

**BOARD OF COMMISSIONERS  
MEETING AGENDA  
January 13, 2012**

# **PRELIMINARY AGENDA**

## **FLORIDA INLAND NAVIGATION DISTRICT Board of Commissioners Board Meeting**

**9:00 a.m., Friday, January 13, 2012**

**Hilton St. Augustine Historic Bayfront Hotel  
32 Avenida Menendez, St. Augustine  
St. Johns County, Florida.**

**Item 1.      Call to Order.**

Chairman Bray will call the meeting to order.

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**Item 2.      Pledge of Allegiance.**

Commissioner Blow will lead the pledge of allegiance to the United States of America.

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**Item 3.      Roll Call.**

Secretary Freeman will call the roll.

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**Item 4.      Consent Agenda.**

The consent agenda items are presented for approval. Commissioners may remove any items from this agenda that they have questions on or would like the Committee to discuss in depth. Any items removed would then be included in the regular agenda in an order assigned by the Chair.

(see Tab 1)

RECOMMEND Approval of the Consent Agenda.

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**Item 5.      Additions or Deletions.**

Any additions or deletions to the meeting agenda will be announced. Additionally, Commissioners can request that Committee items, that would not normally be reviewed and approved by the full Board, be added to the agenda.

RECOMMEND - Approval of a final agenda.

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**Item 6.      Board Meeting Minutes.**

The Minutes of the following meetings are presented for approval.

- November 18, 2011 Finance & Budget Comm. Meeting (see back up pages 7 - 10)
- November 18, 2011 Board of Commissioners Mtg. (see back up pages 11 - 26)

RECOMMEND Approval of the minutes as presented.

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**Item 7.      Public Comments.**

The public is invited to provide comments on issues that are not on today's agenda.

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**Item 8.      Staff Report on St. Johns County Area Projects.**

Staff will present a report on the District's St. Johns County area projects.

(see back up pages 27 - 40)

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**Item 9.      Comments from the U.S. Army Corps of Engineers.**

A representative of the Corps will address the Board and provide updates on ICW projects. In addition, an amendment to Work Order No. 31-2010-03 is presented for approval.

(see back up pages 41 – 46)

RECOMMEND Approval of Amendment No. 2 to Work Order No. 31-2010-03.

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**Item 10.      Water Access Desktop Tool Presentation.**

Mr. Kevin Sharbaugh has developed a desktop tool to prioritize water access facilities and will make a presentation regarding the tool.

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**Item 11.      Indian River County Dredging Reach I Request for Qualifications for Geotechnical Services.**

Staff advertised a Request for Qualifications (RFQ) for geotechnical services for the sampling and analysis of sediment from Dredging Reach 1 of Indian River County. This sampling is being conducted in response to the concerns of some citizens in the Sebastian area. We last performed some limited sediment sampling in this area in 1997. Therefore, it is prudent to perform additional sampling to assure the Sebastian residents that the dredged materials are not contaminated. The scope of the RFQ was general on purpose so that staff could work with the selected firm to develop 3 alternative sampling and analysis plans for the Board's review.

A review committee was formed to evaluate the 5 firms that responded to the RFQ. American Vibracore was the highest rated firm.

(see back up pages 47 - 58)

RECOMMEND      Approval of (1) the rating and evaluation list and (2) staff and the highest rated consultant to develop 3 alternative scopes of services and negotiate costs for presentation to the Board.

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**Item 12.      Additional Permitting Services for the Dania Cut Off Canal Deepening Project, Broward County.**

During the award of the Dania Cut Off Canal Deepening Project it was determined that the dredged material management site that we leased from Port Everglades would not allow percolation of dredge water into the ground. This is required because the environmental permits do not currently allow a discharge of dredge water from the site.

Additional permitting services have been required to modify the permits to allow a discharge of dredge water back into the canal. The permit modification requests have been submitted and agency approvals are expected within 30 days.

(see back up pages 59 - 61)

RECOMMEND      Approval of the amendment of Work Order 10-03 with Taylor Engineering to provide additional permitting and engineering services for the Dania Cut Off Canal Deepening Project in the amount of \$21,893.00.

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**Item 13.      Indemnity and Payment Bond to Broward County.**

The District entered into a License Agreement with Broward County for a dredged material management area for the Dania Cut Off Canal Deepening Project. The license requires that the District provide a \$7 million Indemnity and Payment Bond to the County to cover the cost of removing all dredged materials, repairing the site, and the removal of any hazardous materials that we may place on the property.

Staff has been working with our insurance carrier on this issue and they are indicating that this bond will cost in excess of \$25,000 and will require a pledge of collateral. Staff is of the opinion it would be more cost efficient to provide a cash bond of funds currently set-aside for Phase II of this project, the deepening of the ICW.

While we need to move forward on this item to start this project, there will be an opportunity down the line to amend the License. At that time staff would either seek to lower the bond requirement or have the contractor add the County to its performance and payment bonds that they will be providing to the District.

(see back up pages 62 - 66)

RECOMMEND      Approval of the provision of a cash bond to Broward County to satisfy the Indemnity and Payment Bond requirements of Section 6.2.1 of our License Agreement.

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**Item 14.      Waterway Clean Up Program Rules.**

The Waterway Clean Up Program Rules allow the Board to approve “a maximum of one clean-up program per waterway, per year within a county”. This language was primarily inserted for the five counties where we have sponsored a clean-up of the ICW and the St. Johns River.

We have been contacted by communities in Broward County that would like to initiate a second clean-up in the county and essentially divide the county into a “north and south waterway”. This would be in lieu of requesting clean-up funding for the 6 or more eligible waterways that they have in the county.

(see back up pages 67 - 68)

RECOMMEND      Approval of the request to designate a north and south waterway in Broward County for the purpose of funding waterway clean-up projects.

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**Item 15.      Broward County Waterway Cleanup Project.**

The Marine Industries Association of South Florida has requested funding assistance for their 35<sup>th</sup> Annual Waterway Cleanup. The District has assisted this cleanup for many years and the request is in compliance with the program rules.

(see back up pages 69 - 70)

RECOMMEND      Approval of the request from the Marine Industries Association of South Florida for funding assistance in the amount of \$10,000 for the 35<sup>th</sup> Annual Waterway Cleanup.

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**Item 16.      Taylor Engineering Hourly Rate Adjustment.**

Our agreement with Taylor Engineering allows the rates for services to be adjusted annually by mutual agreement. The District Engineer has submitted a request to revise the hourly rates that he charges for the various personnel that work on our projects.

(see back up pages 147 - 151)

RECOMMEND      Approval of the rate adjustments requested by Taylor Engineering for 2012.

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**Item 17.      Scripps Treasure Coast Media Articles.**

The Scripps Treasure Coast Media articles and editorials concerning the District are provided in the back up materials followed by the on line comments. There are also 3 letters to the editor and our letter to the editor.

(see back up pages 71 - 129)

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**Item 18.      Washington DC. Report.**

The District's Federal Governmental Relations firm submitted a status report on their activities on the District's federal issues.

(see back up pages 130 - 134)

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**Item 19.      Finance and Budget Committee Report.**

The District's Finance and Budget Committee met prior to the Board meeting and will provide their recommendations concerning items on their agenda.

(see Finance and Budget Committee Agenda Package)

RECOMMEND      Approval of the recommendations of the District's Finance and Budget Committee and Resolution No. 2012-01.

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**Item 20.      Continuing Education Support Request by Staff Member, Mark Tamblyn.**

Mark Tamblyn, the District's Field projects Coordinator, has requested continuing education support for an MBA Program at Florida Atlantic University. This request was reviewed and approved by the Personnel Committee at their July meeting for submission to the full Board. The Personnel Committee approved tuition reimbursement of ½ the state tuition cost subject to Mr. Tamblyn receiving a B grade for each class and remaining employed by the District for 4 years after graduation. Mr. Tamblyn has agreed to those terms.

(see back up pages 135 - 144)

RECOMMEND      Approval of Mark Tamblyn's request for reimbursement of ½ of the tuition costs for an MBA Program at FAU subject to a "B" grade in each class and continued employment at the District for 4 years after graduation.

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**Item 21.      Additional Staff Comments and Additional Agenda Items.**

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**Item 22.      Additional Commissioners Comments.**

- a. UF Externship Proposal to Commissioner Crowley (see back up pages 145 - 146)
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**Item 23.      Adjournment.**

**MINUTES OF THE  
FLORIDA INLAND NAVIGATION DISTRICT**

**Finance and Budget Committee Meeting**

**8:49 a.m., Friday, November 18, 2011**

**One Ocean Hotel**

**1 Ocean Boulevard**

**Atlantic Beach, Duval County, Florida**

**ITEM 1.      Call to Order.**

Treasurer Kavanagh called the meeting to order at 8:49 a.m.

**ITEM 2.      Roll Call.**

Assistant Executive Director Mark Crosley called the roll and Chair Kavanagh, Commissioner Colee, Commissioner Freeman, and Commissioner Sansom were present. Mr. Crosley stated that a quorum was present.

**ITEM 3.      Financial Statements for September of 2011.**

Mr. Roach presented the financial statements for September and stated that the balance sheet shows \$61.7 million in assets with \$59 million in interest bearing accounts and \$200,000.00 with the State Board of Administration (SBA). He stated that the District's current effective yield on our investments is 0.31% and our SBA benchmark is 0.24%. He noted that several weeks ago Bank Atlantic was sold to BB&T.

Mr. Roach stated that the District's revenue for the last fiscal year was \$138,000.00 over budget. He also noted that the District received a \$1.8 million reimbursement from the U. S. Army Corps of Engineers on the IR-2 project.

Mr. Roach stated the District disbursed \$900,000.00 in the Waterways Assistance program and \$2.3 million in the Cooperative Assistance program during September. He stated that the Cooperative Assistance project payment was for another phase of the Manatee Pocket dredging project. He asked for questions.

Commissioner Freeman referred to a District claim with FEMA for hurricane damage to one of the District's sites and asked if we have received payment for that claim. Mr. Roach stated that there were several claims that date back to the 2004 hurricane activity and the payment was in reference to those. He stated that most projects have been completed with the SJ-1 project currently being finalized and the BV-NASA claim being processed.

Commissioner Colee made a motion to recommend to the full Board approval of the financial statements for September of 2011. The motion was seconded by Commissioner Sansom. Chair Kavanagh asked for any additional discussion, hearing none a vote was taken and the motion passed.

**ITEM 4.      September 2011 Expenditure and Project Status Reports.**

Chair Kavanagh presented the District's Expenditure and Project Status Report for September of 2011.

Mr. Roach stated that through September 30, 2011, the District's expenditures were \$25.4 million, with \$52 million in projects under contract, and executed expenditures of \$33.3 million. He stated that the District revenue was \$22.3 million, therefore we spent down some capital carryover in the amount of \$3.1 million.

**ITEM 5. Delegation of Authority Report.**

Chair Kavanagh referred to the Executive Director's Delegation of Authority actions and stated that four actions were taken from, October 18, 2011 through November 8, 2011. She asked for questions. There were none.

**ITEM 6. Additional Agenda Items or Staff Comments.**

Chair Kavanagh asked if there were any additional staff comments or agenda items.

Mr. Roach stated that at the December meeting we will be reviewing the audit proposal from our auditor.

**ITEM 7. Additional Commissioners Comments.**

Chair Kavanagh asked if there were any additional Commissioner comments. There were none.

**ITEM 8. Adjournment.**

Chair Kavanagh stated that hearing no further business the meeting was adjourned at 8:58 a.m.

**MINUTES OF THE  
FLORIDA INLAND NAVIGATION DISTRICT**

**Board of Commissioners Meeting**

**9:00 a.m., Friday, November 18, 2011**

**One Ocean Hotel**

**1 Ocean Boulevard**

**Atlantic Beach, Duval County, Florida**

**ITEM 1.      Call to Order.**

Chair Bray called the meeting to order at 9:00 a.m.

**ITEM 2.      Introduction and Welcome of New Commissioner.**

Chair Bray welcomed Aaron Bowman, the new Commissioner for Duval County, to the District's Board.

Commissioner Bowman introduced himself and stated that he is pleased to join such an esteemed group. He stated that the drawing points that made him want to become a part of this Board was not only the wonderful work that is accomplished, but also the camaraderie, friendship, and professionalism among the members. He stated that he is excited to be here and he looks forward to learning from everyone. He stated that he is an avid boater and interested in the waterway.

**ITEM 3.      Pledge of Allegiance.**

Commissioner Bowman led the pledge of allegiance to the flag of the United States of America.

**ITEM 4.**      **Roll Call.**

Secretary Freeman called the roll and Chair Bray, Vice-Chair Colee, Treasurer Kavanagh, Commissioner Blow, Commissioner Bowman, Commissioner Cuzzo, and Commissioner Sansom were present. Secretary Freeman stated that a quorum was present.

**ITEM 5.**      **Consent Agenda.**

Chair Bray asked if there were any comments or questions regarding the Consent Agenda. There were none.

Vice-Chair Colee made a motion to approve the Consent Agenda as presented. The motion was seconded by Commissioner Sansom. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 6.**      **Additions or Deletions.**

Chair Bray stated that he would like to add to the agenda; Item 13, Public Relations Committee Agenda.

Chair Bray stated that he would like to add to the agenda: Item 14, Legislative Committee Agenda.

Commissioner Sansom made a motion to approve the final agenda as amended. The motion was seconded by Commissioner Cuzzo. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 7.**      **Board Meeting Minutes.**

Chair Bray asked if there were any comments or questions regarding the Board meeting minutes.



Vice-Chair Colee stated that he would like to edit a sentence in Item 16 of the October 28, 2011 Board of Commissioners Minutes to delete the words “asked staff to include a requirement in the District assistance rules that all local government property acquisitions funded by the District are” and substitute “asked staff to place on a list of considerations for changes to the District assistance rules that all local government property acquisitions funded by the District be”.

Commissioner Blow stated that he would like to edit a sentence in Item 16 of the October 28, 2011 Board of Commissioners Minutes to delete the words “legislature to develop a template for a” and substitute “FWC to provide stakeholder input on the”.

Commissioner Blow stated that he would like to edit a sentence in Item 16 of the October 28, 2011 Board of Commissioners Minutes to place a period after the word “Stuart.”

Commissioner Blow stated that he would like to edit a sentence in Item 16 of the October 28, 2011 Board of Commissioners Minutes to add the words “however, they can return and anchor at the same location for another ten days without penalty.”

Commissioner Blow stated that he would like to edit a sentence in Item 16 of the October 28, 2011 Board of Commissioners Minutes to delete the words “ and that meeting is scheduled for November 17<sup>th</sup>” and substitute “He stated that the FWC will vote on the anchorage pilot program at its next meeting which is scheduled for November 17<sup>th</sup>.”

Commissioner Sansom made a motion to approve the minutes as amended. The motion was seconded by Vice-Chair Colee. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 8.      Public Comments.**

Chair Bray asked if there were any public comments on issues that are not on today's agenda.

Commissioner Gary Anderson, with the Jacksonville Waterways Commission, stated that he welcomes the District to the city and county. He stated that the waterways commission is the sounding board for Duval County waterway related assistance applications to FIND. He noted that he is the Chair of the Commission's FIND sub-committee.

Mr. John Yuni, of Jacksonville, stated that he would like to thank the Board for their comments and suggestions provided to him at the District's previous meetings. He stated that he is still seeking a sponsor for the development of a pocket park with a floating dock in Jacksonville.

John Adams, Chairman of the Atlantic Intracoastal Waterway Association (AIWA), stated that David Roach was one of the original founders of the AIWA and without question a tremendous leader of the association. He served as chair of the association for many years and his leadership has been missed. He stated that during his service he worked with congressional representatives to try to establish a Federal Waterway Commission that would recognize the importance of the ICW from Norfolk, VA to Key West, FL. He also worked to obtain dedicated federal funding for the ICW. He also stated that Mr. Roach worked with the Corps to expand their MOA authority to North and South Carolina. He thanked Mr. Roach on behalf of the AIWA for his service and presented him with a gift from the AIWA Board.

Mr. Roach thanked the AIWA members and Mr. Adams for recognizing his small contribution to the association. He stated that his service on that board was in direct support of what we do at FIND. He noted that Florida is at the end of the ICW chain and it is important that the entire chain of ICW states move forward with waterway maintenance. He stated that these types of projects are so important to the regional economies and it is his opinion that the states need to step up to preserve this valuable resource for everyone.

Commissioner Blow asked about memberships in the AIWA and if BoatUS is a member. Mr. Crosley stated that BoatUS is a member of the AIWA and has a representative on the board. He stated that the AIWA board is working towards attracting new members, but unfortunately, the current economy affects this.

Commissioner Blow stated that there is a tremendous interest from boat manufacturers and cruising magazines and associations about the ICW and the ability for boats to travel the waterway. He suggested that perhaps the AIWA should talk to those people about memberships.

**ITEM 9.      Comments from the U.S. Army Corps of Engineers.**

Mrs. Shelley Trulock, the Intracoastal Waterway (IWW) Project Manager with the U.S. Army Corps of Engineers, stated that the DMMA IR-2 project is 78% complete. She stated that the contractor continues to place fill on the east side of the levy and that project completion has been revised to February 2012.

Mrs. Trulock introduced Mr. Mike Pressley, the Corps construction team leader for all efforts associated with DMMA IR-2. She stated that it is because of Mike that the DMMA IR-2 project is going as smoothly as it is now.

Commissioner Blow asked about the weir frames for the DMMA IR-2 project. Mr. Pressley stated that when the frames were delivered, they were inspected and it was noted that the welds were not properly completed and the paint was not correct. He stated that we rejected the frames and returned them for re-fabrication. He noted that the new fabrication looks good and they are ready for paint.

Mrs. Trulock stated that there is not a lot to report today for the IWW St. Augustine dredging project. She stated that they have scheduled a meeting with FP&L regarding the power line that crosses the channel. She stated that FP&L sent divers out who reviewed and identified the lines but their survey was in a different format from the Corps. She stated that the Corps is requesting FP&L to send the divers back with the surveyor and triple check the data and then we will truly know the depth of these lines. She noted that the FP&L permit requires that these lines are buried at a three feet below the channel. She stated that the permit states that the Corps can request relocation of these lines if it is in the best interest of the public. She stated that the Corp's operations division may change the requirements and request that the power lines be buried ten feet below the channel.

Commissioner Blow asked about the schedule for the St. Augustine Beach renourishment project. Mrs. Trulock stated that project has been advertised and should be moving forward during the second quarter of 2012.

Mrs. Trulock stated that we have received the first RAI from the Florida Department of Environmental Protection (FDEP) for the IWW Sawpit Nassau maintenance dredging project. She stated that the comments were minor and responses were submitted.

Mr. Roach presented the DMMA IR-2 project amendment to Work Order No. 31-2010-03 for approval. He stated that this work order will cover administration activities to process 13 changes orders for additional construction in the amount of \$89,000.00.

Commissioner Sansom made a motion to approve Amendment No. 1, to Work Order No. 31-2010-03. The motion was seconded by Vice-Chair Colee. Chair Bray asked for discussion.

Commissioner Sansom asked for additional information regarding the additional work. Mr. Roach stated that the site was formerly a citrus grove for over hundred years and we discovered a number of artesian wells on the site that had to be cut below the bottom basin elevation. He stated that those wells were capped and sealed. He stated that during construction some storm water ditches were unearthed. He stated that these ditches connected to the FDOT US 1 main ditch and had to be reworked. He stated that some property line issues were discovered during the fence layout that required additional work. He stated that the entry road was worked on to make it less noticeable from the main road. He stated that there were some roots in the barrow area and we took additional time to make sure that those were screened out from the material going into the dike. He stated that we discovered some muck areas that were worked on. He stated that the Corps staff worked proactively on these items and they took more time than anticipated.

Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 10. Duval County Area Projects Status Report.**

Mr. Roach stated that the Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway in Duval County was completed in 1986. He stated that Phase II of the DMMP was completed in 1993. He stated that land acquisition was completed in 1995.

Mr. Roach stated that six upland Dredged Material Management Areas (DMMA) will manage dredged materials from the waterway. He stated that all sites have been purchased and four sites are fully constructed. He stated that DMMA DU-3 was recently cleared and grubbed for future dike reconstruction. He stated that plans and specifications are being prepared for the offloading of dredged materials from DMMA DU-2 which is full and is needed in 2012.

Mr. Roach stated that dredging Reach II in the vicinity of Nassau Sound is scheduled for dredging in 2012.

Mr. Roach stated that the Duval County Waterways Economic Study was completed in 2005. He stated that there are 392 waterway related businesses in Volusia County generating \$2.29 billion in annual sales, \$725 million in personal wages, and 19,394 jobs. He stated that the waterway increases the value of property in Duval County by \$1.3 billion. He stated that if the waterways were not maintained the economic output is predicted to drop by \$303 million with a loss of 3,278 jobs and \$526 million in property values. He stated that properly maintaining the waterways would result in an increase of \$125 million in economic output and an additional 1,258 jobs.

Mr. Roach stated that since 1986, the District has provided \$17.4 million in Waterways Assistance Program funding to 119 projects in the County having a total

constructed value of \$35.8 million. He stated that the County, two cities, and the Port of Jacksonville have participated in the program. He stated that notable projects funded include: the construction or rehabilitation of 18 saltwater boat ramps; maintenance dredging of the Arlington River, Goodby's Creek, Fishweir Creek, MetroPark Basin, Southbank Riverwalk, and the Ortega River; construction and improvements to the Metropark and Sister's Creek marinas; construction of nine canoe launches, and; improvements to the Dames Point shoreline.

Mr. Roach stated that the District's Cooperative Assistance Program has provided funding assistance for the following projects with elements in Duval County: Florida Marine Patrol Officer Funding; Clean Marina Program; Clean Vessel Act; Manatee Acoustic Warning System, St. Johns River Boating Safety Search and Rescue and; the Inland Waterways Safety Program. He stated that the District's funding assistance for the Duval County portion of these projects was approximately \$528,000. He asked for questions.

Commissioner Sansom referred to the Duval County assistance projects and asked how many of them would not have been completed without the District's funding assistance. Mr. Roach stated that recreational projects are usually not a priority within a local government's budget and he feels that approximately 50% of these projects would not have moved forward without the District's assistance. He noted that the District has the largest waterway assistance program in the State of Florida.

Mr. Roach noted that the typical boater, before he gets to the ICW, spends approximately \$75.00 for gas, fishing gear, ice, drinks, and food. He stated that it is

important to note that the economic benefit of boater activity is spread through the community.

Commissioner Blow noted that this economic activity trickles over to adjacent counties as well.

**ITEM 11. Volvo Ocean Race Partnership Agreement.**

Mr. Roach stated that the Public Relations Committee voted for the staff to work with the Volvo Ocean Race Miami, Inc. to finalize a partnership agreement in the amount of \$15,000.00 for the District's participation in the race events when it stops in Miami in May. He reviewed their participation letter for the Board's consideration and noted that there is a change to Item One to designate the District as the Atlantic Intracoastal Waterway Sponsor instead of a Port Sponsor.

Mr. Roach stated that this event will occur directly on the Atlantic Intracoastal Waterway and be located at a waterway assistance program project that the District and the City of Miami built. He stated that this is a prime example of how a District project has created an opportunity for an international event to come to the United States of America.

Mr. Eston Melton, with the Volvo Ocean Race of Miami, stated that he appreciates the opportunity to revise the service components to best fit the District's requirements and he appreciates the District's support.

Vice-Chair Colee stated that this event will attract over 250,000 attendees, fits the District's mission, provides jobs, and has direct economic impact. He stated that this item was discussed in depth at the District's October meeting and all of his questions have been addressed.



