrant and exciting downtown. The marine industry is an important part of our economy. Statistically, the economic impact of the marine industry in Duval County's waterways include 392 marine-related businesses in the County serving nearly 32,000 boats registered in the County; there is an estimated \$3 million annual sales in the marine industry, \$725,000,000 in personal income and about 20,000 jobs. Downtown should be a part of that economic equation and a part of the amenity equation, as well. Mr. Barton explained the difference between proposed marina projects and the ultimate design of a developer in projecting what the final development project would entail. Commissioner Grey asked if the developers could not reach an accord on the JEA southbank generating station site to assure public access to the river. could the City proceed to acquire that site for a park? Mr. Barton indicated that he was confident that within thirty to thirty-five days, the developers, the School Board and the City would have resolved the issue favorably. Commissioner Anderson wondered whether we could support 2,000 slips on the downtown waterfront. Mr. Barton said the answer was no, that through the stringent regulatory process, all of the proposed slips are not going to come on line. The City wants the nuance of balancing the mix of private and public slips worked out before we

begin the whole process of permitting. We do not want the river to merely be a parking lot for condominium owners. Dr. Quinton White implored the Commission to be realistic, that the proposed number of marinas was leading people astray, that physical and other limitations restrict the number of possible marinas; factors such as the river's currents, submerged leases, manatee protection, all of which would reduce the number of slips. Dr. White said that in reality, it was unfair to advertise that 2,000 slips can and will be permitted. Commissioner Bronson Lamb inquired if the City was getting into the marina business? Mr. Barton said that all of the projects that had marina components were private undertakings. Commissioner Lamb said that he would advise the City not to get into the marina business. Commissioner Bailey noted that the City had no control over developers' press releases that announce projects whose number of slips in the marina component are not realistic.

Lt. Brian Lambert, Florida Fish & Wildlife Conservation Commission apprised the Commission on efforts to address the issue of derelict and abandoned vessels. At the outset, Lt. Lambert explained the difference between derelict vessels and abandoned vessels. A derelict vessel is left in a wrecked, junked or substantially dismantled condition upon any public waters or docked at private property without the owner's consent. An abandoned vessel is a vessel left on public property in a wrecked, inoperative, or partially dismantled condition with no identifiable owner or has no value to the rightful owner. The process of removing those vessels was then explained. Once the decision is made in determining whether a vessel is abandoned or derelict, Florida Fish & Wildlife then proceeds to remove the vessel. FF&W attempts to identify and notify the vessel's owner. If FF&W removes the vessel, the owner must reimburse the State for the expenses incurred in removing the vessel. FF&W administers the Derelict Vessel Removal Grant Program to assist local governments with the removal and disposal of derelict vessels. The lack of funding in the state program for derelict vessel removal was discussed. JSO Marine Unit Sgt. Suber told the Commission that JSO needed legislation to authorize the removal of abandoned vessels that are not hazardous to navigation. If an abandoned vessel is hazardous to navigation, JSO can remove it. If the vessel is just abandoned, just sitting there, JSO has no authority to remove it. Commissioner James Bailey wondered whether abandoned and derelict vessels can be sold if it was determined that registration fees had not been paid (viewing registration fees as taxes)? The analogy was made that not paying taxes on your personal property can result in that property being sold at public auction. Assistant General Counsel Greg Radlinski said that he would look into the question that Commissioner Bailey raised.

Chief Mark Emerson, U.S. Coast Guard, updated the Commission on Ortega & Trout River navigation aids. Lt. Emerson was asked to address two issues regarding a couple of markers in the Ortega River: (a) a shoaling sign. Who actually put it there and who is responsible for it? and (b) a buoy. Chief Emerson said that the Coast Guard did not establish the shoaling aid. As a temporary measure last June, just outside a manatee sign in the Ortega River, the Coast Guard did install a buoy because there was a piling just inside the channel. The manatee sign has been removed and the temporary buoy was disestablished because the hazard no longer exists, it was actually in the navigable channel of the Ortega River. The buoy in question was a replacement for Light One for the Ortega River that was removed in accordance with a private aids navigation request