Commissioner Cuozzo stated that this event will bring people to the Intracoastal Waterway that my not otherwise come to the area.

Commissioner Sansom made a motion to approve the partnership agreement with the Miami Volvo Ocean Race Miami, Inc. in the amount of \$15,000.00. The motion was seconded by Vice-Chair Colee. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 12. Construction Administration Amendment for the Dania Cutoff Canal Deepening Project, Broward County.**

Mr. Roach stated that after reviewing Lucas Marine's plan for the project, plus the Port's License agreement requirements, the District Engineer has proposed an amendment to the Construction Administration agreement for this project. He stated that because the actual project could take less time than has been estimated, this work is proposed on a time and materials basis.

Commissioner Blow made a motion to approve the Construction Administration Amendment by Taylor Engineering in the not to exceed amount of \$47,669.00 for the Dania Cutoff Canal Deepening Project. The motion was seconded by Commissioner Sansom. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 13. Public Relations Committee Agenda.**

**Generic Public Relation Services Agreement with McNicholas and Associates.**

Mr. Roach stated that the Committee deferred this item at the last meeting for rewrite which has been accomplished. He stated that staff requested a generic public relation services agreement from McNicholas and Associates. He stated that the generic

agreement allows us to have a public relations firm under contract if needed to respond to a specific time sensitive matter. He stated that similar agreements could be executed with other firms.

Vice-Chair Colee stated that the Committee did not feel that the commercial contract that was presented last month fit the District's Public Relations requirements or goals. He stated that this revised contract meets the District's requirements so that information will be relayed in a manner that is completely open and transparent. He stated that he believes that this new contract achieves that.

Commissioner Blow referred to the fee and expense schedule and stated that he feels that the fee for clerical support of \$100.00 per hour is high. He suggested that the clerical support fee be changed to \$55.00 per hour, which is similar to the administrative support fee that the District pays on other contracts.

Commissioner Sansom asked how the work orders would be initiated. Mr. Roach stated that the work orders would come to the Board for approval unless there is a time sensitive incident and that could be approved by the Board Chair.

Vice-Chair Colee made a motion to approve the generic public relations services agreement with McNicholas and Associates subject to changing the clerical charges from \$100.00 per hour to \$55.00 per hour. The motion was seconded by Commissioner Blow. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 14. Legislative Committee Agenda.****Biennial Review of District Administrative Rules for 2011.**

Mr. Roach stated that the Florida statutes now require that the District perform a biennial review of the District's Administrative Rules and submit a review report to the Senate President, the Speaker of the House and the Joint Administrative Procedures Committee. He stated that this report was sent to the Legislative Committee members and Commissioners Chappell and Commissioner Crowley have contacted staff and stated that they are good with the staff report as presented here. He noted that the District's grant applicants have indicated that our assistance application is very simple. He briefly highlighted the report and asked for questions.

Secretary Freeman stated that she has reviewed the report and is comfortable with its content. She stated that the report addresses the statutory requirements and makes the workability of the program smoother. She noted that the primary focus of this rule is regulation and the District is not involved in regulation. She feels that we have complied well with this request.

Commissioner Sansom suggested that we first re-approve the motion that the Board made last month, because it could appear that the Board approved the report without a review.

Commissioner Blow made a motion to approve the full report as presented at the October 28, 2011 meeting, after further review by the Committee and the Board, and to go forward with the report for final approval at the November 18, 2011 meeting. The motion was seconded by Vice-Chair Colee. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

Commissioner Sansom made a motion to approve: (1) the Report of the Biennial Review of District Administrative Rules for 2011, and; (2) submission of the report by the Chair to the required parties. The motion was seconded by Commissioner Blow. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 5.      Enhanced Biennial Review of District Administrative Rules for 2011.**

Mr. Roach stated that the Florida Legislature in the 2011 session enacted a law requiring the District perform an enhanced biennial review of the District's Administrative Rules and submit a review report to the Senate President, the Speaker of the House and the Joint Administrative Procedures Committee. He briefly highlighted the report and asked for questions.

Attorney Breton noted a change in the report changing the date the report was approved by the Board of Commissioner from October 28, 2011 to November 18, 2011.

Secretary Freeman made a motion to approve: (1) the Report of the Enhanced Biennial Review of District Administrative Rules for 2011, and; (2) submission of the report by the Chair to the required parties, and (3) the date change to November 18, 2011. The motion was seconded by Vice-Chair Colee. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

Commissioner Sansom suggested that the District's transmittal letter reflect the process by which the Board reviewed the administrative rules.

**ITEM 6.      Washington D. C. Report.**

Mr. Roach stated that Senate has plans to consider and submit the FY 2012 House Energy and Water Appropriations Bill. He stated that there is a considerable difference

between the Senate and the House line items for general or additional navigational maintenance dredging. He noted that the Senate Bill includes approximately \$49 million and there is \$123 million in the House Bill. He stated that the District is hopeful that we can compete for some of those funds. He stated that the District has our request letter drafted to the Secretary of the Army who will have discretion for the allocation of those funds.

Vice-Chair Colee stated that he and Mr. Roach met last week with Congressman Allen West at the Congressman's West Palm Beach office. He noted that the Congressman is extremely well briefed on the waterway. He stated that we discussed the waterway in general and funding for the waterway. He stated that the Congressman stated that he is supportive of the District's request for waterway funding for projects in the State of Florida.

Mr. Roach noted that the amount of funding that may be approved is approximately 25% of what is normally approved for waterway projects.

**ITEM 15. Finance and Budget Committee Report.**

Treasurer Kavanagh stated that the District's Finance and Budget Committee met before today's Board meeting and the Committee reviewed and recommends approval of the September 2011 financial statements.

Treasurer Kavanagh made a motion to approve the recommendations of the Finance and Budget Committee. The motion was seconded by Vice-Chair Colee. Chair Bray asked for any further discussion, hearing none, a vote was taken and the motion passed.

**ITEM 16. Additional Staff Comments and Additional Agenda Items.**

Chair Bray asked if there were any additional staff comments or agenda items. There were none.

**ITEM 17. Additional Commissioners Comments.**

Chair Bray asked if there were any additional commissioner comments or agenda items.

Vice-Chair Colee referred to an article in yesterday's Palm Beach Post about Lockheed Martin's announcement that they will be manufacturing a new commercial business line of unmanned submarines. He stated that these submarines will be used for high definition of monitoring of underwater wells and other kinds of underwater structures up to 1,000 feet deep. He stated that this is a perfect example of how the economic impact of the District's projects spread beyond their original intended use. He stated that this project will provide jobs and economic impact to the area.

Commissioner Sansom stated that because of the number of engineers laid off in the space program, the State of Florida is providing \$3 million in incentive towards the development of the new Lockheed Martin project in an effort to keep those engineers employed in Florida.

Commissioner Blow stated that the FWC reviewed and approved the St. Augustine ordinance for the pilot mooring program. He stated that they made one change to the ordinance, occupied vessels can be anchored within the city limits for up to 30 days instead of 10 days.

Commissioner Cuzzo stated that the City of Stuart's pilot mooring ordinance has been modeled after the St. Augustine pilot mooring ordinance and is very similar.

Secretary Freeman welcomed newly appointed Commissioner Bowman and stated that she looks forward to working with him.

Chair Bray stated that last evening we said goodbye to former Commissioner Mesiano who served Duval County and this Board very well for over eight years. He stated that we appreciate his work.

Commissioner Bowman stated that at the end of this meeting, Mr. Jim Hanson of Atlantic Beach has offered to take any interested parties on a tour of a recently completed assistance project.

**ITEM 18.     Adjournment.**

Chair Bray stated that hearing no further business the meeting was adjourned at 10:32 a.m.



## ST. JOHNS COUNTY PROJECT STATUS UPDATE

January 2012

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### **Dredged Material Management Plan.**

Phase I of the Dredged Material Management Plan for the Intracoastal Waterway in St. Johns County was completed in 1989. Phase II of the DMMP was completed in 1992 and all major land acquisition was completed in 1995. See attached location map.

The 50 year dredging projection is 4.3 million cyds. and the storage projection is 9.3 million cyds. Maintenance Dredging in reach V in the vicinity of the Matanzas Inlet is 67% of the dredging volume, occurs every 2.7 years, and this reach is the highest shoaling reach of the entire waterway. Reach I and II in the Palm Valley area constitute 25% of the dredging volume, while Reaches III and IV have never been dredged and are naturally deep areas of the waterway with minimal shoaling.

---

### **Dredged Material Management Area Development**

To date, 2 of the 4 upland Dredged Material Management Areas in the county have been fully constructed. DMMA SJ-20A and DMMA SJ-29 have had Phase I development.

Material was removed by St. Johns County from DMMA SJ-1 in 2011 to repair the sand dune at Summerhaven Beach.

---

### **Waterway Dredging**

In 2011, Dredging Reach V near Matanzas Inlet was maintenance dredged of 220,000+ cyds. with placement on southern Summerhaven Beach. Dredging Reach III in the vicinity of St. Augustine Inlet will be dredged in 2012 with the material being placed on the beach at Anastasia State Park.

---

### **Waterways Economic Study**

The St. Johns County Waterways Economic Study was completed in 2005 and updated in 2011. The study found that there were 155 waterway related businesses in the county employing 1,090 people, with salaries of \$41.3 million, 7.7 million in taxes generated and a total economic impact of \$180.9 million. Property values were determined to be increased by \$488 to \$726 million by the presence of the ICW channel. The study also determined that 726 jobs, \$22.6 million in wages, \$4.6 million in taxes, and \$124.9 million in economic impact would be lost if dredging of the waterways were to cease. See attached economic synopsis and map for waterway related business locations.

---

**FIND**





## ST. JOHNS COUNTY PROJECT STATUS UPDATE

January 2012

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### **Waterways Assistance Program**

Since 1986, the District has provided \$4.2 million in Waterways Assistance Program funding to 47 projects in the County having a total constructed value of \$15.4 million. The County, the City of St. Augustine, the St. Augustine Airport and the St. Augustine Port, Waterway and Beach District have participated in the program. See attached location map and listing.

Primary projects funded include the St. Augustine Municipal Marina, public boat ramps at Riverdale, Frank Butler, Shore drive and Vilano, the St. Augustine Lighthouse and public channel dredging in Salt Run, Frank Butler and St. Augustine South boat ramps.

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### **Cooperative Assistance Program**

The District's Cooperative Assistance Program has providing funding assistance for the following projects with elements in St. Johns County: the Guana, Tolomato, Matanzas National Estuarine Research Reserve Environmental Education Center; Florida Clean Marina Program; Florida Clean Vessel Act Program; Anastasia State Park Environmental Education Signage; Florida Marine Patrol Officer Funding; and the St. Johns River Boating Safety Search and Rescue Program. The District's funding assistance for the St. Johns County portion of these projects was approximately \$789,101.

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### **Interlocal Agreement Program**

The District's Interlocal Agreement Program has providing funding assistance for the following projects with elements in St. Johns County: the Florida Clean Marina Program and the Florida Clean Vessel Act Program. The District's funding assistance for the St. Johns County portion of these projects was approximately \$25,000.

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### **Public Information Program**

The District currently prints and distributes the following brochures with specific information about St. Johns County Waterways: the Economic Impact of St. Johns County Waterways; ICW Channel Conditions; and the ICW Moveable Bridge Guide.

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**FIND**



## **ST. JOHNS COUNTY PROJECT STATUS UPDATE**

**January 2012**

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### **Waterway Clean Up Program**

The District has partnered with St. Johns County Solid Waste Department in the past on waterway cleanups but not recently.

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### **Small Scale Derelict Vessel Removal Program**

Two derelict vessels have been removed in St. Johns County through this program.

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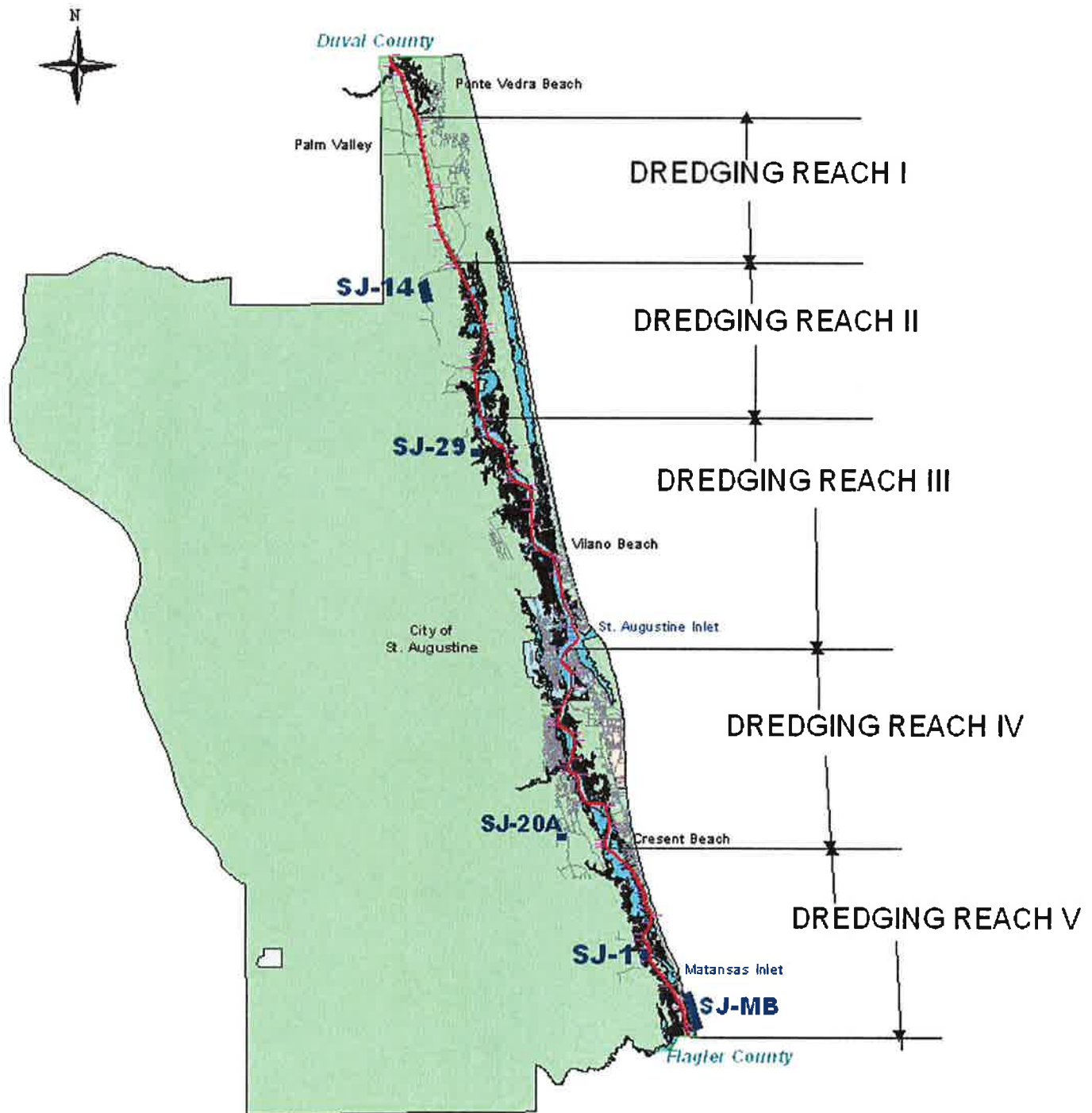
### **Small Scale Spoil Island Enhancement and Restoration Program**

No spoil island projects have been funded yet in St. Johns County.

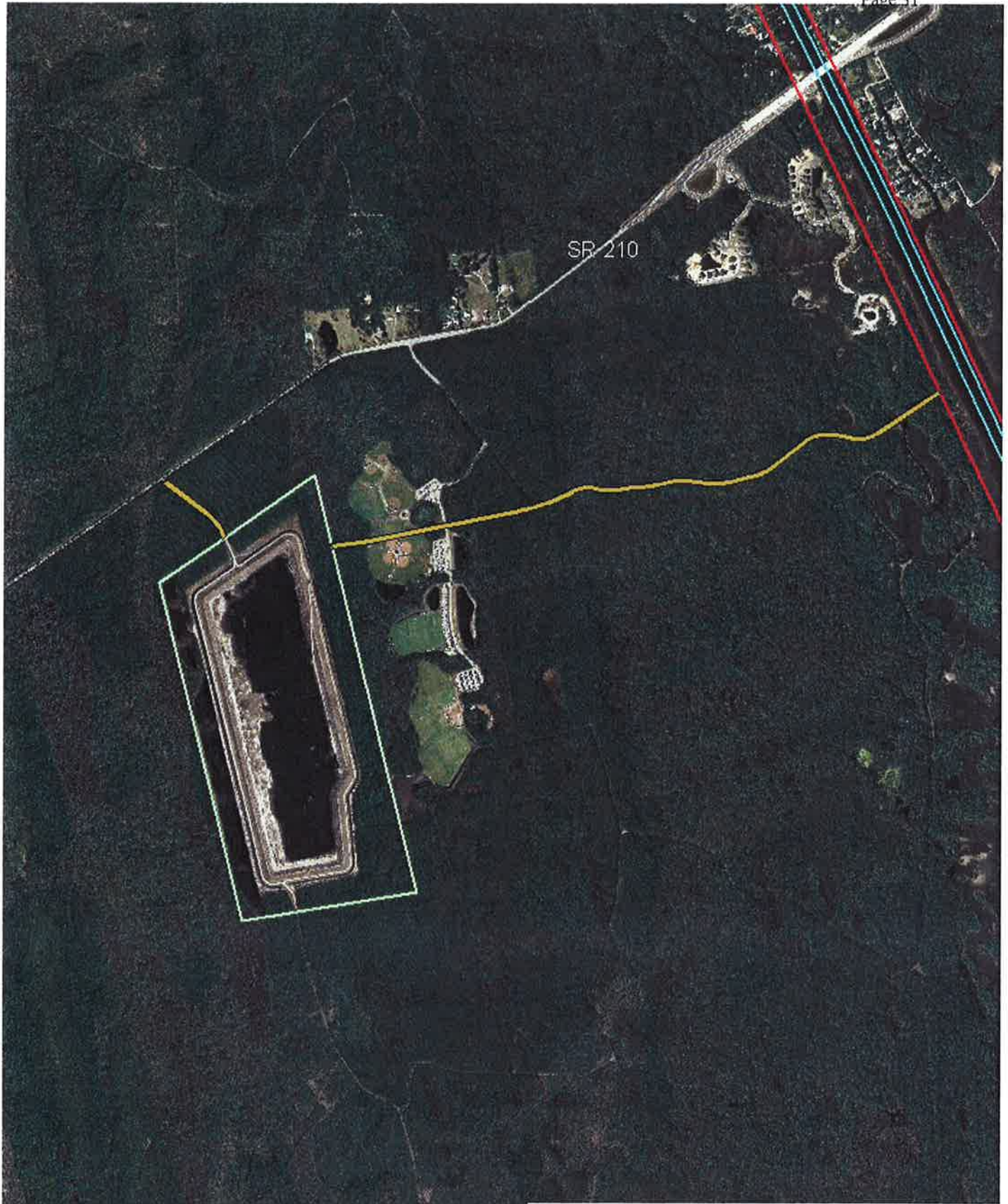
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**FIND**

# INTRACOASTAL WATERWAY DREDGING REACHES AND DREDGED MATERIAL MANAGEMENT AREAS IN ST. JOHNS COUNTY








-  FIND Easement
-  FIND Owned
-  ICW Right-of-Way
-  Channel

Dredged Material Management Area  
SJ-14







-  FIND Easement
-  FIND Owned
-  ICW Right-of-Way
-  Channel

Dredged Material Management Area  
SJ-29





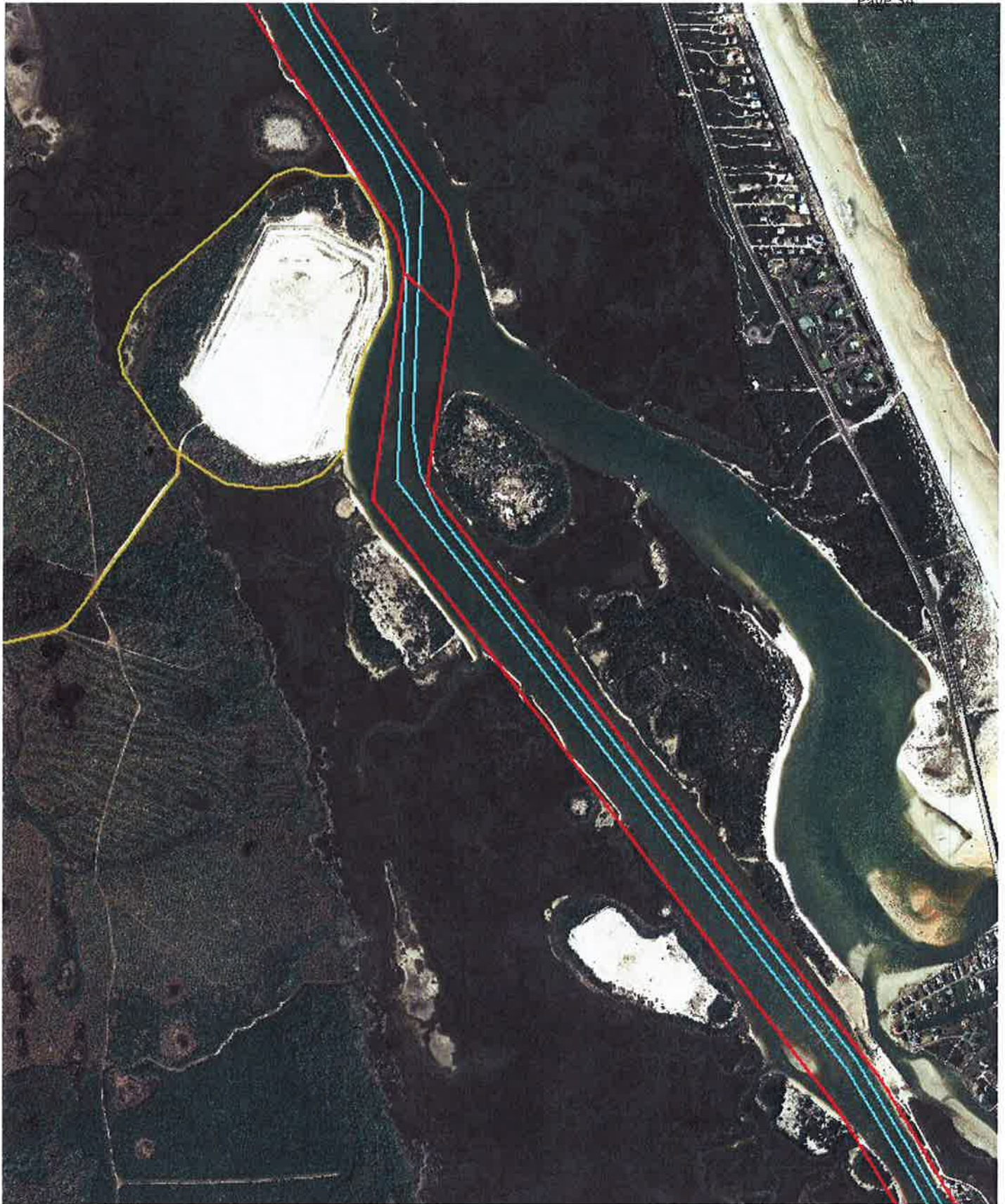


- FIND Easement
- FIND Owned
- ICW Right-of-Way
- Channel

Dredged Material Management Area  
SJ-20A







— FIND Easement

— ICW Right-of-Way  
— Channel

# Dredged Material Management Area SJ-1







**Dredged Material Management Area  
SJ-MB**





# ECONOMIC IMPACTS OF THE DISTRICT'S WATERWAYS

Page 36



## Purpose

To update economic impacts in St. Johns County of marine-related activities on the District Waterways, as previously estimated in *An Economic Analysis of the District's Waterways in St. Johns County*, September 2005.

## Scenarios Evaluated

1. Current Existing Conditions
2. Cessation of Waterways Maintenance
3. Increase in Waterways Maintenance



## ECONOMIC IMPACTS

### Current Existing Impacts

- \$180.9 million in business volume
- \$41.3 million in personal income
- 1,090 jobs
- \$7.7 million in tax revenue

### Impacts of Cessation of Waterways Maintenance

- Decrease of \$124.9 million in business volume
- Decrease of \$27.6 million in personal income
- Decrease of 726 jobs
- Decrease of \$4.6 million in tax revenue

### Impacts of an Increased in Waterways Maintenance

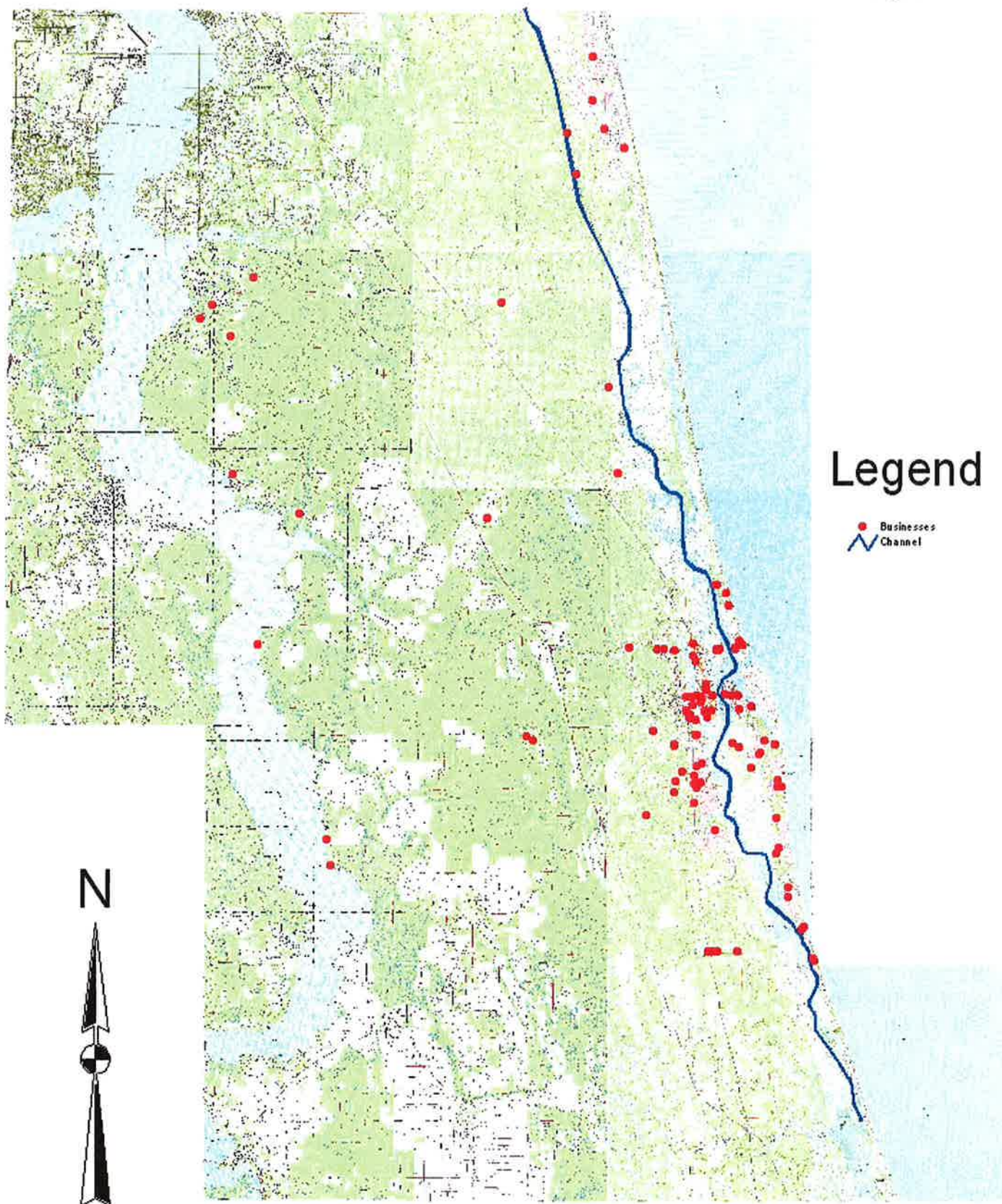
- Increase of \$15.8 million in business volume
- Increase of \$4.4 million in personal income
- Increase of 123 jobs
- Increase of \$0.8 million in tax revenue

Due to anomalies in Florida Department of Revenue reported gross sales data, the Impact of the 2007-2009 U.S. Economic Recession on the St. Johns County economy could not be estimated.

## Summary of Total Annual Economic Impacts of the Waterways in St. Johns County

Scenario	Total Impacts				Change From Current Existing Impacts			
	Business Volume (Million)	Personal Income (Million)	Employment	Tax Revenue (Million)	Business Volume (Million)	Personal Income (Million)	Employment	Tax Revenue (Million)
Current Existing Impacts	\$180.9	\$41.3	1,090	\$7.7	N/A	N/A	N/A	N/A
Three-Foot Draft Restriction Impacts	\$56.0	\$13.7	364	\$3.2	(\$124.9)	(\$27.6)	(726)	(\$4.6)
Twelve-Foot Draft Restriction Impacts	\$196.7	\$45.7	1,213	\$8.5	\$15.8	\$4.4	123	\$0.8

ST. JOHNS COUNTY



Location Map

Waterway Related Businesses in St. Johns County



**WATERWAYS ASSISTANCE PROGRAM PROJECTS**  
**ST. JOHNS COUNTY**  
**1986-2011**

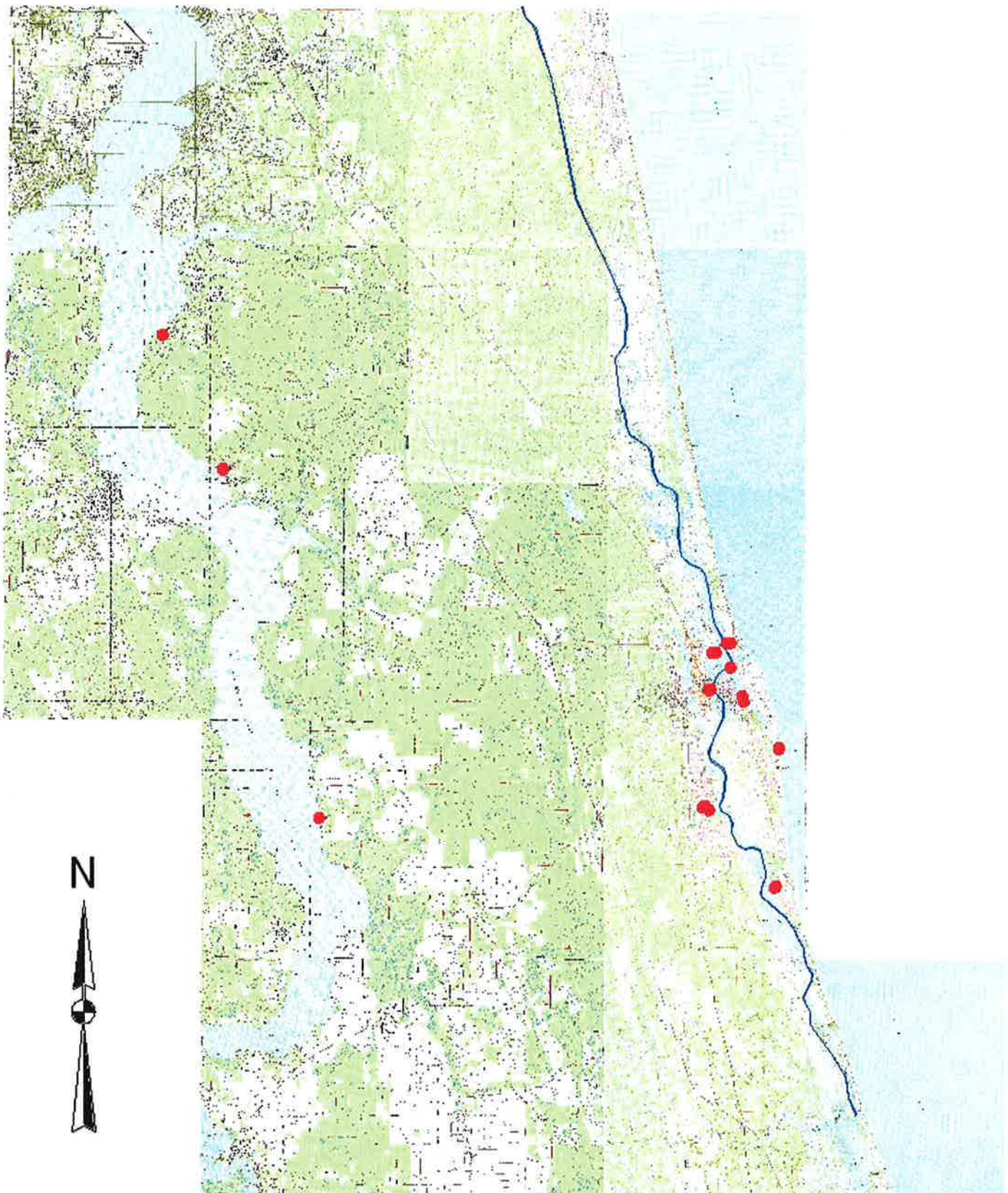
Project Name	Project Number	Project Sponsor	Grant Amount	Total Cost
I.C.W. Nature Greenway/ Boardwalk Replacement	SJ-01-17	St. Johns County	\$57,105.00	\$207,837.00
Vilano I.C.W. Fishing Pier Improvements	SJ-01-18	St. Johns County	\$107,900.00	\$225,809.00
Riverdale Boat Ramp Improvements	SJ-02-20	St. Johns County	\$175,000.00	\$350,000.00
Rattlesnake Island - Phase I ( Expired)	SJ-03-22	St. Johns County	\$50,000.00	\$100,000.00
St. Johns River Park - Phase I	SJ-03-23	St. Johns County	\$32,500.00	\$65,000.00
Vaill Point Park - Phase I	SJ-03-24	St. Johns County	\$30,000.00	\$60,000.00
Moultrie Creek Bluff Stabilization & Beach Access	SJ-04-26	St. Johns County	\$100,000.00	\$600,000.00
Frank Butler Park West - Phase I	SJ-05-28	St. Johns County	\$35,000.00	\$70,000.00
Shore Drive Boat Ramp - Phase I	SJ-05-29	St. Johns County	\$30,000.00	\$60,000.00
Alpine Groves Fishing Pier - Phase I	SJ-07-31	St. Johns County	\$25,000.00	\$50,000.00
Frank Butler Park West Construction - Phase I I	SJ-07-32	St. Johns County	\$239,750.00	\$520,500.00
Shore Drive Boat Ramp Improvements	SJ-07-33	St. Johns County	\$105,000.00	\$210,000.00
Alpine Groves Fishing Pier - Phase I I Construction	SJ-08-34	St. Johns County	\$150,000.00	\$300,000.00
Fort Mose Boardwalk Canoe/ Kayak Platform - Phase I	SJ-08-35	St. Johns County	\$40,000.00	\$80,000.00
Green Road Boat Ramp	SJ-08-36	St. Johns County	\$60,000.00	\$120,000.00
Usina Boat Ramp Improvements	SJ-08-37	St. Johns County	\$80,000.00	\$160,000.00
Usina Boat Ramp Fishing Pier Replacement	SJ-09-39	St. Johns County	\$80,000.00	\$160,000.00
Vilano Beach Fishing Pier Floating Dock - Phase I	SJ-09-40	St. Johns County	\$25,000.00	\$50,000.00
Fort Mose Boardwalk & Canoe/ Kayak Platform - Phase I I	SJ-10-43	St. Johns County	\$54,800.00	\$109,600.00
River House Fishing Pier	SJ-10-44	St. Johns County	\$75,000.00	\$150,000.00
Vilano Beach Fishing Pier Floating Dock Addition-ph I I	SJ-11-47	St. Johns County	\$160,000.00	\$320,000.00
Old Shands Bridge Redevelopment	SJ-87-1	St. Johns County	\$20,000.00	\$49,000.00
Old Shands Bridge Parking Lot	SJ-87-2	St. Johns County	\$23,175.00	\$46,350.00
Vilano Boat Basin	SJ-87-3	St. Johns County	\$8,000.00	\$16,000.00
Vilano Boat Basin Study	SJ-88-4	St. Johns County	\$11,128.00	\$38,256.00
Channel Dredging (Butler Park & St. Augustine South)	SJ-89-5	St. Johns County	\$60,000.00	\$153,000.00
Vilano Boat Basin Dredging	SJ-89-6	St. Johns County	\$10,000.00	\$24,300.00
Vilano Boat Basin/Ramp Repairs	SJ-92-9	St. Johns County	\$37,500.00	\$75,000.00
Butler Park Channel Dredging, Parking & Road Imp.	SJ-97-12	St. Johns County	\$51,753.00	\$103,505.00
South Avenida Menendez Seawall - Phase I ( Expired)	SJ-SA-02-19	City Of St. Augustine	\$62,500.00	\$125,000.00
San Sebastian River Walk - Phase I ( Cancelled)	SJ-SA-03-21	City Of St. Augustine	\$12,500.00	\$25,000.00
St. Augustine Municipal Marina - Phase I ( Expired)	SJ-SA-04-25	City Of St. Augustine	\$12,500.00	\$25,000.00
S. Avenida Menendez Seawall - Phase I I ( Withdrawn)	SJ-SA-05-27	City Of St. Augustine	\$240,000.00	\$2,100,000.00
Lighthouse Park Boat Ramp - Floating Dock Improvements	SJ-SA-07-30	City Of St. Augustine	\$71,550.00	\$143,100.00
Initial Dredging Of The Salt Run Channel	SJ-SA-09-38	City Of St. Augustine	\$434,705.00	\$600,000.00
Salt Run Navigation Channel Dredging	SJ-SA-10-41	City Of St. Augustine	\$320,059.00	\$426,745.00
Dredging Of Municipal Marina Basin	SJ-SA-11-45	City Of St. Augustine	\$200,000.00	\$400,000.00
Municipal Marina Project	SJ-SA-90-7	City of St. Augustine	\$95,000.00	\$2,514,283.00
Municipal Marina Project - Phase I I	SJ-SA-91-8	City of St. Augustine	\$110,000.00	\$2,497,300.00
Repair Of The St. Augustine Lighthouse	SJ-SA-93-10	City Of St. Augustine	\$174,300.00	\$415,000.00

**WATERWAYS ASSISTANCE PROGRAM PROJECTS  
ST. JOHNS COUNTY  
1986-2011**

Public Event/ Activities Pier	SJ-SA-95-11	City Of St. Augustine	\$20,000.00	\$45,000.00
St. Augustine Lighthouse Refurbishment & Protection	SJ-SA-99-15	City Of St. Augustine	\$47,150.00	\$94,300.00
St. Augustine Municipal Marina - Disaster Repairs	SJ-SA-99-16	City Of St. Augustine	\$75,000.00	\$450,000.00
Barge Terminal Channel Restoration Dredging - Phase I	SJ-SA-10-42	St. Augustine/SJC Airport Auth	\$40,000.00	\$80,000.00
Barge Terminal Channel Restoration - Ph II	SJ-SA-11-46	St. Augustine/ S.J.C. Airport Auth.	\$98,430.00	\$200,000.00
Salt Run Shoal Removal & Beach Nourishment	SJ-SAP-98-13	St. Augustine Port, Wtwy. & Beach C	\$180,000.00	\$622,250.00
Salt Run Shoal Removal & Beach Nourishment	SJ-SAP-99-14	St. Augustine Port, Wtwy. & Beach C	\$50,000.00	\$145,200.00
<b>Totals</b>			<b>\$4,177,305.00</b>	<b>\$15,382,335.00</b>

ST. JOHNS COUNTY AREA  
WATERWAYS ASSISTANCE PROGRAM PROJECTS

Page 40



LOCATION MAP



**US Army Corps  
of Engineers** ®  
Jacksonville District

**IWW STATUS UPDATE  
FIND Board of Commissioners Meeting  
January 13, 2012**



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**WORK ACTIVITIES IN FY 12:**

1. DMMA: IR-2 (Indian River County)
2. IWW: St. Augustine (St. Johns County)
3. IWW: Sawpit (Nassau County)





**US Army Corps  
of Engineers**  
Jacksonville District

# **IWW STATUS UPDATE** **FIND Board of Commissioners Meeting** **January 13, 2012**



AIWW = Atlantic Intracoastal Waterway Norfolk to St. Johns  
IWW = Intracoastal Waterway Jacksonville to Miami (12' and 10' projects)  
DMMA = Dredge Material Management Area

## **1. WORK ACTIVITY: DMMA IR-2 (Indian River County)**

**CONTRACT AMOUNT: \$2,806,601.00**

**DESCRIPTION OF WORK:** IR-2 is located in Indian River County 1.6 miles north of Wabasso between U.S. Highway 1 and Indian River Lagoon. IR-2 is a 180 acre site. IR-2 services Reach 1 of the IWW. Reach 1 extends from a point 0.45 north of the Brevard/Indian River County line southward 8.09 miles to the Wabasso Bridge. IR-2 will have a capacity of 428,000 cyds. IR-2 will be used for the Sebastian area (Indian River Reach 1) dredging in 2012/2013.

## **SCHEDULE:**

Receipt of ERP/Surface Water Mgmt Permit:	21 July 2010A
Contract Advertisement Initiated:	21 Sept 2010A
Bids Received:	28 Oct 2010A
Contract Award:	30 Dec 2010A
NTP Issued:	17 Feb 2011 A
Construction:	18 Feb 2011A – 16 Jan 2012

**FIND WORK ORDER:** Work Order was approved by the FIND Board in June 2010.

**NAME OF CONTRACTOR:** Contract was awarded to BC Peabody Construction Services on 30 Dec 2010.

**STATUS:** Funding is being requested for the grading of the Australian Pines area (approximately \$13K) and the additional drainage structures (approximately \$25K). Once funding is received, the Corps will be in the position to issue a request for proposal to the Contractor for these FIND requested changes and determine the actual final costs for them (after negotiations with the Contractor).

Additional funding is needed in the amount of \$105,270 for Option B. This option includes the additional road stabilization and the 2 water control structures for the project. The breakout of the \$105,270 is \$80,850 for the additional road stabilization and \$24,420 for the structures.







**Dredged Material Management  
Area IR-2 Construction**

Print #111228127  
Date: 12/28/11  
Lat/Lon: 27.779263 -80.414266  
**Aerial Photography, Inc.** 954-568-0484





US Army Corps  
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Jacksonville District

IWW STATUS UPDATE  
FIND Board of Commissioners Meeting  
January 13, 2012



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2. WORK ACTIVITY: IWW: St. Augustine (St. Johns County)

CONTRACT AMOUNT: TBD

DESCRIPTION OF WORK: Maintenance dredging in the entrance channel of the St. Augustine Inlet and associated Intracoastal Waterway (Cuts SJ-28 to SJ-30). Approximately 260,000 CY of material will be removed, down to 16-ft required depth in the entrance channel and 12-ft required depth plus 2-ft allowable over depth in the IWW. Dredge material will be placed on the beach south of the St. Augustine Inlet between monuments R-132 to R-152. Unsuitable beach quality material will be placed in the near shore between monuments R-142 to R-148. For the 2010 event, dune repair and sea oat planting/sand fence installation will be done north of monument R-131, as requested by Anastasia State Park.

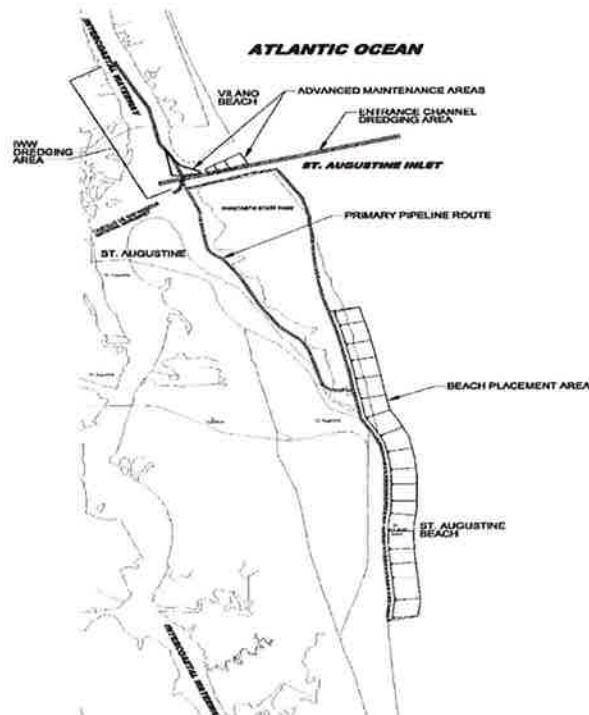
SCHEDULE:

Date we expect DEP permit:	22 Sept 2010A
Contract Advertisement Initiated:	TBD
Bid Opening:	TBD
Contract Award:	TBD
NTP Issued:	TBD
Dredging Complete:	TBD

FIND WORK ORDER: Work order was approved by the FIND Board in April 2011.

NAME OF CONTRACTOR: TBD

STATUS: There is a FP&L power line that crosses the Federal channel in an area that has not been dredged in many years (northern reach). Corps staff met with FP&L in Melbourne, Florida on 20 December 2011. The meeting was very productive with the outcome being that FP&L will pursue moving the line ASAP. After the New Year FP&L staff will set up a meeting with DEP to go over their proposed path forward. Corps PM has provided FP&L all environmental documentation produced as part of the St. Augustine IWW permit in hopes that this will help facilitate discussions with DEP. Once the meeting with DEP occurs we will have a better idea with the schedule. Funding is in place at the Corps to proceed. There are no environmental windows for beach placement of this dredge material.





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IWW STATUS UPDATE  
FIND Board of Commissioners Meeting  
January 13, 2012



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3. WORK ACTIVITY: IWW: Sawpit (Nassau County)

CONTRACT AMOUNT: TBD

DESCRIPTION OF WORK: The effort for Sawpit includes maintenance dredging from Cuts 7 to 27C. Based on a recent hydro survey from February 2010, Cuts 7 thru 11 have approximately 150K cy of material that would go upland to DMMA DU-2 and Cuts 24 thru 27C have approximately 200K cy of beach quality material that would be placed on Amelia Island. The beach template lies between FDEP monuments R-73 to R-79.