submitted by the City of Jacksonville in October 2004 that established six buoys - #2, 3, 4, 5 & buoy Alpha entering into the Ortega River from the main ship channel of the St. Johns River. The buoy in question was placed because the dredge project that was supposed to have started in June 2005 was delayed and that area still posed a hazard to navigation. Once the dredging project was completed, the Coast Guard disestablished the buoy and it is now a privately maintained channel as per the private aids permit that was submitted by the City Engineer. In answering a question from Commissioner Lamb, Lt. Lambert said that the City of Jacksonville is now in charge of and responsible for the channel, as it was the City that submitted the request for private aids navigation. The City now must maintain the private aids and maintain the channel. The question posed was why did the City take on this responsibility? Senator King suggested he thought that it was possible that the City stepped in when it realized that the Coast Guard was pulling out. The Chair announced that she was going to do some research into the matter as to why the City took on the maintenance of the channel and after conferring with the City Engineer, John Pappas, she would share her findings with the Commission.

In the monthly manatee update, Dr. Quinton White reported of observations for the month of May. There were no manatee fatalities. The waters are warming up, up to 80°. In a May 5<sup>th</sup> aerial flight, 53 manatees (adults and calves) were sighted in the river and the Intracoastal Waterway. Dr. White reported that from his recent observations, he saw considerable compliance with speed zones in Goodby's Lake boater traffic. On the proposed Manatee Protection Plan revisions, Dr. White said that he welcomed any comments on tweaking the Plan. Florida Fish & Wildlife will vote on the Plan in December. Dr. White hopes to have a draft for the Jacksonville Waterways Commission's review by September. Dr. White indicated that the research showing that there have been no manatee fatalities in the Exchange Island vicinity is ready and can be appended to the recommendations on the proposed new manatee speed zones that the Commission is sending along to the Florida Fish & Wildlife Conservation Commission. Commissioner Bailey said that he is seeing twice as many manatees in Goodby's this year and twice as much boater traffic. The previous Sunday, he happened to observe a situation where rain had boaters heading back from the river for docking at high speeds irrespective of the presence of manatees. Commissioner Bailey sees jet skis as a real problem. Mike Mills, Waterways Coordinator, discussed the issue of and location of buoy placement in Goodby's that had been raised at the previous Commission meeting.

On legislation pending, the Commissioners voted to recommend **deferral** on **Ordinance 2003-1132**, amending the *Ordinance Code* to change Manatee Protection Motorboat Speed Zones from Year-Round to Seasonal. The Commissioners voted to recommend **deferral** on **Ordinance 2006-545**, Appropriating \$1,600,000 in FIND grants and local matches for various capital improvement projects (Dock Constrn at St. Johns Marina, Pier & Dock at Reddie Point, Floating Docks at Intracoastal Waterway Boat Ramp, Ortega River Dredging, Sisters Creek Marina, Garden City Elementary Playground, Home Gardens Park & "Nip" Sams Mem Park). The Chair, Council Member Self, voiced concern about the process of matching funds for FIND grants, observing that we find ourselves scrambling for matching fund sources for projects that we knew

beforehand would require matching funds, particularly projects that we regularly submit for funding.

In Old Business, Waterways Coordinator Mike Mills said that there was nothing to report, to date, on the shoaling situation at Metro Park that he had previously brought to the Commission's attention. He wants work done before the fall football season.

In New Business, the Chair, Council Member Self, brought to the Commission's attention the brochure, *The Economic Impact of Duval County Waterways*, that the Florida Inland Navigation District distributes.

Senator King asked if the Jacksonville Waterways Commission had taken a position on the issue of the levels of nutrient discharge into the St. Johns River by JEA that the State Department of Environmental Protection recently approved, levels that the Riverkeeper strenuously opposed.

The next meeting of the Jacksonville Waterways Commission is scheduled for July 6, 2006 (subsequently cancelled).

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