SCHEDULE:

Submit WQC permit application to DEP:	29 June 2011A
Pre Application Meeting	2 Aug 2011A
Date we expect DEP permit/NEPA:	27 March 2012
Contract Advertisement Initiated:	TBD
Bid Opening:	TBD
Contract Award:	TBD
NTP Issued:	TBD
Dredging Complete:	TBD

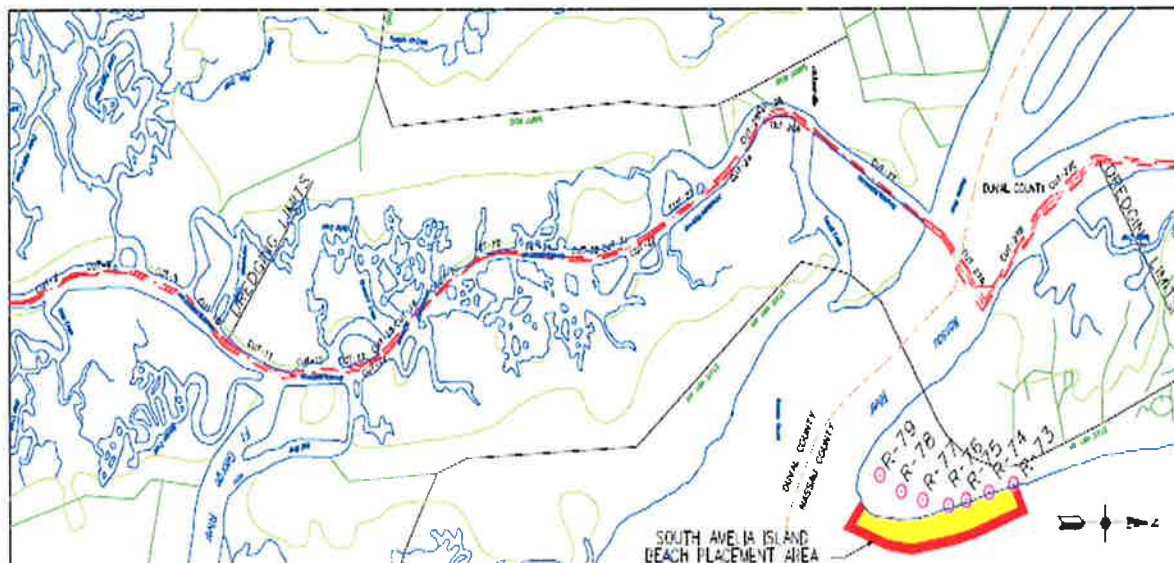
FIND WORK ORDER: Work Order was approved by the FIND Board in Feb 2011 for contributed funds to complete the permit application package.

NAME OF CONTRACTOR: TBD

STATUS: Received RAI #1 from DEP. Comments were minor in nature and primarily centered around some minor comments on the permit plats and a few comments about the turbidity variance requested due to being in an aquatic preserve. Responses were submitted back to DEP on 1 November 2011. Corps is putting together an estimate for preparation of the plans and specifications for this effort.

*Estimated Timeline:*

30 day review period after 11/1/11  
Notice of completion issued by DEP 12/14/11 A  
90 day review/draft period  
Notice of Intent/Draft Permit issued 3/13/12  
14 day publication period  
Final Permit 3/27/12





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FLORIDA INLAND NAVIGATION DISTRICT  
INTRACOASTAL WATERWAY  
WORK ORDER No. 31-2010-03  
Amendment No. 2



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In accordance with the Memorandum of Agreement (MOA) between the Department of the Army and the Florida Inland Navigation District for acceptance of Contributed funds for the Atlantic Intracoastal Waterway, entered into on the 3<sup>rd</sup> of September 1997, as amended on October 22, 2001, by amendment number 1, Work Order Number 30-2010-03 was entered into by the parties on August 17, 2010 for the construction and construction administration of Dredge Material Management Area (DMMA) IR-2, located in Indian River County, Florida. An amendment is now required because of additional construction administration activities that have been encounter during the course of the Project.

1. Detailed Scope of Work: The District would like to add the additional work to the Project: (1) award Option B of the contract which is the stabilization of onsite roadways with limerock and 2 water control structures for the road-\$105,270.00 (2) grading of the Australian pine removal area for drainage-approximately \$13,000.00, and (3) additional drainage structures to prevent turbid discharges from the drainage ditch as well to prevent tidal flow landward-approximately \$25,000.00.

2. Funding arrangements providing for funding of obligation: Contributed funds must be received and placed in escrow in accordance with the Memorandum of Agreement, as amended.

3. The amount of funds required and available to accomplish the additional scope of work: The amount requested from FIND for this amendment is \$143,270.00.

All other provisions of Work Order Number 30-2010-03 which was entered into by the parties on August 17, 2010 for the construction and construction administration of Dredge Material Management Area (DMMA) IR-2, located in Indian River County, Florida shall remain in full force and effect.

THE DEPARTMENT OF THE ARMY

FLORIDA INLAND NAVIGATION  
DISTRICT

BY: \_\_\_\_\_

BY: \_\_\_\_\_

Alfred Pantano  
Colonel, U.S. Army  
District Engineer

S. Norman Bray  
Chair, FIND

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

**GEOTECHNICAL SERVICES  
FOR THE  
INDIAN RIVER COUNTY DREDGING REACH I SEDIMENT SAMPLING PROJECT**

Page 47

**RFQ RATING AND EVALUATION SCORES**

<b>FIRM</b>	<b>REVIEWER 1 SCORE</b>	<b>REVIEWER 2 SCORE</b>	<b>REVIEWER 3 SCORE</b>	<b>REVIEWER 4 SCORE</b>	<b>REVIEWER 5 SCORE</b>	<b>AVERAGED SCORE</b>
American Vibracore	100	95	76	100	87	91.6
ANAMAR	96	75	81	100	93	89.0
Universal Engineering	94	85	69	100	91	87.8
PSI	85	87	46	95	92	81.0
Nodarse	74	70	48	90	96	75.6

**FLORIDA INLAND NAVIGATION DISTRICT**  
**REQUEST FOR QUALIFICATIONS**  
**FOR**  
**PROFESSIONAL GEOTECHNICAL SERVICES**  
**FOR THE**  
**INDIAN RIVER COUNTY DREDGING REACH I**  
**SEDIMENT SAMPLING PROJECT**

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**I. BACKGROUND**

The Florida Inland Navigation District (District) is the state sponsor of the Atlantic Intracoastal and Okeechobee Waterways (Waterways) in Florida. The District boundaries include the twelve east coast counties of Florida from Nassau through Miami-Dade County. As the state sponsor of the Waterways, the District has the responsibility of providing all lands required for the construction, operation and maintenance of the Waterways.

The District also has the authority to and sometimes performs project related engineering and surveying activities for the Waterways channels if the federal sponsor, the U.S. Army Corps of Engineers (USACE), is unable to perform them. The District wishes to perform sampling of the shoal sediments within Intracoastal Waterway Dredging Reach I of Indian River County in support of future maintenance dredging of these shoal sediments. These sampling services will include taking core borings of the shoal sediments and then properly handling and transporting these sediments to a USACE and state certified laboratory for testing of numerous constituents and physical characteristics. This work will be referred to in this Request for Qualification (RFQ) as the Project.

**II. PROJECT AREA**

This Project will include approximately 12,500 feet of Intracoastal Waterway Dredging Reach I of Indian River County, see Attachment A.

**III. PROJECT WORK**

Work performed under this Project will include taking between 6 and 25 core borings of the shoal sediments within the Intracoastal Waterway channel in the locations shown on Attachment A. Core boring locations will be identified and mapped using

Differential Global Positioning Equipment with sub-meter accuracy. Each boring will extend to -14 feet mean low water.

All core boring materials will be taken to a state and USACE certified laboratory for analysis. A Florida licensed Professional Engineer will classify the physical characteristics of samples using ASTM standards. The sediment samples will then be analyzed for metals, organochlorine pesticides, PCB, PAH, TOC, carbonate, grain size, and methyl-mercury.

A report will be prepared of the sampling event and laboratory results. The report will be certified by a Florida licensed Professional Engineer and a Florida licensed Geotechnical Engineer. The report will provide generalized subsurface profiles, boring logs, particle size distribution reports, and a summary of the laboratory test results of the physical parameters. A sediment chemistry report will be prepared and certified by the laboratory manager. The sediment chemistry report will provide clear sampling results of the constituents to be sampled, chain of custody records, quality control results, data reporting qualifiers and a table showing the test results and the FDEP soil concentration threshold limits for each constituent sampled with highlighting of any exceedences.

#### **IV. MINIMUM QUALIFICATIONS**

The Respondent or their sub consultants must currently employ a Florida licensed Professional Engineer and Florida licensed Geologist that have supervised a minimum of five similar projects within the last five years. The Respondent shall provide a copy of the required professional licenses as issued by the State of Florida and the five similar project references for each professional. Similar project references should be submitted on the Reference Form which is Attachment B.

#### **V. DELIVERABLES**

Deliverables from this project will be a certified sampling, laboratory and testing report in hard copy and digital formats. All data collection, testing, analyses, and reporting shall meet the minimum technical standards required by the industry as well as the State of Florida laws and administrative rules regarding professional standards.

#### **VII. GENERAL INSTRUCTIONS FOR THE PREPARATION AND SUBMISSION OF PROPOSALS**

##### **VII. 1. Issuing Office:**

Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter, FL 33477

Telephone (561)627-3386  
FAX (561)624-6480  
Project Manager: David K. Roach, Executive Director

**VII. 2 Time, Date, and Place Proposals are Due:**

Proposals must be received **NO LATER THAN 2:00 P.M.** local prevailing time on December 20, 2011.

Proposals should be addressed or delivered to the issuing office.

**CAUTION:** Proposals received after the time specified for receipt will not be considered.

**VII. 3 Description of Work Being Procured:**

Work to be performed in this Project is described in this RFQ.

**VII. 4. Type of Agreement Contemplated:**

The District intends to negotiate and enter into a fixed fee agreement with the highest rated Respondent for this Project. However, the District reserves the right to award another type of agreement or work order if such will be more advantageous to the District.

**VII. 5. Number of Awards:**

One Respondent will be selected for the Project as a result of this solicitation in accordance with the procedures of Consultants Competitive Negotiation Act (CCNA) and this RFQ. If a cost cannot be negotiated with the highest rated Respondent, then the District will employ the procedures of CCNA to continue cost negotiations with the next highest rated Respondent and so on until an agreement is reached that is acceptable to the District.

**VII. 6. Agreement Acceptance Period:**

The District expects to select a Respondent approximately sixty days after receipt of Proposals and take another thirty to sixty days to negotiate a cost agreement.

**VII. 7. Solicitation Schedule Information:**

The District intends to announce the ranking of Respondents on or about January 21, 2012 and initiate the contract work on or about February 21, 2012.

**VIII. SPECIFIC INSTRUCTIONS FOR THE PREPARATION OF PROPOSALS:**

The instructions for preparation of Proposals submitted in response to this RFQ have been prepared in order to minimize costs and response time, and to help ensure that all Proposals are reviewed and evaluated in a consistent manner.

Proposals submitted in response to this request should address the following components. The Proposals will be evaluated and rated on the Respondent's responses to these items and in accordance with the Proposal Evaluation Form which is Attachment C.

**ANY AND ALL INFORMATION SUBMITTED BY A RESPONDENT IN VARIANCE WITH THESE INSTRUCTIONS WILL NOT BE REVIEWED OR EVALUATED.**

Proposals shall consist of the following two parts:

**PART I: TRANSMITTAL LETTER (limit 1 page)**

This is to serve only as the document covering transmittal of the Proposal package. The letter should provide the name, title, address, and telephone number of the Respondent's official contact and alternate. These individuals shall have the authority to bind the Respondent and shall be available to be contacted by telephone or attend meetings as may be appropriate on or about the dates stipulated in Item VII. 7.

**PART II. PROPOSAL (limit 55 pages)**

A page shall consist of one type-written side of standard size 8 1/2 x 11 inch stationery.

**Proposals shall contain the following six sections:**



**(1) Introduction**

The content of this section shall be at the discretion of the Respondent.

**(2) Respondents Qualifications**

Respondents shall describe in precise terms their qualifications and capabilities to conduct the Project as outlined in this RFQ. This description should include the Respondent's ability to perform the sampling and testing of shoal sediments as described in the RFQ.

**(3) Respondent's Equipment**

Respondents shall provide a list and description of the sampling, surveying, field equipment, and testing equipment that they will utilize for the Project.

**(4) Qualifications, Experience and Ability of Respondents Proposed Personnel Assigned and Level of Effort**

Respondents shall provide the names, qualifications and work histories of the key personnel, including the professional engineer and geologist, to be assigned to the Project. The availability and permanent work station of assigned personnel shall be stated. For each individual assigned to the Project, his estimated level of effort for this Project and his current workload shall be provided, both in man-hours per year and as a percentage of his total workload.

**(5) Respondents Past Performance Record**

Respondents will list a minimum of five references for which the Respondent's Professional Engineer and Professional Geologist each have performed similar services in the last five years. Specific contact names and telephone numbers shall be provided for all references listed. References should be submitted on the Reference Form which is Attachment C.

**IX. NUMBER OF PROPOSAL COPIES TO BE SUBMITTED.**

Six (6) signed copies each of the Transmittal Letter and Proposal are to be submitted as directed under paragraph VI.2. Each copy of the Letter and Proposal is to be packaged individually.

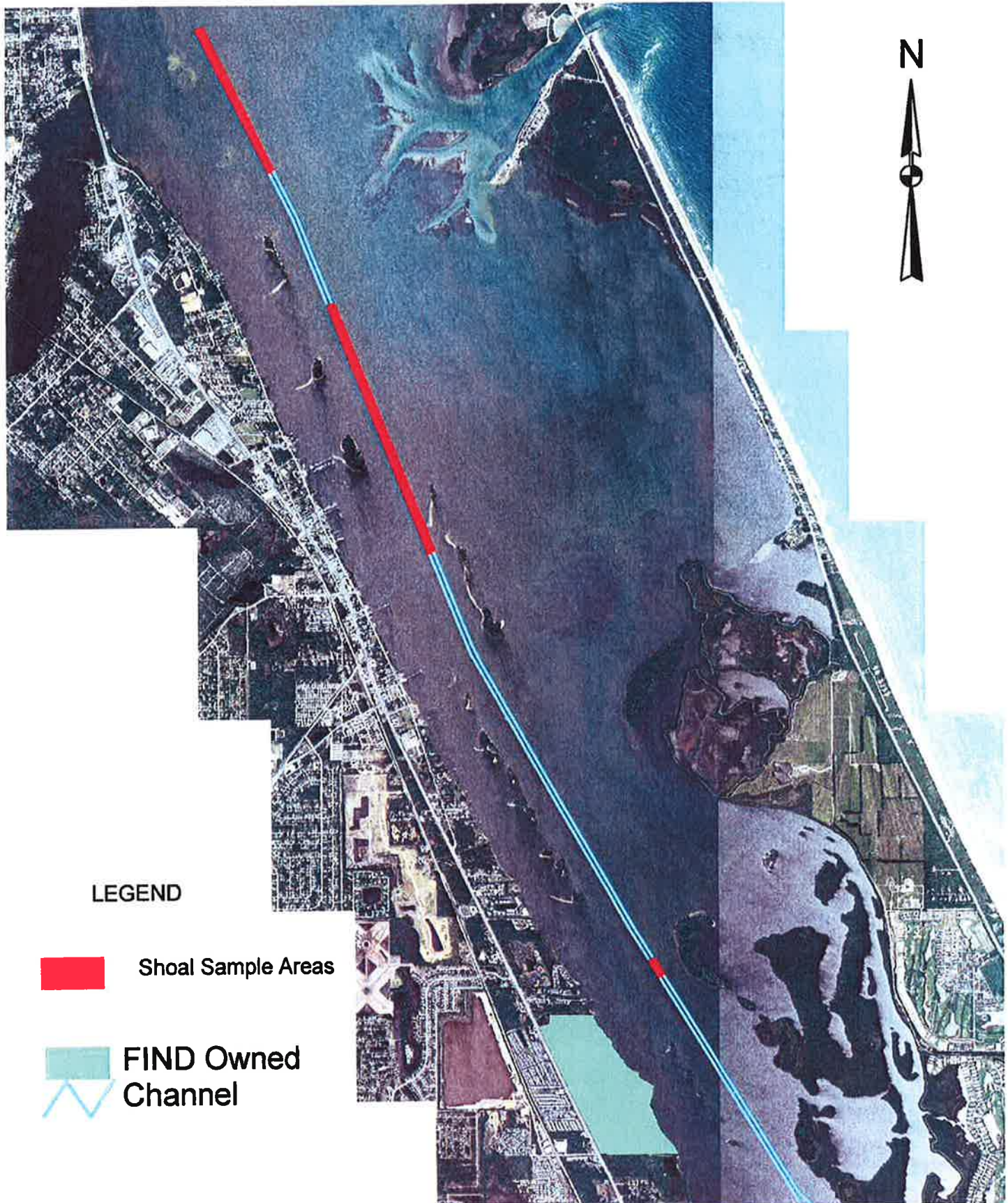
## **X. PROPOSAL EVALUATION**

The factors to be used in conducting evaluations of each proposal are indicated in Attachment C, the Proposal Evaluation Form. The District will appoint a review committee of no less than three members and no more than five members to review the Proposals received for this Project. At the discretion of the District, the top rated Respondents may be invited to make an oral presentation prior to a final decision on the rankings of Respondents. If oral presentations are made, the review committee may re-evaluate the Respondents making oral presentations and re-score their Proposals.

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Attachment A  
INDIAN RIVER COUNTY  
DREDGING REACH I  
SEDIMENT SAMPLING PROJECT

Page 54



**Attachment B****REFERENCE FORM**

**NOTE: A completed Reference Form must be submitted for both the Respondents Professional Engineer and Professional Geologist.**

RESPONDENT'S COMPANY NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

FLORIDA LICENSED PROFESSIONAL ENGINEER OR GEOLOGIST NAME:

\_\_\_\_\_

LICENSE NUMBER: \_\_\_\_\_

LICENSE TYPE: \_\_\_\_\_  
(Attach copy of license)

STATE: \_\_\_\_\_

LICENSE LIMITATIONS, IF ANY: \_\_\_\_\_  
(Attach a separate sheet, if necessary)

**REFERENCES**

Provide the names, addresses, and telephone numbers of five (5) clients (former or current) who can attest to your company's experience in work similar in nature to the Projects and Project types identified by this RFQ in the spaces provided below.

1.

FIRM NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ COMPLETION DATE: \_\_\_\_\_

PROJECT DESCRIPTION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.

FIRM NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ COMPLETION DATE: \_\_\_\_\_

PROJECT DESCRIPTION:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3.

FIRM NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ COMPLETION DATE: \_\_\_\_\_

PROJECT DESCRIPTION:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. FIRM NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_  
PROJECT NAME: \_\_\_\_\_  
START DATE: \_\_\_\_\_ COMPLETION DATE: \_\_\_\_\_  
PROJECT DESCRIPTION:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. FIRM NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_  
PROJECT NAME: \_\_\_\_\_  
START DATE: \_\_\_\_\_ COMPLETION DATE: \_\_\_\_\_  
PROJECT DESCRIPTION:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ATTACHMENT C**

**FLORIDA INLAND NAVIGATION DISTRICT**

**REQUEST FOR QUALIFICATIONS**

**FOR**

**PROFESSIONAL GEOTECHNICAL SERVICES**

**FOR THE**

**INDIAN RIVER COUNTY DREDGING REACH I**

**SEDIMENT SAMPLING PROJECT**

**PROPOSAL EVALUATION FORM**

NAME OF FIRM \_\_\_\_\_

<b>EVALUATION CATEGORIES</b>	<b>Relative Weight</b>	<b>Rating Score</b>
<b>1. Respondent's Qualifications</b> Demonstration of the Respondent's qualifications and technical capabilities to perform the project.	<b>30 points</b>	_____
<b>2. Respondent's Equipment</b> Demonstration that the Respondent has the necessary equipment to perform the Project.	<b>20 points</b>	_____
<b>3. Personnel Assigned and Level of Effort</b> Demonstration of the qualifications of Respondents key personnel assigned to the project and their availability to the project in terms of location and work load.	<b>20 points</b>	_____
<b>4. Respondents Past Performance Record</b> Adequate record in the past five years of the satisfactory performance of similar sampling and testing projects.	<b>30 points</b>	_____
<b>Totals</b>	<b>100 points</b>	_____

**Evaluator's Signature** \_\_\_\_\_



## T A Y L O R   E N G I N E E R I N G   I N C

December 29, 2011

Mr. David K. Roach  
Executive Director  
Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter, FL 33477

Re:    Scope of Professional Engineering and Permitting Services  
      Dania Cutoff Canal, Broward County, Florida

Dear Mr. Roach:

Due to the unforeseen results of the infiltration test — indicating that the Port Everglades Dredged Material Management Area (DMMA) provided a very low infiltration rate — the selected contractor (Lucas Marine Acquisition Company, LLC) indicated that the site would not

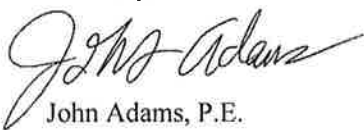
- (1) Support infiltration of the volume of water the environmental clamshell bucket will place in the DMMA
- (2) Support the necessary dredged material production rate
- (3) Meet the stated permit conditions (no water discharge from either the self-contained barge or upland DMMA)

These site limitations require modification of the regulatory authorizations (Florida Department of Environmental Protection, U.S. Army Corps of Engineers, and Broward County) to allow water discharge from the DMMA.

Toward this end, Taylor Engineering provides the attached Scope of Services (Attachment A) and Cost Proposal (Attachment B) to modify FIND Work Order 10-03. Attachment A provides an abbreviated project background and detailed description of the two tasks (i.e., sediment chemistry evaluation and permit modification requests). To date, we have completed Task 1 and a portion of Task 2, with the costs in Attachment B representing our actual cost to complete the work. Due to the unknown time and effort to complete the second task, we propose to perform this work for a cost-plus, not-to-exceed amount of \$21,893.

If you have any questions concerning this proposal, please contact Lori Brownell, P.E. or me.

Sincerely,



John Adams, P.E.  
Senior Advisor

Attachments





**SCOPE OF PROFESSIONAL ENGINEERING AND PERMITTING SERVICES  
DANIA CUTOFF CANAL, BROWARD COUNTY, FLORIDA**

**TASK 1 SEDIMENT CHEMISTRY EVALUATION**

Taylor Engineering has re-reviewed the March 2006 Ellis & Associates geotechnical and Severn Trent sediment chemistry reports (each submitted with the original permit application), prepared a technical report for submittal to the regulatory agencies, and sent the report to FIND for review and comment. The technical report evaluated sediment chemistry results for (Polycyclic Aromatic Hydrocarbon [PAH], Pesticides/Polychlorinated Biphenyls [PCBs], and Metals) in terms of the FDEP Sediment Quality Assessment Guidelines (SQAGs), Florida Administrative Code 62.777 soil cleanup target levels, and EPA guidance (Environmental Protection Agency (EPA) benchmark analytic methods.

**TASK 2 PERMIT MODIFICATION REQUEST(S)**

Once the Florida Inland Navigation District (FIND) has approved the technical report (Task 1), Taylor Engineering will submit a permit modification request to each of the applicable regulatory agencies. We will actively coordinate with staff at each agency to ensure that they receive and understand the modification requests. As part of this task, we previously arranged for a face-to-face meeting (conducted on December 15) and presented the results of the technical report and, as a result, prepared a water quality monitoring plan to incorporate into the applicable regulatory permits. We will also actively coordinate with the contractor to address any questions regarding the permit modifications.

**TAYLOR ENGINEERING, INC.**  
**COST SUMMARY BY TASK**  
**P2011-240: DCC SCOPE OF PROFESSIONAL ENGINEERING AND**  
**PERMITTING SERVICES**

<b>TASK 1: Sediment Chemistry Evaluation</b>			
<i>Labor</i>	Hours	Cost	Task Totals
Director	59.0	9,086.00	
Senior Professional	4.0	512.00	
Staff Professional	4.0	344.00	
Technical Editor	5.0	475.00	
Total Man-Hours	72.0		
Labor Cost			10,417.00
<i>Total Task 1</i>			10,417.00

<b>TASK 2: Permit Modificaiton Request(s)</b>			
<i>Labor</i>	Hours	Cost	Task Totals
Vice President	8.0	1,544.00	
Senior Advisor	12.0	2,100.00	
Director	50.0	7,700.00	
Total Man-Hours	70.0		
Labor Cost			11,344.00
<i>Non-Labor</i>	Units	Cost	
Car Rental	1.0	90.00	
Per Diem	3.0	30.00	
Non-Labor Cost		120.00	
Fee @ 10.0%		12.00	
Total Non-Labor Cost			132.00
<i>Total Task 2</i>			11,476.00

**Project Total    \$ 21,893.00**

#### ARTICLE 4

##### TITLE/RESERVATION OF TITLE

This Agreement shall vest in LICENSEE no right, title nor interest in and to the Premises, described in Exhibit "B," other than the privilege of using same for the expressed purposes and on the terms and conditions herein set forth. It is expressly understood that the fee ownership to said Premises shall remain in COUNTY for such use and occupation as COUNTY, its successors or assigns may desire to make of the Premises, subject only to the license rights hereby given to LICENSEE.

#### ARTICLE 5

##### TERM

The term of this Agreement shall be for a period of one (1) year from the Commencement Date, unless sooner terminated as provided herein. The term may be extended for one year by mutual agreement of the Parties. The Effective Date shall mean the date upon which this Agreement is approved by the COUNTY through its Board of County Commissioners. The Commencement Date shall mean thirty (30) days after LICENSEE provides COUNTY with written notification of its intent to take occupancy of the Premises to begin site preparation.

#### ARTICLE 6

##### USE OF PREMISES; PLANS; DAMAGE TO PREMISES

6.1 The COUNTY's infrastructure and the subject premises shall be maintained in a good state of repair. Licensee's Operations shall be in accordance with all laws, ordinances and regulations now or hereafter imposed by all governmental bodies, agencies or regulatory entities having jurisdiction over such activities, including the reasonable requirements of COUNTY.

6.2 The following plans will guide the development, use and management of the Premises. These plans, if not already developed, will be developed in accordance with the schedule and methodology stipulated below. LICENSEE shall seek written approval from COUNTY prior to deviating from the approved plans and shall submit a written request to COUNTY for permission to deviate from the approved plans. Such approval shall not be unreasonably withheld.

6.2.1 DREDGING PLAN: LICENSEE shall submit a dredging plan to COUNTY for its approval prior to or simultaneously with LICENSEE's 30 day written notice to COUNTY that LICENSEE intends to begin site preparation on the Premises. This plan will include the following information: (a) a copy of all permits issued for the Licensee's Operations, (b) a timeline for Licensee's Operations, (c) an estimate of the dredging volume, (d) a pre-dredging topographic survey of the Confined Disposal Facility, hereinafter referred to as

"CDF", (e) pre-dredging certification performed by a recognized and qualified independent third party satisfactory to the COUNTY, that no Hazardous Substances", "Hazardous Waste", or other contaminants are present on the Premises above levels which would exceed allowable levels set forth in the Environmental Laws referenced in Article 9 of this Agreement or the Soil Cleanup Target Levels (Direct Exposure-industrial) set forth in Chapter 62-777, F.A.C., and laboratory results of the testing of the proposed Dredged Material for the eight (8) metals outlined in the Resource Conservation & Recovery Act ("RCRA") as amended, petroleum products, pesticides, and polychlorinated biphenols (PCBs)(commonly measured with chlorinated pesticides). LICENSEE will also provide an Indemnity and Payment bond in the amount of seven (7) million dollars (\$7,000,000.00) to COUNTY sufficient to cover the cost of the removal of the Dredged Material and any "Hazardous Substances" to be placed on the Premises any repairs to the Premises caused by LICENSEE. LICENSEE shall not place any Dredged Materials on the Premises until the COUNTY has approved the dredging plan.

6.2.2 DREDGED MATERIAL REMOVAL PLAN: LICENSEE shall develop a Dredged Material removal plan within ninety (90) days of the execution of this LICENSE. This plan shall be submitted to COUNTY for, and subject to its, approval. This plan shall include provisions for a post removal topographic survey of the CDF. This survey along with the pre-dredging topographic survey required in the Dredging Plan will provide the basis for the final determination of the completion of Dredged Material removal. This plan shall also include a provision for a pre-dredging and post-removal certification performed by a recognized and qualified independent third party satisfactory to the COUNTY that no "Hazardous Substances," "Hazardous Waste," or other contaminants are present on the Premises above levels , that were present prior to Licensee's Operations.

6.2.3 The cost of all work required to construct and maintain the Premises for Licensee's Operations including, but not limited to materials and labor needed to construct dikes, haul roads, weirs, etc., shall be borne by LICENSEE.

6.3 LICENSEE shall repair any damage or injury to the Premises or otherwise caused by its exercise of the privileges granted in this Agreement, including all roadways, buildings and structures, promptly restoring the same to the condition at least equal to that existing immediately prior to such damage or injury, at no cost whatsoever to COUNTY. The obligation of the LICENSEE in this respect shall survive Licensee's Operations and shall be applicable to further damage which results from settlement of earth or other cover materials or otherwise unless such damage is caused by others.

6.4 Except as otherwise provided herein, all brush, trimmings and other growth cut by LICENSEE and all earth and other material removed by LICENSEE shall be removed and disposed of by LICENSEE at its own cost and expense and at no cost or expense whatsoever to COUNTY.

From Standard Bid Template:

In lieu of the Performance and Payment Bond, CONTRACTOR may furnish an alternate form of security which may be in the form of cash, money order, certified check, cashier's check or irrevocable letter of credit

**FORM OF PERFORMANCE AND PAYMENT BOND**

KNOW ALL MEN BY THESE PRESENTS:

That we \_\_\_\_\_ as Surety, are bound to the Board of County Commissioners of Broward County, Florida, as Obligee, hereinafter called COUNTY, in the amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) for the payment whereof CONTRACTOR and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, CONTRACTOR has by written agreement entered into a Contract dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, with COUNTY for \_\_\_\_\_ which Contract is by reference made a part hereof, and is hereinafter referred to as the Contract.

THE CONDITION OF THIS BOND is that if the CONTRACTOR:

1. Performs the Contract between the CONTRACTOR and the COUNTY for construction of \_\_\_\_\_, the Contract being made a part of this Bond by reference, at the times and in the manner prescribed in the Contract; and
2. Promptly makes payments to all claimants, as defined in Section 255.05 (1), Florida Statutes, supplying CONTRACTOR with labor, materials, or supplies, used directly or indirectly by CONTRACTOR in the prosecution of the work provided for in the Contract; and
3. Pays COUNTY all losses, damages, expenses, costs and attorneys fees including appellate proceedings, that COUNTY sustained; and
4. Performs the guarantee of all work and materials furnished under the Contract for the time specified in the Contract, then this Bond is void; otherwise it remains in full force.

The Surety hereby waives notice of and agrees that any changes in or under the Contract Documents and compliance or noncompliance with any formalities connected with the Contract or the changes does not affect Surety's obligation under this Bond.

Whenever CONTRACTOR shall be, and declared by COUNTY to be, in default under the Contract, the COUNTY having performed COUNTY'S obligation thereunder, the Surety may promptly remedy the default, or shall promptly

- (1) Complete the CONTRACT in accordance with its terms and conditions; or
- (2) Obtain a bid or bids for completing the Contract in accordance with its terms and

conditions, and upon determination by Surety of the lowest responsible Bidder, or, if the COUNTY elects, upon determination by the COUNTY and surety jointly of the lowest responsible Bidder, arrange for a Contract between such Bidder and COUNTY, and make available as work progresses (even though there should be a default or a succession of defaults under the Contract or Contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion less the balance of the Contract price; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the Contract price," as used in this paragraph, shall mean the total amount payable by COUNTY to CONTRACTOR under the Contract and any amendments thereto, less the amount properly paid by COUNTY to CONTRACTOR.

### **FORM OF PERFORMANCE AND PAYMENT BOND**

No right action shall accrue on this bond to or for the use of any person or corporation other than the COUNTY named herein and those persons or corporations provided for by Section 255.05, Florida Statutes, or their heirs, executors, administrators or successors.

Any action under this Bond must be instituted in accordance with the Notice and Time Limitations provisions prescribed in Section 255.05(2), Florida Statutes.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, A. D., 20\_\_.

\_\_\_\_\_  
(Corporation)

\_\_\_\_\_  
(Name of

WITNESSES:

\_\_\_\_\_  
Secretary

BY:

\_\_\_\_\_  
(Signature and Title)

BY:

\_\_\_\_\_  
(Type Name and Title signed above)  
(CORPORATE SEAL)

IN THE PRESENCE OF:

\_\_\_\_\_  
INSURANCE COMPANY:

\_\_\_\_\_

BY:

\_\_\_\_\_

Agent and Attorney-in-Fact

Address:

\_\_\_\_\_

(Street)

\_\_\_\_\_  
(City/State/Zip Code)

Telephone No.:

\_\_\_\_\_



## ATTACHMENT C

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 4-24-06, Amended 4-15-07, 3-25-08, - -11.*

**66B-2.016 Waterways Cleanup Events.**

Proposals shall be accepted for financial assistance for the organized removal of refuse within the District's waterways. The applicable provisions of this rule apply to these applications with the following additions or exceptions:

- (1) Application Procedure: Prior to the event, a request for funding shall be submitted to the District by means of a cover letter detailing the occurrence of the cleanup, contact information, a map of the cleanup locations and the general parameters of the event. In addition, the Applicant will submit a detailed budget clearly delineating the expenditure of all District funds, as well as the overall general budget of the event. Proposals may be submitted to the District and considered by the Board at any time during the year.
- (2) Availability: The District shall fund a maximum of one clean-up program per waterway, per year within a county, with exception to the provisions of items (8) through (10), below.
- (3) Applicant Eligibility: The clean-up program must be sponsored by a government agency or a registered not-for-profit corporation.
- (4) Funding: District funding shall be limited to \$5,000.00 per waterway, per county, except for the provisions of items (8) through (10), below.
- (5) The District shall be recognized in all written, on-line, audio or video advertising and promotions as a participating sponsor of the clean-up program.
- (6) Funding Eligibility: The funding provided by the District shall only be allocated to reimburse the applicant for out of pocket expenditures related to specific cleanup program expenses such as trash bags, trash collection, haul and landfill fees, gloves, advertising, T-shirts, and related expenses. The funding provided by the District shall not be allocated for parties, meetings, food or beverages.
- (7) The District Board shall make all final decisions concerning the provision of funding for a clean-up program.

In addition to the requirements stated above, a cleanup program implementing all of the following additional incentives will qualify for up to additional \$5,000 in clean up funds.

- (8) The clean-up program budget must provide equal or greater matching funds for all Navigation District funding.
- (9) The applicant shall tally and report the composition and location of the waterway-related debris, with the goal to show definitive progress in the amount of refuse collected, a reduction in the overall debris in the waterway, or an increase in the number of additional waterway areas included in the clean up.

ATTACHMENT C

- (10) For each additional \$1,000 in Navigation District funding, the applicant shall coordinate a minimum of one waterway collection point or clean up area, or an applicant can conduct an additional waterway cleanup program for the waterway areas.

*Specific Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New -- --11*

DEC 06 2011

FLORIDA INLAND  
NAVIGATION DISTRICT

December 5, 2011

Mr. Mark Crosley  
Assistant Executive Director  
Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter, FL 33477-9498

Dear Mark,

Preparations are underway for the Marine Industries Association of South Florida's 35<sup>th</sup> Annual Waterway Cleanup, set for Saturday, March 10, 2012. Last year through your generous support and 1,800 enthusiastic volunteers the event continued to be Broward County's largest environmental event. We will continue to strive to retain this honor in 2012.

The FIND Commissioners' recent visit to Broward County and the Fort Lauderdale International Boat Show hopefully emphasized how important the waterway is to Broward's community.

MIASF continues to look for areas to improve the event and to engage the next generation of volunteers. FIND's partnership remains a key component to this year's event. Attached is the proposed budget for this year's event, specifically outlining where FIND's funding would be applied as well as other organizations that will help us match FIND's monies. We value the years of continued support from the Florida Inland Navigation District and appreciate the consideration of being the \$10,000 level Presenting Sponsor of the 35<sup>th</sup> Annual Waterway Cleanup.

Best regards,



Patience Cohn

## 35<sup>th</sup> Annual Waterway Cleanup Budget Final

### Expenses

- Advertising/Marketing & Educational Awareness \$8,000  
 (Banners / 125,000 WWCU Brochures / 250 WWCU Posters)  
**\*\$4,000 of FIND's contribution will be allocated to the Advertising/Marketing & Educational Awareness section of the budget.**
  
- T-Shirts, Boat Flags (for 2,000 volunteers) \$8,000  
**\*\$2,500 of FIND's contribution will be allocated to the Volunteer Recognition/Identification section of the budget**
  
- Supplies \$6,000  
 (trash bags, shirts, kits, first aid, waste removal, etc.)  
**\*\$3,000 of FIND's contribution will be allocated to the Supplies section of the budget.**
  
- Press Conference & Sponsor Appreciation \$3,000
  
- Year-long Recognition Expenses \$2,000  
**\*\$500 of FIND's contribution will be allocated to the Year-long Recognition section of the budget.**
  
- Insurance \$3,000
  
- Total Estimated Expenses \$30,000**

### Income

- Sponsorship/Grant Funding \$30,000  
 -including Florida Inland Navigation District, FDEP Coral Reef Conservation Program, Broward County EPD, Coral Springs Improvement District, North Springs Improvement District, South Florida Water Management District, Lauderdale Isles Water Management District, City of Fort Lauderdale, City of Oakland Park, City of Coconut Creek, Florida Power & Light
  
- Total Sponsorship Contributions/Grant Funding \$30,000**

**NO LAST MINUTE  
MAGIC FOR TEBOW**

Tom Brady and  
the Patriots  
slow down  
Bronco's QB to  
clinch playoff  
berth.  
SPORTS, 5C

Page 71  
**1/2**  
**OFF**

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# The Stuart News

SCRIPPS TREASURE COAST NEWSPAPERS

Monday, December 19, 2011

STUART NEWS INVESTIGATION

## **FIND facilities could draw backlash in Martin County**





**By George Andreassi**  
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**MARTIN COUNTY** — Florida Inland Navigation District officials anticipate opposition every time they build a sediment processing facility, and that could mean backlash from residents in development-wary Martin County once several projects eventually move forward.

FIND plans to build five new earthen basins in Martin County to handle sediment dredged from the Intracoastal and Okeechobee waterways, district records show. Another sediment facility is planned just north of County Line Road in St. Lucie County.

Sediment facilities the agency plans in Hobe Sound and Palm City Farms are expected to face opposition from nearby homeowners just like the controversial "IR-2" project under construction near Sebastian, said David Roach, FIND executive director.

Homeowners in the Loblolly subdivisions have raised environmental concerns in the past about FIND's proposal to develop a sediment basin in their affluent Hobe Sound neighborhood, county records show.

"I think a lot of them are going to have the attitude that the IR-2 folks have. There's no question," Roach said about the homeowners in the Loblolly

See FIND, 4A

## INSIDE

- See a map showing FIND dredged material management areas in St. Lucie and Indian River counties. 4A
- Meet the people of FIND, who direct the taxpayer dollars that help maintain the Intracoastal Waterway. 5A

## About This Package

In these tight times where every tax dollar must be wisely spent, Scripps Treasure Coast Newspapers spent months investigating the Florida Inland Navigation District, which collects \$20 million in taxes each year.

Staff sifted through hundreds of records and interviewed officials and residents to show how your tax dollars are spent to dredge the Intracoastal and Okeechobee waterways, purchase waterfront property to store the dredged materials, contribute to local projects that enhance public access to the waterways and reimburse FIND commissioners for travel expenses to monthly meetings at pricey lodgings.

**Share your thoughts on this project:** Contact us at [watchdog@scripps.com](mailto:watchdog@scripps.com).

WATCHDOG  
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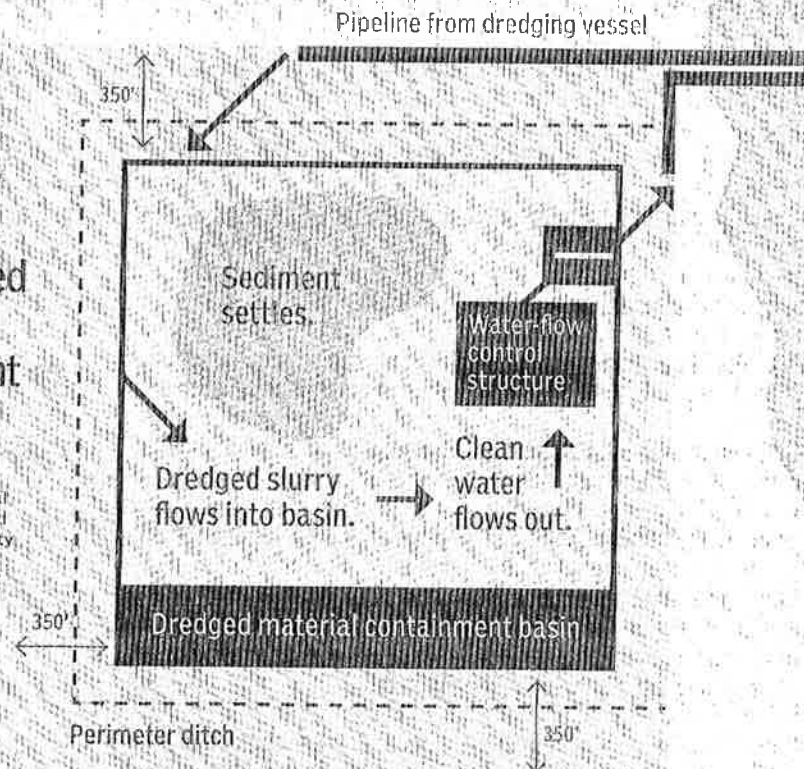
For photos, video, related documents and an interactive map, go to:

[FINDinvestigation.com](http://FINDinvestigation.com)

## CONTAINING DREDGED MATERIAL

Here's a look at how a typical FIND dredged material management area works.

Typical dredged material management area based on SL-2 in St. Lucie County



1. A dredging vessel vacuums sediment and water from the navigation channel and pumps mixture into pipeline.
2. Slurry, a mixture of about 20 percent sediment and 80 percent water, flows into the containment basin.
3. Sediment settles and the water-flow control structure allows clean water to flow into outflow pipeline and back into waterway.
4. Reusable sand is provided for local government projects, such as beach renourishment, dune restoration and road maintenance.

## FIND from 1A

subdivisions. "We would prefer you not being in our backyard. We're concerned about noise, smell, contaminants, dust. They'll have all the same concerns."

"And we'll be saying the same thing. We're going to be a good neighbor. We've always been a good neighbor," Roach said. "We're spending a lot of money to do this the right way. Our buffer areas exceed by 10 times what's required in the code for industrial/commercial areas."

Barry Mawn, president of the Loblolly Pines Property Owners' Association, and John Puth, president of the Loblolly Bay Property Owners' Association, agreed FIND has been a "good neighbor."

"I guess we would just have to wait and see whether that would be a problem for us," Puth said about the proposed sediment basin.

FIND prefers establishing the sediment processing facilities on agricultural land or industrial areas away from residential neighborhoods to avoid conflicts with homeowners, Roach said. FIND's sediment processing site near Sebastian was relatively isolated when the district bought the property in the late 1990s, but now there are homes in the area.

Roach said he expects a repeat of the opposition by new homeowners when residential development occurs near the district's sediment site on Boat Ramp Road in Palm City Farms.

"Right now we have this piece of property out there. There is nobody out there. Our neighbor, Shadow Lake Grove is just farming out there," Roach said. "But you know, he doesn't own that property in the long term for farming. That's just an interim use. So at some point when things are ripe, he's going to sell that off for development and that's the bottom line."

"We are going to start to do some prep work out there, building the buffer area, doing some fencing... getting ready for our neighbors out there when they show up," Roach said. "In the future, it's just going to be like IR-2. It's going to be surrounded by neighbors. And there's nothing we can do about that."

So far, FIND's long-standing plans for a half-dozen new sediment basins largely have gone unnoticed by the general public in Martin County. That might be because only one of the proposed facilities is set for construction within the next five years and it is located on an isolated agricultural tract.

Jacqueline Phillips, a homeowner on Southeast 171st Street, said she had no idea a state agency plans to build a sediment processing facility on U.S. 1 in Tequesta, within a quarter-mile of her neighborhood.

"I wasn't aware of it," Phillips said. "I noticed that they had cleared it a couple of years ago. I was kind of wondering what that was all about actually."

Longtime County Line Road area residents Frances Hall and Lucinda Oliver said they never heard about FIND's plans to build a sediment basin across the street from their homes, just north of the St. Lucie County line.

"No, we didn't know nothing about it," Oliver said. "Something like this, they should send something to the homeowners."

But Oliver and Hall said they would rather see the heavily wooded land near their homes being developed into a FIND sediment facility in the future, instead of a new residential subdivision like the defunct Savanna Dunes that had been proposed for the property in the early 1990s.

"What we find, even after we build these sites and use them, is our neighbors like the park like atmosphere of the FIND properties with the buffers and the fact that we don't use them much," Roach said. "And when we do use them, all that's in here is a pipe just with water running. It's not construction

equipment. So it's really a quiet activity, and we find our neighbors for the most part just thankful that they don't have other neighbors back there."

State statutes require local governments in coastal areas to identify locations for sediment disposal facilities in the future land use section of their Comprehensive Growth Management Plan, Roach said. FIND wants Martin County to show all of the district's sediment sites in the county growth plan so people considering purchasing land nearby can see what's planned.

But so far that hasn't happened, county records show. And proposals to change the growth plan, which guides development, are often controversial in Martin County.

"We'll see how that turns out," Roach said. "It's not anything that we can force them to do."

FIND plans to build a sediment processing facility near the St. Lucie Lock and Dam in Tropical Farms in 2012 and dredge the Okeechobee Waterway in 2013, but the property does not have the required land use and zoning designations, county and dis-

Roach and Martin County planners disagreed on whether FIND must follow the county's strict development rules while building the 32-acre earthen basin and an access road on the 77-acre agricultural tract.

"A dredge spoil site is not a permitted use on the site with this land use and zoning," said Richard Lawton, a county planner. "The site would need a land use and zoning change."

But Roach said FIND does not anticipate needing county approval to build the sediment processing facility "because we will be acting as contractors for the federal government."

"The Atlantic Intracoastal Waterway project is a congressionally authorized federal navigation project supporting intrastate commerce," Roach said. "As such, it is exempted from local laws through federal supremacy."

FIND works with the U.S. Army Corps of Engineers to maintain and manage the Okeechobee and Intracoastal Waterways.

None of the other Martin County properties where FIND plans to build sediment processing facilities have the land use and zoning designations needed to comply with the county's growth plan, county records show.

That was not a problem for the Sebastian area facility because the Indian River County commissioners added it to the growth plan in the late 1990s, county records show.

In 1998, the Loblolly homeowners successfully fought a change to the county's growth plan that would have set the stage for the sediment facility on Gomez Avenue, county records show. They presented county planners with an environmental assessment that concluded FIND had downplayed the protected habitat and gopher tortoises on the waterfront property.

Since then, the Loblolly homeowners have taken a wait-and-see approach to the proposed sediment facility.

"I don't know of anybody off hand that's coming up to us and saying, 'We're real upset,'" Mawn said. "They keep us updated, and so we have no complaints.... My understanding is that we would get plenty of notice before they actually did that and it would be a number of years out. We obviously want to be informed of that."

## SPOIL ISLANDS

FIND created spoil islands from material dredged during the creation and dredging of the Intracoastal Waterway in the Indian River Lagoon.

Martin County: 4  
St. Lucie County: 34  
Indian River County: 49



## FIND INVESTIGATION

## M-12

**Location:** Indian River Drive, north of County Line Road, east of Wetland Way

**Description:** Permanent facility to process sediment removed from Intracoastal Waterway in northern Martin County from the St. Lucie County line to the Ernest F. Lyons Bridge

**Site size:** 68.42 acres

**2011 market value:** \$1,392,400

**Containment basin:** 18 acres

**Impacted area:** 24 acres

**Basin capacity:** 169,000 cubic yards

**Estimate of sediment received over 50 years:** 165,000 cubic yards

**Construction date:** Not in FIND's 5-year plan

**Dredging project:** Not in FIND's 5-year plan

**Amount to be dredged:** 24,800 cubic yards

**Environmental features:** Freshwater marshes, isolated freshwater wetlands, herbaceous wetlands, hardwood wetlands

## O-23

**Location:** East of Savannah Road, north of Florida East Coast railway tracks and south of the Martin County Business Park in Rio

**Description:** Permanent facility to process material removed from the Okeechobee Waterway from the tip of Sewall's Point to 2 miles east of the Roosevelt Bridge

**Site size:** 30.66 acres

**Current market value:** \$2,309,740

**Containment basin:** 15.11 acres

**Impacted area:** 19.39 acres

**Basin capacity:** 247,902 cubic yards

**Estimate of sediment received over 50 years:** 243,984 cubic yards

**Construction dates:** Not in FIND's 5-year plan

**Dredging project:** Not in FIND's 5-year plan

**Amount to be dredged:** 24,000 to 48,800 cubic yards

**Environmental features:** Forested wetland, vegetated retention ponds and a 520-foot-long segment of Warner Creek

FIND  
IN YOUR  
BACKYARD

Here is a look at the **FIND Dredged Management Material Areas** planned for Martin County. The map shows the general location of each facility and provides details on each.

## MORE ONLINE

An interactive graphic with more detail on the dredging sites, plus photos, video and documents related to each. Go to:

[FINDinvestigation.com](http://FINDinvestigation.com)

## O-35A

**Location:** West of Boat Ramp Road, south of the C-23 Canal and the St. Lucie County line, in Palm City Farms

**Description:** Permanent facility to process material removed from the Okeechobee Waterway from two miles east of the Roosevelt Bridge to just south of the Palm City Bridge in northern Martin County

**Site size:** 126.72 acres

**Current market value:** \$811,010

**Containment basin:** 29.96 acres

**Impacted area:** 33.39 acres

**Basin capacity:** 314,318 cubic yards

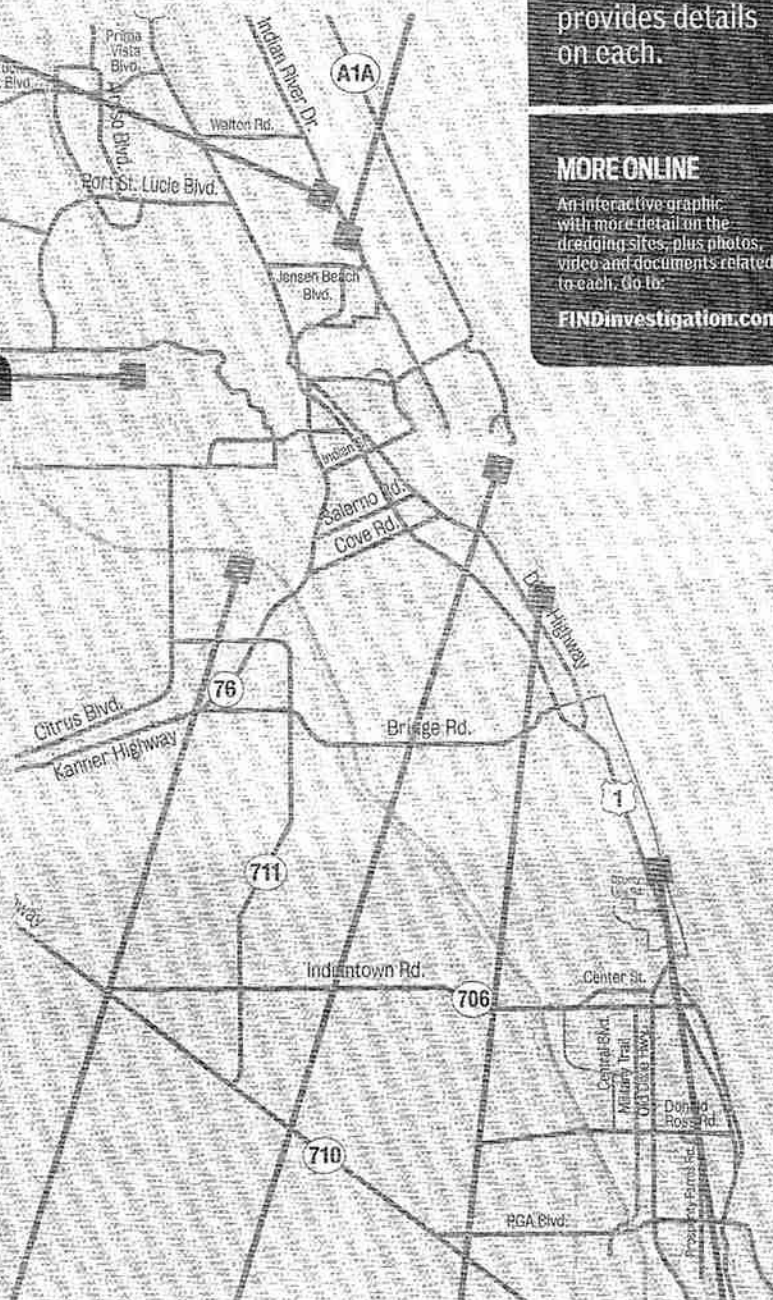
**Estimate of sediment received over 50 years:** 1,006,000 cubic yards

**Construction date:** Not in FIND's 5-year plan

**Dredging project:** Not in FIND's 5-year plan

**Amount to be dredged:** 201,200 cubic yards

**Environmental features:** Small freshwater marsh, wet prairie and a large ditch



**Location:** Northwest of the St. Lucie Lock and Dam and about a mile south-southwest of the intersection of Florida's Turnpike and Interstate 95 in Tropical Farms

**Description:** Permanent facility to process material removed from the Okeechobee Waterway from just south of the Palm City Bridge to the St. Lucie Lock and Dam  
**Site size:** 77.29 acres  
**Current market value:** \$728,000

**Containment basin:** 32.63 acres

**Impacted area:** 39.17 acres

**Basin capacity:** 564,124 cubic yards  
**Estimate of sediment received over 50 years:** 530,186 cubic yards

**Construction dates:** 2012 and 2013

**Dredging project:** 2013

**Amount to be dredged:** 55,000 to 110,000 cubic yards

**Environmental features:** Small forested wetland and large ditches

**Location:** North of St. Lucie Inlet State Park, near confluence of Intracoastal and Okeechobee waterways

**Description:** Permanent facility to temporarily store material removed from the Intracoastal and Okeechobee waterways in central Martin County. The site will serve as a staging and temporary storage area for material placed on the beaches of Jupiter Island.  
**Island size:** 22.5 acres

**Current market value:** Not applicable

**Containment basin:** 16.75 acres

**Impacted area:** 18.8 acres

**Basin capacity:** 325,500 cubic yards  
**Construction date:** 1997

**Four year maintenance dredging estimate:** 191,427 cubic yards

**Date they will remove sand for use on the beaches:** 2014

**Environmental features:** Mangrove swamp, freshwater marsh

**Location:** Southeast Gomez Avenue, Hobe Sound

**Description:** Permanent facility to process material from Great Pocket to Hobe Sound

**Site size:** 65 acres  
**Current market value:** \$2,518,660

**Containment basin:** 10.92 acres

**Impacted area:** 14.43 acres

**Basin capacity:** 93,730 cubic yards

**Estimate of sediment received over 50 years:** 90,000 cubic yards

**Construction dates:** Not in FIND's 5-year plan

**Dredging project:** Not in FIND's 5-year plan

**Amount to be dredged:** 18,000 cubic yards

**Environmental features:** Wetlands and mangrove swamp

**Archaeological site:** Potentially qualifies for listing on the National Register of Historic Places. First large prehistoric site recorded in the xeric scrub/pine flatwood in southeast Florida.

**Location:** East side of U.S. 1 in Tequesta, just south of the Hobe Sound National Wildlife Refuge, north of Southeast 171st Street

**Description:** Permanent facility to process material removed from

Intracoastal Waterway in southern Martin County from Hobe Sound to Palm Beach County line

**Site size:** 18.54 acres

**Current market value:** \$194,640

**Containment basin:** 5.3 acres

**Impacted area:** 7.3 acres

**Basin capacity:** 50,000 cubic yards

**Estimate of sediment received over 50 years:** 48,000 cubic yards

**Construction date:** Not in FIND's 5-year plan

**Dredging project:** Not in FIND's 5-year plan

**Amount to be dredged:** 7,200 cubic yards

**Environmental features:** Shoreline and mangrove swamp

#### BEACH PLACEMENT AREA (NOT SHOWN)

**Location:** Beaches on Jupiter Island  
**Description:** To receive sand dredged from the Intracoastal and Okeechobee waterways in central Martin County. This site is different from all other

dredged management locations on the Treasure Coast. It consists of 14 locations on the beaches of Jupiter Island. It does not have a containment basin or any of the permanent features associated with a basin, such as earthen walls, weir water flow control

structures, and intake and outflow pipeline structures.

**Current market value:** Not applicable

**Amount to be placed:** About 480,000 cubic yards of sand  
**Placement date:** 2014



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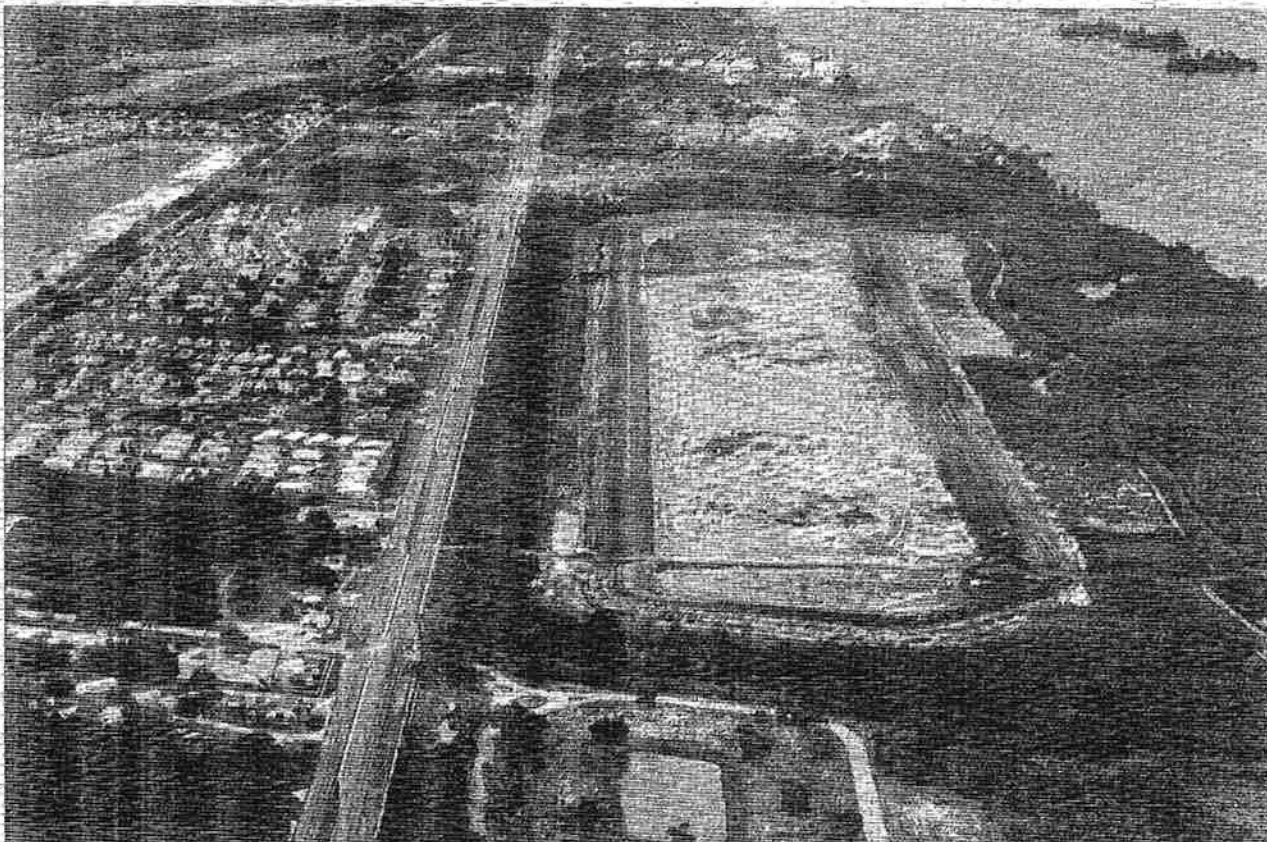
# INDIAN RIVER **Press Journal**

SCRIPPS TREASURE COAST NEWSPAPERS

Monday, December 19, 2011

PRESS JOURNAL INVESTIGATION

## Sebastian critics: FIND project is not necessary



ALEX BOERNER/TREASURE COAST NEWSPAPERS

The IR-2 Dredged Material Management Area near Sebastian includes the largest sediment basin FIND plans to build on the Treasure Coast.

By George Andreassi  
george.andreassi@scripps.com  
772-221-4241

INDIAN RIVER COUNTY — Michael Gallarano doesn't understand why a state agency plans to dredge a section of the Intracoastal Waterway — one that appears to be deep enough already — and to pump the sediment into a seemingly oversized earthen basin under construction next door to his Sebastian area business.

"Why are we spending millions upon millions of dollars to develop something that apparently isn't needed?" said Gallarano, owner of a health and education center on U.S. 1. "Why are we funneling money into dirt and not into our people, especially since we apparently don't need the dredging?"

Gallarano is among dozens of Sebastian-area homeowners who have questioned the need to spend nearly \$5 million for the sediment processing facility and the dredging project at a time of financial stress for many taxpayers and governments agencies.

But David Roach, executive director of the Florida Inland Navigation District, which is working on the sediment facility and the dredging project with the U.S. Army Corps of Engineers, said both are necessary to keep the Intracoastal Waterway safe for boaters. Sand has washed into the waterway from the Sebastian Inlet

See FIND, 4A

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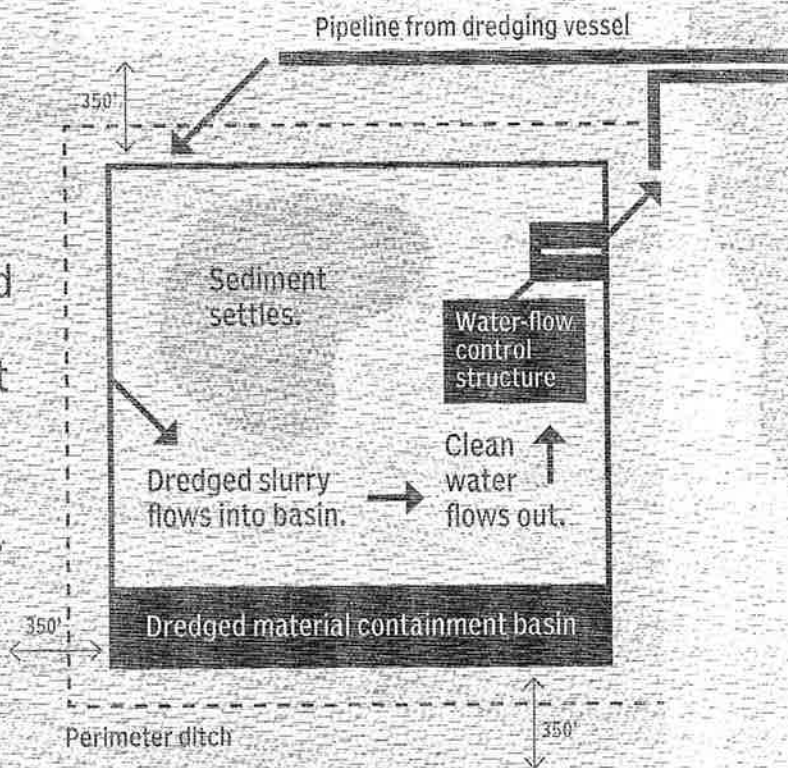
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## CONTAINING DREDGED MATERIAL

Here's a look at how a typical FIND dredged material management area works.

Typical dredged material management area based on SL-2 in St. Lucie County



1. A dredging vessel vacuums sediment and water from the navigation channel and pumps mixture into pipeline.
2. Slurry, a mixture of about 20 percent sediment and 80 percent water, flows into the containment basin.
3. Sediment settles and the water-flow control structure allows clean water to flow into outflow pipeline and back into waterway.
4. Reusable sand is provided for local government projects, such as beach nourishment, dune restoration and road maintenance.

STAFF GRAPHIC

## FIND from 1A

causing the build-up of shoals that threaten to impede navigation.

"We only dredge on an as-needed basis," Roach said. "(The Intracoastal Waterway in) Indian River County is fairly stable except this north end that experiences input from the inlet as well as from the Sebastian River. Around ocean inlets it's a hard sand shoal. Boats run aground. People get injured. Boats get damaged. It's not a safe thing."

The sediment facility known as IR-2 is one of three FIND plans to build in Indian River County, district records show. The others are on Indian River Boulevard, a half mile south of the city of Vero Beach; and at 4290 81st St., east of 43rd Avenue, near U.S. 1, south of Wabasso, FIND records show.

Neither of those other facilities are in FIND's 5-year plan, Roach said. They will be built when the Intracoastal Waterway needs dredging in southern and central Indian River County.

But the Sebastian area homeowners argue the IR-2 sediment facility should not have been undertaken now either because a 2010 Army Corps survey shows the Intracoastal Waterway is at least 10 feet deep in northern Indian River County and doesn't need dredging.

FIND's report on channel conditions in the Intracoastal Waterway lists 12 locations where the minimum water depth is eight feet or less. None of them is in Indian River County.

"There are 12 areas where there are very, very shallow waters," said Frank Marshall, another Sebastian area homeowner. "I don't know why they're not doing the areas of high priority dredging. That's what bothers me. Why are they doing this dredging in the first place? It doesn't make sense. Why pick on an area that's pretty deep already?"

FIND and the Army Corps started construction on the Sebastian area sediment facility in February and expect to complete the nearly \$3.2 million project this coming February, district records show. The \$1.6 million dredging project is expected to start in late 2012, or in 2013, depending on whether the federal government helps pay for it, Roach said.

Several members of the Concerned Taxpayers of Indian River County, a group of Sebastian area homeowners fighting the sediment facility, questioned how FIND determined the waterway needed dredging in northern Indian River County and why IR-2 is the largest sediment basin planned for the Treasure Coast.

They fear the sediment facility will smell bad, hurt property values and pose a threat to public safety if a major storm breaches the dike and sediment spills into the neighborhood, several homeowners said. They point to a 2006 spill in St. Johns County that covered a 54-acre wetland with arsenic-laden mud.

FIND is building a 46-acre basin on a 179-acre property, district records show. That's nearly 50 percent larger than the 32-acre sediment basin FIND plans to build in 2012 or 2013 near the Okeechobee Waterway in Martin County.

"They bought a big huge place and in the end they don't need that much," said Hal Goforth, a Sebastian area homeowner. "It's another waste of taxpayer dollars to overbuild something like this that costs millions."

The Intracoastal Waterway in Indian River County hasn't been dredged since 1957, district records show. The navigation channel is supposed to be 12 feet deep and 125 feet wide.

The homeowners argue the residential and commercial development that has sprung up since FIND bought the old Vickers Grove property in the late 1990s makes the location inappropriate for processing dredged sediment.

The homeowners have gone so far as to petition state lawmakers to halt the construction of the sediment facility and change state navigation laws to give local governments more say over the where the facilities are located.

The IR-2 site was relatively isolated when FIND bought it, Roach said. But the Indian River County Commission included the sediment facility in the county's growth plan so the Sebastian area homeowners should have realized it would eventually be built.

The homeowners' concerns about quality of life issues are unfounded, Roach said. And FIND has updated its basin design to prevent another spill.

"We're going to be a good neighbor. We've always been a good neighbor," Roach said. "We're spending a lot of money to do this the right way. Our buffer areas exceed by 10 times what's required."

"What we find, even after we build these sites and use them, is our neighbors like the park-like atmosphere of the FIND properties with the buffers and the fact that we don't use them much," Roach added.

After the upcoming dredging project is completed, the IR-2 facility is not expected to be needed for another 20 years, Roach said.

"It's just a very slow sedimentation," Roach said. "And with better storm water control that's been occurring here in Florida, that sediment is not being flushed out through the Sebastian canal system from all that farmland out there or upland development. So we're hoping that we're going to have even less sedimentation going into that area."

Roach said the size of the site is justified.

"We try to, if we can, get enough property to have the site big enough to handle 50 years of dredging before it becomes full," Roach said.

There is a 3-mile stretch of the Intracoastal Waterway in northern Indian River County where build ups of sand shoals have rendered the navigation less than eight feet deep, the threshold for putting an area on the five-year dredging plan, Roach said. The rest is about 10 feet deep.

"We always knew from surveys just that northern three miles was the problematic area," Roach said. "When the waterway is 8 feet we start cranking it into the plan because we don't want to wait until it gets to 6.5 (feet) and the bigger boats start getting impacted. A tug boat requires 8 feet to push a barge."

"If it's not necessary to dredge, then we won't," Roach added. "We thought we were going to have more continued impact from the Sebastian River and the Inlet. There's been some sea level rise and that helps us out.... So things aren't as bad as we initially thought."

Gallarano, who bought his property near the sediment facility 21 years ago from the Vickers family, said he's among the Sebastian area residents that think too many things about the sediment facility seem fishy.

"I think most people are scratching their head saying, 'It doesn't add up,'" Gallarano said. "If the Intracoastal truly needed it, I know the people would be behind it, but apparently it doesn't. If you're squandering cash that way, then I think the public needs to know about it because we need to get a hold of our government representatives and make sure that we are not squandering money continually or in the future, especially at a time like now."



IR-2

**Location:** 9900 to 10470 U.S.-1, 2 miles south of Sebastian  
**Description:** Permanent facility to process sediment removed from the Intracoastal Waterway in northern Indian River County, from just north of the Brevard County line to the Wabasso Bridge  
**Site size:** 179.45 acres  
**2011 market value:** \$5,902,580  
**Containment basin:** 46.79 acres  
**Impacted area:** 56.09 acres  
**Basin capacity:** 428,000 cubic yards  
**Estimate of sediment received over 50 years:** 427,862 cubic yards  
**Construction dates:** Began Feb. 28, set to end Feb. 10, 2012  
**Project cost:** \$3.2 million  
**Contractor:** BG Peabody Construction Services of Brooksville  
**Dredging project:** 2012 or 2013  
**Amount to be dredged:** 400,000 cubic yards  
**Environmental features:** Mixed wetland hardwoods, freshwater marsh, saltwater marsh, shrub marsh, open water, mangrove swamp  
**Archeological features:** A prehistoric archaeological site within the project area is considered potentially eligible for inclusion on the National Register of Historic Places; however, it currently is outside the area of potential effect and will not be adversely affected by the proposed project.

IR-7A

**Location:** 4290 81st St., east of 43rd Avenue  
**Description:** Permanent facility to process sediment removed from the Intracoastal Waterway in Central Indian River County, from the Wabasso Bridge to a point near Vero Beach's northern boundary  
**Site size:** 47.51 acres  
**2011 market value:** \$1,562,190  
**Containment basin:** 9.88 acres  
**Impacted area:** 11.52 acres  
**Basin capacity:** 68,742 cubic yards  
**Estimate of sediment received over 50 years:** 13,258 cubic yards  
**Construction date:** Not in FIND's 5-year plan  
**Dredging project:** Not in FIND's 5-year plan  
**Amount to be dredged:** 2,700 to 5,400 cubic yards  
**Environmental features:** Wetland hardwoods, streams and estuaries, bays and waterways, mangrove swamp

IR-14

**Location:** Indian River Boulevard, west of the Indian River Lagoon, just south of Vero Beach  
**Description:** Permanent facility to process sediment removed from the Intracoastal Waterway in southern Indian River County, from a point near Vero Beach's northern boundary, opposite Gifford, to the St. Lucie County line  
**Site size:** 53.39 acres  
**2011 market value:** \$1,095,101  
**Containment basin:** 15.54 acres  
**Impacted area:** 19.14 acres  
**Basin capacity:** 178,051 cubic yards  
**Estimate of sediment received over 50 years:** 162,658 cubic yards  
**Construction date:** Not in FIND's 5-year plan  
**Dredging project:** Not in FIND's 5-year plan  
**Amount to be dredged:** 16,300 to 32,600 cubic yards  
**Environmental features:** Mangrove swamps  
**Archeological features:** Inundated artifacts scattered near the Indian River shoreline

# FIND IN YOUR BACKYARD

Here is a look at the **FIND Dredged Management Material Areas** planned for Indian River and St. Lucie counties. The map shows the general location of each facility and provides details on each.

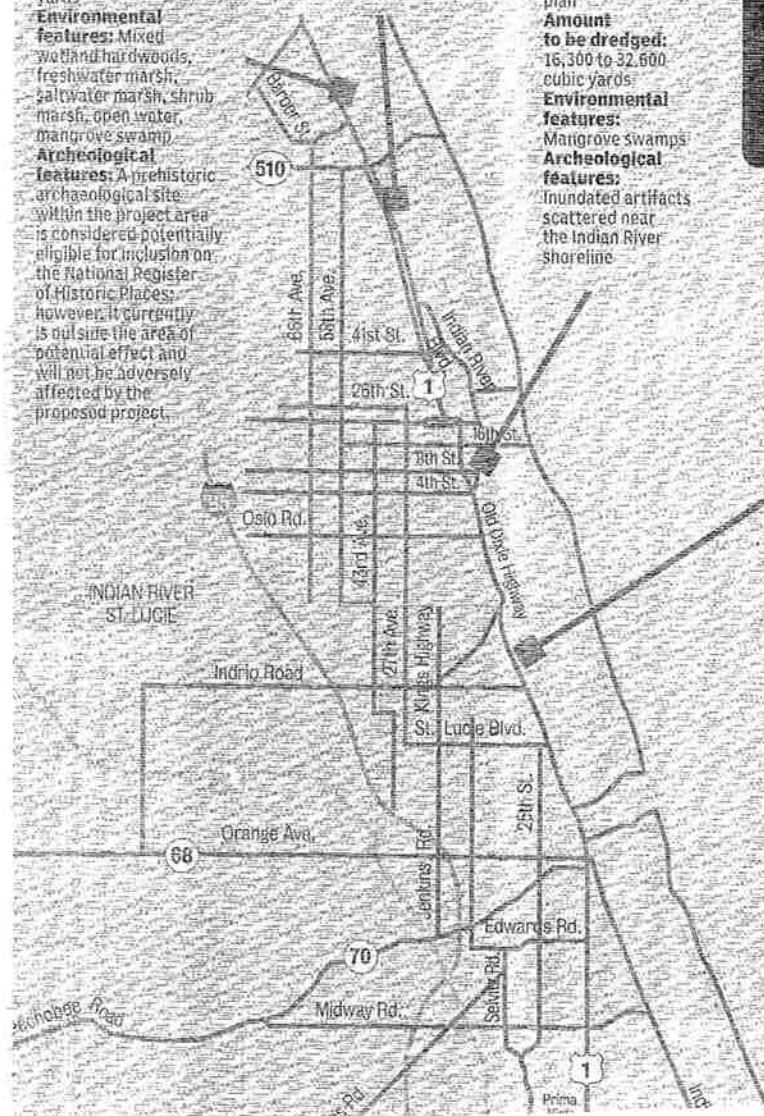
## MORE ONLINE

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[FINDinvestigation.com](http://FINDinvestigation.com)

SL-2

**Location:** Access from Old Dixie Highway, east of Florida East Coast railway tracks, west of Intracoastal Waterway  
**Description:** Permanent facility to process sediment removed from Intracoastal Waterway in northern St. Lucie County, from Indian River County line to Bear Point Cut  
**Site size:** 56.63 acres  
**2011 market value:** \$3,453,800  
**Containment basin:** 13.32 acres  
**Impacted area:** 17.06 acres  
**Basin capacity:** 84,083 cubic yards  
**Estimate of sediment received over 50 years:** 78,116 cubic yards  
**Construction:** Completed  
**Construction cost:** \$1,200,000  
**Dredging project:** 2012  
**Amount to be dredged:** 15,600 to 31,200 cubic yards  
**Environmental features:** Mixed wetland hardwood and ditches



## Treasure Coast FIND Commissioners

For the three Florida Inland Navigation District commissioners from the Treasure Coast, professional expertise and a love of boating and fishing motivated them to serve. Waterway management requires land management, skills all three representatives have acquired during their professional careers. Here is a look at each of them:

BRUCE BARKETT



**County:** Indian River

**Age:** 56

**Career:** Attorney and partner with Collins, Brown, Caldwell, Barkett and Garavaglia

**Appointed:** Appointed 2005, reappointed 2009. Serves until Jan. 9, 2013.

**Notable:** Before joining his present law firm, Barkett was general counsel for litigation while working for the state Department of Environmental Protection. He also was Indian River County Assistant attorney for environmental, land use and zoning matters.

**Quotable:** Barkett said one of FIND's greatest challenges is locating land to store dredged material from FIND projects. "Popular perception is that we want a waterway, but we don't want to dredge. There are many environmental impacts and required permitting. We're not objecting, but it makes it harder to find usable land."

DONALD J. CUOZZO



**County:** Martin

**Age:** 57

**Career:** Founder and president of Cuozzo Design Group, a planning and landscape firm in Stuart

**Appointed:** Appointed 2009. Will serve until Oct. 1, 2013.

**Notable:** He served on the Treasure Coast Regional Planning Council. Cuozzo's education at Florida Institute of Technology's Jensen Beach campus in the late 1970s resulted in him choosing the Treasure Coast to live. He is past president of the Martin County Business Development Board and serves on the Martin County Board of Zoning Adjustment.

**Quotable:** Cuozzo said FIND has demonstrated qualities a taxpayer should welcome in a state-run agency. "FIND could be the poster child for how to operate a special taxing district. ... It has a great system of checks and balances. It's conscious of public dollars."

## MEET THE PEOPLE OF FIND, WHO DIRECT FUNDS THAT MAINTAIN THE WATERWAY

By Ed Killea and Jonathan Mattise

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jonathan.mattise@scripps.com/772-221-4283

Realtors, developers, attorneys, land planners, lobbyists and businessmen control millions of taxpayer dollars without being elected.

The Florida Inland Navigation District commissioners each represent one of the 12 counties along Florida's east coast.

Their charge is to maintain and provide access to Florida's portion of one of the nation's most economically significant arteries: the Intracoastal Waterway.

FIND commissioners are appointed to unpaid four-year terms by the governor. They direct FIND's staff of six paid employees, who earn a combined \$536,811 each year.

Commissioners make decisions on how to spend money on dredging projects and for grants toward projects that help promote access to the waterway such as piers, boat ramps and boardwalks.

Here is a closer look at FIND's staff and commissioners:

**County:** St. Lucie

**Age:** 69

**Career:** Executive vice president of the Treasure Coast Builders Association since 1979

**Appointed:** Appointed 2007. Term expired in January, but will continue to serve until replaced or resigns. Kavanagh has reapplied for appointment.

**Notable:** Kavanagh succeeded her husband George on the FIND commission following his 2007 death during his second appointed term. She applied for the appointment through the normal process.

**Quotable:** Kavanagh said she was qualified for the appointment after serving as chairwoman of the Fort Pierce Harbor Advisory Board and after attending FIND meetings with George during his terms. "With my experience, I might have had better credentials to serve FIND than George did. I applied because there were some things George wanted to see happen that I also felt strongly about."

GAIL KAVANAGH



## HOW TO GET APPOINTED

- Governing board members of FIND are appointed to four-year terms by the governor, subject to Senate confirmation.
- Like all appointments, applicants must submit a Gubernatorial Appointment Questionnaire at [www.flgov.com/appointments](http://www.flgov.com/appointments).
- The questionnaire is the only requisite for consideration, though resumes and biographies also may be reviewed.

### Others On Florida's East Coast

NANCY FREEMAN



**County:** Volusia  
**Age:** 61  
**Career:** Retired insurance agent  
**Appointed:** Appointed 2009. Serves until April 24, 2013.  
**Notable:** Served on boards for city of Edgewater's Economic Development and Police Pension.

JERRY SANSOM



**County:** Brevard  
**Age:** 63  
**Career:** Governmental affairs consultant  
**Appointed:** Appointed 2003. Reappointed 2007. Term expired in January, but will continue to serve until replaced or resigns. Sansom has reapplied for appointment.  
**Notable:** Served on South Atlantic Fishery Management Council, Florida Oceans and

Coastal Council, executive director of Organized Fisherman of Florida, registered lobbyist for Marine Industries Association of South Florida. He is the longest serving board member on FIND, appointed in April 2003 by then Gov. Jeb Bush.

T. SPENCER CROWLEY III



**County:** Miami-Dade  
**Age:** 37  
**Career:** Land use and environmental attorney  
**Appointed:** Appointed 2007, reappointed 2011. Serves until Jan. 9, 2015.  
**Notable:** Served on city of Miami's Waterfront Advisory Board.

TYLER CHAPPELL



**County:** Broward  
**Age:** 36  
**Career:** Environmental permitting consultant  
**Appointed:** Appointed 2009. Serves until April 24, 2013.  
**Notable:** Has a degree in environmental science.

JON NETTS



**County:** Flagler  
**Age:** 69  
**Career:** Retired public education administrator  
**Appointed:** Appointed 2007. Term expired in January, but will continue to serve until replaced or resigns. Netts has reapplied for appointment.  
**Notable:** Elected Mayor of Palm Coast in 2007 and re-elected in September and operates a towboat for TowboatUS.

DONN R. COLEE JR.



**County:** Palm Beach  
**Age:** 64  
**Career:** Vice president of a marketing and resource development firm  
**Appointed:** Appointed 2007. Term expired in January, but will continue to serve until replaced or resigns. Colee has reapplied for appointment.  
**Notable:** Great, great, great grandfather James Colee of St. Johns County was one of original partners in Florida Coast Line Canal and Transportation Company, the first company to successfully

dredge what became the Intracoastal Waterway.

NORMAN BRAY



**County:** Nassau  
**Age:** 67  
**Career:** Retired real estate sales and development  
**Appointed:** Appointed 2005, reappointed 2009. Serves until Jan. 9, 2013.  
**Notable:** Former member and past chairman of Association of Florida Community Developers.

J. CARL BLOW



**County:** St. Johns  
**Age:** 57  
**Career:** General contractor and real estate property manager  
**Appointed:** Appointed 2009. Serves until Jan. 9, 2013.  
**Notable:** U.S. Coast Guard-licensed captain; commissioner of St. Augustine Port, Waterway and Beach District.

AARON L. BOWMAN



**County:** Duval  
**Age:** 50  
**Career:** Director of business operations for shipbuilding company  
**Appointed:** Appointed 2011. Serves until Jan. 9, 2015.  
**Notable:** Appointed by Gov. Rick Scott in October. Served in the Navy for 28 years as an aircraft carrier pilot and trainer.



## Executive Director

DAVID ROACH



Age: 56

Lives: Rocky Point in Martin County

**Career:** FIND's executive director for 12 years and a part of FIND for 23 years. Before working for FIND, Roach worked for nearly five years with Florida's former Department of Natural Resources managing the submerged land program in southeast Florida. He also worked for the former Department of Environmental Regulation on dredge and fill projects.

**Hired:** 1988. Plans to retire in 2013.

**Education:** Majored in zoology at Oklahoma State University.

**Notable:** All employees of FIND, including Roach, work at the discretion of the Board of Commissioners. They can be fired at any time, with or without cause, and with no severance package guaranteed.

## FIND Staff Salaries

**\$140,511**

**David Roach, Stuart,**  
executive director

**\$83,171**

**Brenda Sullivan,**  
information manager

**\$96,999**

**Mark Crosley,**  
assistant executive  
director

**\$77,612**

**Mark Tamblyn,**  
field projects  
coordinator

**\$84,806**

**Glenn Scrambler,**  
financial director

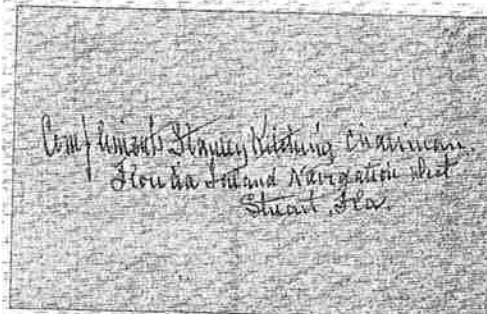
**\$53,712**

**Susan Smith,**  
staff assistant

## MORE ONLINE

For more stories and photos, as well as searchable databases, dredging documents, interactive graphics and video, visit:

[FINDinvestigation.com](http://FINDinvestigation.com)



ALEX BOERNER/TREASURE COAST NEWSPAPERS

A page from the Intracoastal Waterway Guide, published in 1936 by the Florida Inland Navigation District, shows a dedication by Stanley Kitching, the chairman of FIND during the period.

The first board of commissioners of the Florida Inland Navigation District, 1928. John O. Shares (front, from left), Frank H. Owen, Chairman Charles F. Burgman, A.W. Young, canal owner Harry S. Kelsey, A.M. Taylor, F.G. McMullen (back, from left), Kelsey's attorney Bert Winters, D.H. Conkling, Frank B. Shutts, D.F. Fuquay, A.H. Brook, board attorney A.A. Green and Stanley Kitching.

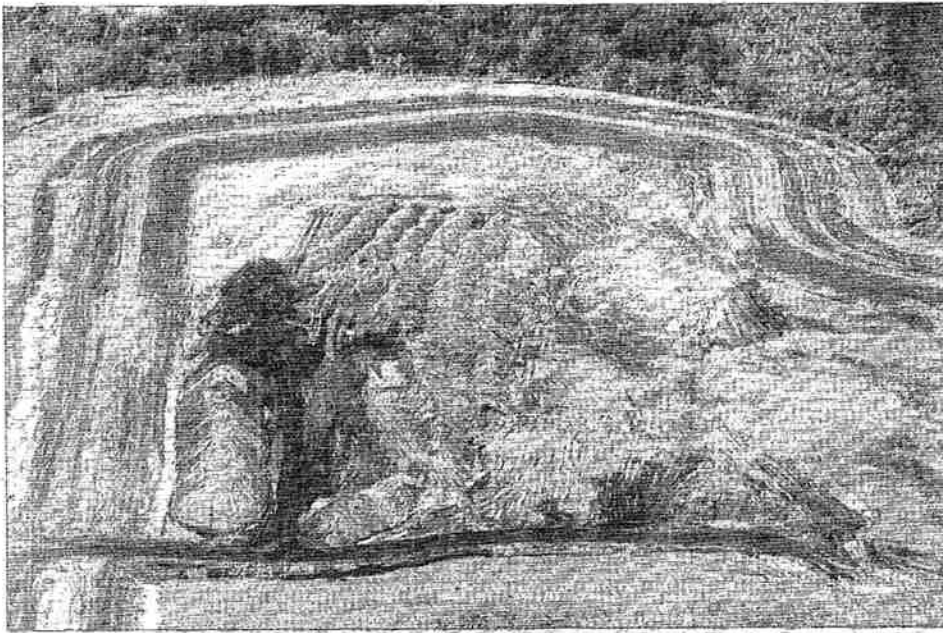
CONTRIBUTED PHOTO



Sunday, December 18, 2011

STUART NEWS INVESTIGATION

## Is Fla. Inland Navigation District spending wisely?



PHOTOS BY ALEX BOERNER/TREASURE COAST NEWSPAPERS

The northernmost section of the IR-2 dredged material management area near Sebastian. It is the Florida Inland Navigation District's largest sediment processing facility on the Treasure Coast.

**Critics:  
Outreach  
events are  
too costly**

■ Expensive  
hotels, tickets,  
parties under  
critics' scrutiny

**By Alexi Howk**  
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772-221-4241

# ■ Some question agency's use of taxpayer money



By George Andreassi  
george.andreassi@scripps.com  
772-221-4241

Sebastian area homeowner Gary Kaczinski never heard of the Florida Inland Navigation District before the obscure state agency started building a sediment processing facility near his neighborhood.

But after learning about FIND, Kaczinski thinks Gov. Rick Scott and taxpayers throughout the east coast of Florida should take notice of how district officials spend tens of millions of tax dollars each year.

"Who watches the money?" said Kaczinski, who helped form the Concerned Taxpayers of Indian River County. "We don't think anyone does. It's like they tax and they keep the money in their accounts and they spend it freely as they see fit."

A Scripps Treasure Coast Newspapers investigation found homeowners such as Kaczinski have reason to question FIND. The district spends taxpayer money on federal dredging responsibilities, waterfront park projects and luxury accommodations for district commission meetings.

FIND's primary role is to work with the Army Corps of Engineers to maintain and manage the Intracoastal Waterway so boats can

See SPENDING, 4A



FIND commissioners Jerry Sansom (left) and Don Cuzzo (center) tour the 130-foot luxury motor yacht Miss Michelle at the Fort Lauderdale International Boat Show in late October.

## INSIDE

Special districts such as FIND could be in Gov. Rick Scott's crosshairs during the upcoming budget year. 7A

FIND programs have given money to more than 860 projects along Florida's East Coast at a cost to taxpayers of almost \$167 million. 5A

FIND has been moving muck since back in President Calvin Coolidge's days in office. 6A

Your views: Share your thoughts on this project. Contact us at [watchdog@scripps.com](mailto:watchdog@scripps.com).

## About This Story

In these tight times where every tax dollar must be wisely spent, Scripps Treasure Coast Newspapers spent months investigating the Florida Inland Navigation District, which collects \$20 million in taxes each year.

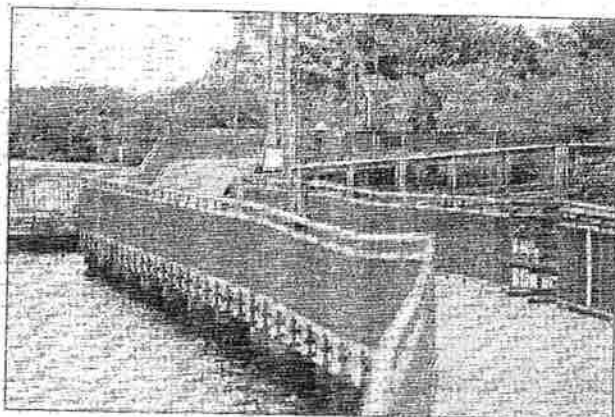
Staff sifted through hundreds of records and interviewed officials and residents to show how your tax dollars are spent to dredge the Intracoastal and Okeechobee waterways, purchase waterfront property to store the dredged materials, contribute to local projects that enhance public access to the waterways and reimburse FIND commissioners for travel expenses to monthly meetings at pricey lodgings.

## ON THE WEB

For more stories and photos as well as searchable databases, dredging documents, interactive graphics and video, go to [www.findinvestigation.com](http://www.findinvestigation.com).

## COMING MONDAY

A look at local dredging plans in your county and a closer look at the people who operate FIND.



The Riverwalk boardwalk twists and turns against the shoreline along the North Fork of the St. Lucie River at the Veterans Park at Rivergate in Port St. Lucie on Nov. 23.

Funding from the Florida Inlet Navigation District helped pay for the boardwalk.

ERIC HASERT/  
TREASURE COAST NEWSPAPERS

Florida Inland Navigation District officials throw monthly parties attended mainly by government and business officials, frequently stay in luxurious waterfront hotels and occasionally rack up big bills for plane tickets and car rentals, a Scripps Treasure Coast Newspapers investigation has found.

Since 2005, the state agency has spent more than \$503,000 on travel and meeting expenses for commissioners and staff. In the last two years, \$203,000 was spent, according to figures provided by the agency.

FIND has "Community Outreach Events" the night before each monthly commission meeting where officials dine on free appetizers. Beer, wine and mixed drinks are offered at a cash bar.

Although advertised on FIND's website and in local newspapers and other publications, the meetings and outreach events rarely are attended by citizens.

The events are often in banquet or meeting rooms at luxury hotels and attended mostly by FIND officials, local government officials and representatives from the marine industries.

See OUTREACH, 5A

## FIND Spending

Here is a look at FIND's travel and meeting expenses for the last six years.

2004-05: \$60,268  
2005-06: \$72,052  
2006-07: \$76,132  
2007-08: \$92,402  
2008-09: \$105,411  
2009-10: \$97,593

"Who watches the money? We don't think anyone does. It's like they tax and ... they spend it freely as they see fit."

Gary Kaczinski



## FIND INVESTIGATION



PHOTOS BY ALEX BOERNER/TREASURE COAST NEWSPAPERS

Representatives of the boating industry attended a private party at the International Swimming Hall of Fame during the Fort Lauderdale International Boat Show. The private party was hosted in conjunction with a reception for Florida Inland Navigation District commissioners, which was open to the public.



**Left:** Florida Inland Navigation District Executive Director David Roach (right) talks with Colleen Deverteuil, chair of the Fort Lauderdale International Boat Show committee (left), and Carlos Vidueira, executive director of the Marine Industries Association of South Florida (center), during a reception at the International Swimming Hall of Fame in late October in conjunction with the Fort Lauderdale International Boat Show. **Right:** The meeting for the Florida Inland Navigation District commission meeting in October was at The Westin Beach Resort & Spa in Fort Lauderdale.

## OUTREACH from 1A

While the economic downturn has forced many government agencies to cut back on travel and other costs, FIND's travel expenses have steadily increased over the past six years — except for budget year 2009-10 when expenses went down slightly from the previous year.

The state agency's spending of taxpayer money on travel has been labeled "extravagant" by one of the group's critics.

### TRAVELING ROAD SHOW

FIND, which performs maintenance dredging on the Intracoastal Waterway, has a staff of six employees led by long-time Executive Director David Roach. The governor appoints a FIND commissioner for each of the 12 counties on Florida's east coast. FIND has one commission meeting in each county per year.

Depending on how far a commissioner has to travel, attending a meeting can cost between a little more than \$300 up to nearly \$1,000. Roach said the agency has discussed conducting meetings via video conference to save money but hasn't investigated the idea fully.

While Roach said the agency paid an average room rate of \$121 per night for hotel stays this year, travel expenses in the last six years show:

- Luxury hotel stays at the Washington Court Hotel in the District of Columbia costing more than \$300 and \$459 per night; \$254 per night at The Palms in Miami Beach; and \$243 per night at the Viceroy Hotel in Miami.

- Expensive flights to instate meetings. In one case, a one-day, round trip for a board member to fly from Miami to Tallahassee cost \$697.

- Rentals of a Lincoln Navigator luxury sport utility vehicle by one board member costing nearly \$900 in total, not including gas.

- A per diem allowance of \$70 for food, including \$15 apiece for breakfast, \$15 for lunch and \$40 for dinner.

- Annual lobbying trips to Washington costing as much as \$2,000 per board member.

Roach said the agency's travel expenses are a small part of its \$77.2 million overall budget, and booking trips is handled "very conservatively and responsibly."

Records show in some instances FIND received group rates on hotel stays, including at the five-star rated Vero Beach Hotel & Spa. Rates there range from \$150 to \$400 per night. FIND paid \$129 per night in May.

"We have got 12 commissioners who are unpaid to do this," Roach said. "We ask them and staff to travel every month. We have kind of this traveling road show. So we come to facilities that can handle our event properly. We negotiate good rates."

### 'EXTRAVAGANT' HOTELS

FIND critic Gary Kaczinski described the waterfront hotels where FIND has many of its meetings as "extravagant."

"I would hope they would be responsible enough to get a hotel in the middle of the road because they are spending taxpayer money," Kaczinski said. "You can get a decent hotel for a little over \$100. So, \$300 a night does sound extravagant, and I think the average person would agree."

Robert Weissert, vice president for research with Florida Tax Watch, a nonprofit government watchdog group, said those in control of public money should spend it as frugally as possible.

"If taxpayer dollars are being used to purchase luxuries, whether it's hotels, meeting spaces, hors d'oeuvres, other things, luxuries for public servants and lobbyists then that's an egregious misuse of the taxpayer dollars in violation of the public trust," Weissert said.

FIND has some of its meetings at government buildings, such as city halls.

"It's just not a good comfortable fit. We're kind of shoehorning ourselves onto a dais that is really only created for five people, and we have 12 commissioners. But we do that often when it works out for us," Roach said.

Sometimes hotels are chosen for the convenience of board members. FIND paid room rates of \$149 per night at One Ocean Resort in Duval County for the Nov. 17 outreach event.

"One Ocean was chosen so that we could say goodbye at the outreach event to ex-Duval County FIND Commissioner Mike Mesiano who just went off the board and lives in Atlantic Beach, two blocks from the hotel," Roach said.

### EVENTS DRIVE UP COSTS

Roach attributed FIND's increase in travel expenses to inflation, additional district projects and more trips to Washington to lobby for additional federal funding and other federal issues.

He said travel costs increased in the 2007-08 budget year when FIND began paying for its outreach events. Before then, sponsors in the local communities paid for the events.

"The commissioners began to feel uncomfortable awarding grants to entities paying for the events," Roach said. "So, to avoid any perception of a conflict of interest, the District started paying for them."

Roach said the outreach events allow community leaders, officials and others to "meet and speak with the district's commissioners and staff."

Roach said FIND also likes to hear from residents.

"However, they do not seem to flock to attend government events for whatever reason," Roach said. "We could probably do more advertising of the events to elicit some more public attendance, but then they may grow too big and expensive and be beyond the capabilities of the small FIND staff."

FIND in some cases doesn't release the location of the monthly outreach events and commission meetings until about a week before they are scheduled to take place.

"We post the information when the official notice is completed," Roach said. "The information is available by phone call to the office. We could probably post a week or so earlier, but we were unaware that it was a problem for anyone."

### NOT ALWAYS SMOOTH SAILING

Although FIND's outreach events are advertised as free public meetings, attending them isn't always easy.

FIND's Oct. 27 outreach event was at the International Swimming Hall of Fame within the Fort Lauderdale International Boat Show.

When two Scripps Treasure Coast Newspapers reporters and a photographer arrived at the front gate of the Swimming Hall of Fame asking about FIND's outreach event, security personnel kept them from entering without paying a \$36 admission to the boat show.

After about 15 minutes and several discussions, security personnel looked at the public

notice on FIND's website and allowed the reporters and photographer inside.

When the news crew attempted to enter the area where the event was, a woman said it was a private event.

The reporters told her they were looking for FIND's outreach event to which she replied, "You said the magic word," and held up a piece of paper with the words "Florida Inland Navigation" on it.

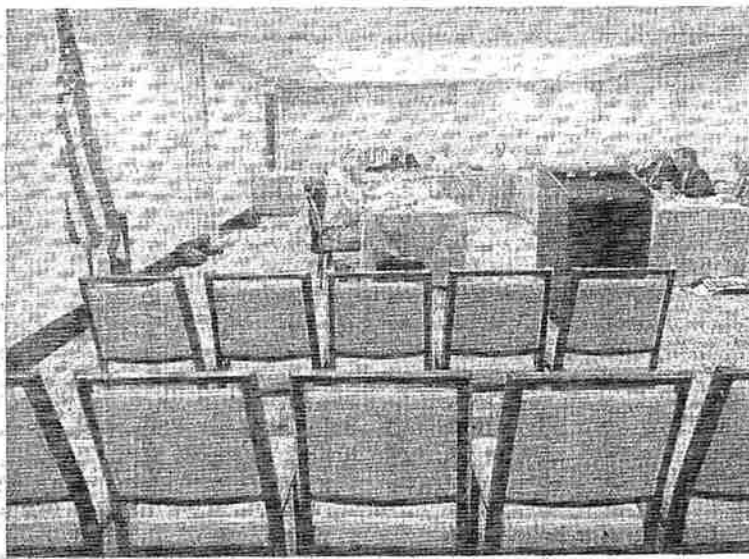
Asked why it was so difficult for citizens to get in, Roach said: "The event inside of an event like this is always difficult to have absolutely coordinated. We are a little bit disappointed that the boat show people, who kept telling us, 'Hey, we'll have this covered, anybody who shows up and says, 'We're with FIND,' they'll be ushered right in and told where to go.' ... I'm sorry if that didn't quite work out as good as it should have. But we worked on that hard."

Roach said FIND had the outreach meeting at the boat show so the commissioners could tour a megayacht, which cost \$2 million to operate and maintain, and learn about the economic importance of deepening the Intracoastal Waterway so the large vessels can reach marinas and repair facilities in South Florida.

During the event, commissioners and staff dined on food by M Bar, a Tapas restaurant, and drank alcohol from two cash bars. The outreach event cost \$1,525 for 61 attendees, according to figures provided by FIND.

The events often have a bar where guests pay for drinks. But records show in May of last year Indian River County FIND





Members of the Florida Inland Navigation District had their monthly meeting in October at The Westin Beach Resort & Spa in Fort Lauderdale. The meetings are open to the public.

Commissioner Bruce Barkett purchased more than \$133 worth of beer and wine for a FIND outreach event at the Environmental Learning Center in Wabasso. Roach said FIND helped construct the center through its waterway assistance program.

Food items purchased included \$160 worth of crab meat and chicken wings from Toojays restaurant and \$382 worth of food and drink from Publix grocery store, including pasta and fruit and dessert platters, receipts show. FIND reimbursed Barkett for the food and alcohol, records show.

Roach said there is no policy against FIND reimbursing commissioners for alcohol.

Receipts also show FIND reimbursed Barkett for a \$100 tip to a trio of middle school students who played music at the event.

"The commissioner wanted to pay them a little for their effort," Roach said. "In total, the cost for this event was low."

## GOING THE DISTANCE

Spencer Crowley of Miami-Dade is the most frequent flier on the commission. He flies mainly from Miami to meetings in Jacksonville, but has taken flights from Miami to Orlando and Nassau County, records show.

His trips to Jacksonville in some cases have cost more than \$700, which includes a car rental, fuel and airport parking.

In March of last year, Crowley flew to Tallahassee to meet with an official with the Florida Fish & Wildlife Conservation Commission to discuss manatee and turtle issues concerning a project in his county, records show. The one-day, round trip cost

## Cost of Events

A look at the cost for FIND's monthly community outreach events:

2009	
January:	\$1,731
February:	\$846
March:	\$1,331
April:	\$1,562
May:	None
June:	\$1,230
July:	\$1,138
August:	\$314
September:	\$1,770
October:	\$1,525
November:	\$1,174
December:	None

2010	
January:	\$1,864
February:	\$784
March:	\$1,248
April:	\$1,335
May:	\$643
June:	\$2,207
July:	\$1,000
August:	\$2,500
September:	\$1,770
October:	\$1,582
November:	\$1,242
December:	\$1,152

Sources: Florida Inland Navigation District

\$697 for airfare, \$41 for a taxi and \$15 for airport parking.

Asked whether Crowley could have handled this meeting via telephone, Roach said, "(Crowley) didn't think so."

Records show former board member Gail Byrd sometimes drove her personal car to board meetings, but other times she rented sport utility vehicles, including a Lincoln Navigator and Mercury Mountaineer.

She drove the vehicles from Stuart to Jacksonville, Amelia Island, Fort Lauderdale and New Smyrna Beach. In one of several instances where she rented the Navigator she rented the vehicle for eight days for a FIND meeting in Jacksonville. Two of the days she used the vehicle for a personal trip to North Carolina but deducted that cost to FIND. The total cost for the rental was \$564. FIND reimbursed her \$421 for six days of vehicle rental, Roach said.

Roach said he didn't recall why Byrd and other board members rented vehicles to travel to board meetings or whether they carpoled.

He said FIND uses the 55-cents-per-mile Internal Revenue Service mileage allowance for reimbursement of private car use.

"So, sometimes a rental car can be cheaper depending on the distance traveled," he said.

## SPENDING

from 1A

safely travel in a navigation channel extending roughly 400 miles through 12 counties from the southern Georgia border to Miami-Dade County.

Nestled near the terminus of a dead-end street in Jupiter that overlooks the Intracoastal Waterway, FIND's small office building resembles a branch office of a bank.

It might as well be a financial institution, because the little-known state agency collects more than \$20 million in property taxes statewide each year, has bank accounts totaling about \$60 million, and amassed net assets worth more than \$166 million, FIND records show.

Property owners on the Treasure Coast alone are due to pay nearly \$1.5 million in taxes to FIND in 2012.

"Lack of oversight, too much money and too much power has created this degree of arrogance exhibited by FIND," said Hal Gofforth, a retired marine biologist who is among the Sebastian area homeowners opposing a sediment facility under construction on U.S. 1.

But FIND's longtime Executive Director David Roach said FIND is efficient and spends taxpayer money wisely. The district spends 98 percent of its money on capital improvement projects and 2 percent on administration. The six-member staff manages 150 projects at a time as well as all the district's assets.

"We'll match that with anyone," Roach said. "We think we've got a good record."

### UNDER THE RADAR

It's easy for property owners to overlook FIND's tax rate of 3.45 cents per \$1,000 of assessed property value near the bottom of their tax bill. Most taxpayers on the Treasure Coast are paying less than \$10 a year to the organization.

But in an era of economic difficulties and declining property values, the combination of concerned taxpayers and Scott's focus on special taxing districts could subject FIND's finances to unprecedented scrutiny.

Scripps Treasure Coast Newspapers spent months obtaining and analyzing hundreds of FIND records, attending the district's board of commissioners meetings and interviewing citizens and officials familiar with FIND.

The investigation found:

■ FIND spent \$69 million in Florida taxpayers' money on waterway projects since 1997 that were the total responsibility of the Army Corps.

■ FIND owns more than \$77 million worth of land and easements and another \$20 million in sediment processing facilities, most of them in valuable waterfront locations.

■ FIND has awarded since 1986 nearly \$167 million in grants toward more than 860 state and local government projects designed to enhance public access to the Intracoastal Waterway, such as boat ramps, docks, piers, boardwalks and other improvements to parks and marinas.

■ FIND has spent nearly \$500,000 in the past five years on public outreach events and commission meetings, mostly at relatively expensive waterfront hotels such as the Westin Hotel in Fort Lauderdale, the Vero Beach Hotel & Spa and the Indian River Plantation Marriott in Stuart, district records show.

Despite the extensive spending and far-ranging activity, no members of the public spoke during the public hearings on FIND's 2011-12 budget Sept. 27 at Fellsmere City Hall and Sept. 16 at Delray Beach City Hall.

"They've done a very good job at staying below the radar," said Eugene Gilson, a Sebastian area homeowner who has been critical of FIND and the sediment facility.

### FIND'S VIEWPOINT

Roach said he believes Florida taxpayers and Scott agree with the district's spending practices. The governor appoints the 12 members of FIND's Board of Commissioners, one from each county on Florida's east coast.

"FIND's been through four legislative reviews since the 1980s. They've all come out very positive," Roach said. "We think any review by the governor or the legislature, they're going to see the value in FIND."

FIND receives few complaints from taxpayers, Roach said.

"Every year when we send them a tax bill we ask them, 'Are you comfortable spending this amount of money on your Intracoastal Waterway and your waterways?'" Roach said. "We do not receive very many complaints. We're (taxing) 34 percent of what we could tax. So we think we've handled that very, very responsibly and conservatively, and I think the public thinks that way as well."

Roach compared FIND's annual budget to that of a small city.

Ted Guy, a Stuart lawyer and member of the Marine Industries Association of the Treasure Coast, and Charles Grande, a former St. Lucie County commissioner and condo association leader on Hutchinson Island, are among those who praised FIND's management of the waterways.

"I think FIND is a very efficient quasi-state agency, and I think they do a great job with very limited resources," Guy said. "They don't tax us very much. It's one of the best little agencies that we've got. The only navigation maintenance that we get basically is through FIND."

Grande said FIND works hard to find sites to process the sediment dredged from the Intracoastal near the waterway but as far as possible from residences.

"Nobody wants to live next door to a dredge spoil site, but I've been impressed with how much actual effort has been put into the acquisition of land where they have the least impacts and still are close enough to make the dredging feasible,"

## FIND'S MISSION

The state legislature created FIND in 1927 to work with the federal government on a navigation project that evolved into the Intracoastal Waterway.

The legislature has modified the agency's mission several times since then. The new responsibilities included working with the Army Corps to maintain the Okeechobee Waterway, which runs through Martin County to Lake Okeechobee, and providing grants for waterway access projects.

No other state has a separate agency that raises tax money to help the Army Corps manage the Intracoastal, said Maureen Healey, executive director of the Atlantic Intracoastal Waterway Association, which represents the interests of commercial and recreational users of the waterway from Florida to Virginia.

"FIND is a very unique and good and healthy way of having a mechanism in place every year to get the dollars that are needed to fund and dredge the Intracoastal Waterway," Healey said. "They really are seen as the model."

Among the association's activities are lobbying Congress to increase money for waterway maintenance and create a dedicated funding source for it.

Roach has served as chairman of the waterway association and was quoted in a news

release earlier this year criticizing President Barack Obama for not budgeting enough money for the Army Corps to maintain the waterway.

As federal funding to maintain the waterway declined in the last 15 years, FIND's commissioners paid for numerous dredging projects, rather than allow shoaling — buildups of sand on the waterway floor — to render the navigation channel unsafe for boaters and harm the state economy, Roach said.

That includes more than \$7.3 million for the construction of sediment processing facilities in Indian River, St. Lucie and Martin counties and another \$2.4 million to dredge the confluence of the St. Lucie Inlet and the Intracoastal and Okeechobee waterways in Martin County, district records show.

"The FIND board made a decision we would assist our partner, the Corps, in funding these projects until they kind of got back on their economic feet," Roach said. "So, here we are 15 years later and the situation has gotten worse. It hasn't gotten better."

"But the decision, I think, is still a valid investment by the taxpayers of the State of Florida in that we're contributing somewhere between \$8 (million) to \$10 million a year to maintain the Intracoastal Waterway, and we're receiving \$17.4 billion in economic output in the State of Florida, 113,000 jobs," Roach added. "So, we think that's a proper investment."

The waterway is credited with generating annual business activity totaling \$640 million in Martin County, \$186 million in St. Lucie County and \$44 million in Indian River County, FIND records show.

"We still go to Congress every year and we ask them to meet their responsibility, but we're not going to let the (Intracoastal Waterway) project just go," Roach said. "We're not pleased that that's the situation we've found ourselves in, but we do not believe that the correct action is just to let the waterway deteriorate so it's unusable."

Most of the shoaling happens near the ocean inlets, such as the St. Lucie Inlet and the Jupiter Inlet, Roach said.

"The waterway is like a chain. Once it's broken in one location, the whole thing doesn't work," Roach said. "Right now you can go stand on the shore of the Intracoastal Waterway and just watch yacht after yacht after sailboat coming down from the northeast. It's like a parade if you go stand there right now. That would not happen if FIND did not contribute this money."

A spokeswoman for the Army Corps, Amanda D. Ellison, said the Intracoastal Waterway has a low priority for federal funding because it has relatively little commercial activity compared to busy ports such as Tampa, Port Everglades in Fort Lauderdale and Miami Harbor.

"Florida taxpayers should

understand that there is a lack of federal funds for the (Intracoastal Waterway) dredging and without FIND involvement there would be little to no dredging of the (Intracoastal)," Ellison said. "If FIND did not pursue maintenance dredging in areas of the waterway that are experiencing significant shoaling, dangerous conditions could occur in the waterway."

## HOMEOWNERS' CONCERNS

Gilson, Goforth, Kaczinski and several other members of the Concerned Taxpayers of Indian River County, who are fighting the construction of a large sediment processing facility on U.S. 1 near Sebastian, have criticized some of FIND's spending practices and dredging project priorities.

They have questioned why FIND is spending millions of dollars on a sediment facility and a dredging project they consider unnecessary because shoaling in the Intracoastal Waterway in northern Indian River County is not bad compared to other sections of the waterway.

"Why are they doing this dredging in the first place? It doesn't make sense," said Frank Marshall, a member of the Concerned Taxpayers. "There are 12 areas where there are very, very shallow waters. That's in FIND's publication of last year. They list off the ones that are 6 feet in depth and below."

Surveys indicate the navigation channel is at least 9 feet deep in northern Indian River County, Marshall said. Commercial vessels that need deep water do not often travel on that section of the waterway.

Marshall said he's concerned it seems like FIND is preparing to assume full responsibility for the planned dredging of the Intracoastal Waterway in 2012 or 2013, when that should be the responsibility of the Army Corps.

The controversial dredging of a 3-mile stretch of the Intracoastal Waterway in northern Indian River County is among the projects that might be delayed as a result of the reluctance of Congress to allocate money for the Army Corps, Roach said.

The estimated cost of the dredging project is \$1.5 million, FIND records show.

"Our partner, the Corps of Engineers, is supposed to do that work," Roach said. "We definitely need them to be the invested partner here."

In addition to being one of the few government agencies with money to spend, FIND owns a large portfolio of property holdings. The district owns 231 properties on Florida's East Coast, mostly valuable waterfront land, including 37 individual parcels on the Treasure Coast, state records show.

Most of FIND's Treasure Coast holdings are lucrative waterfront properties with environmentally sensitive wetland habitat in pricey neighborhoods. Some of the homeowners don't realize they could someday live near an earthen basin containing sediment dredged from the Intracoastal Waterway.

The district's long-term plans call for 12 sediment processing facilities on the Treasure Coast: six in Martin County, three in St. Lucie County and three in Indian River County.

Several Sebastian area homeowners said one of their reasons for opposing the sediment facility under construction on U.S. 1 is concern about a repeat of a 2006 spill at a sediment facility in St. Johns County. The cleanup of mud, salt and toxic arsenic that spilled onto 54 acres of wetlands is expected to cost more than \$2 million, district records show.

And since FIND is exempt from property taxes, local governments and school districts forgo thousand of dollars in revenue each year on the FIND-owned land in 2012.

The loss of property tax revenue for local governments is another sore spot for the Concerned Taxpayers of Indian River County.

"It's off the tax rolls, and we're scrambling for tax dollars in this terrible economy," Kaczinski said. "That's what the killer is."

"Most people don't even know who FIND is," Kaczinski added. "... FIND seems to be just under the radar of everybody, and all this money is being spent with no checks and balances."

Staff writers Alexi Howk, Jonathan Mattise and Ed Bierschenk contributed to this report.

## FIND TERMS

Here is a look at some common terms used by FIND and in Scripps Treasure Coast Newspapers articles about the agency:

### Dredged Material

**Management Area:** A property used to process a mixture of sediment and water removed from the waterway during the dredging process.

**Shoaling:** A buildup of sand on the bottom of a body of water that poses a hazard to navigation.

**Draft:** Depth of the part of a boat that sits below the water.

**Containment basin:** An earthen dike that receives a mixture of water and sediment dredged from a waterway, and allows the sediment to settle and the water to flow back into the waterway.

## FIND PAYS INSTEAD OF ARMY CORPS

The Florida Inland Navigation District is spending tax dollars it collects from residents of Florida's East Coast for projects that are the responsibility of the Army Corps of Engineers. Statewide during this period FIND paid 70 percent of the \$98 million costs while the corps paid only 30 percent.

Here is a look at Treasure Coast projects from 1997-2011 that should have been paid for entirely by the Army Corps.

### IWW CROSSROADS MAINTENANCE DREDGING

Total cost: \$700,000  
Corps paid: \$0  
FIND paid: \$700,000

### IWW CROSSROADS MAINTENANCE DREDGING

Total cost: \$180,000  
Corps paid: \$0  
FIND paid: \$180,000

### IWW/OWW CROSSROADS MAINTENANCE DREDGING

Total cost: \$1,300,000  
Corps paid: \$380,000  
FIND paid: \$320,000

### IWW CROSSROADS MAINTENANCE DREDGING

Total cost: \$600,000  
Corps paid: \$0  
FIND paid: \$600,000

### IWW CROSSROADS MAINTENANCE DREDGING

Total cost: \$600,000  
Corps paid: \$0  
FIND paid: \$600,000

### MSA 504B CLEARING AND GRUBBING

Total cost: \$110,000  
Corps paid: \$0  
FIND paid: \$110,000

### DMMA TR-2 CONSTRUCTION

Total cost: \$4,200,000  
Corps paid: \$0  
FIND paid: \$4,200,000

### MSA M-5 CONSTRUCTION

Total cost: \$800,000  
Corps paid: \$0  
FIND paid: \$800,000

### SL-2 CONSTRUCTION

Total cost: \$1,200,000  
Corps paid: \$0  
FIND paid: \$1,200,000

### TOTALS (STATEWIDE, 44 PROJECTS)

Total cost: \$98,309,682  
Corps paid: \$29,249,322  
FIND paid: \$69,060,360



## FIND INVESTIGATION

### Tax Bill

The Florida Inland Navigation District has imposed a property tax rate of 3.45 cents per \$1,000 of assessed value since 2007-08. Here is a look at the FIND tax bill for homes of various property values.

TAXABLE VALUE	FIND TAX BILL
\$50,000	\$1.73
\$75,000	\$2.59
\$100,000	\$3.45
\$150,000	\$5.18
\$200,000	\$6.90
\$300,000	\$10.35

### Tax Collections

Here is a look at how much FIND collected in tax dollars for each of the last five years and the anticipated amounts for the 2010-11 and 2011-12 budget years:

2011-12:	\$20,289,293
(anticipated)	
2010-11:	\$21,257,016
(anticipated)	
2009-10:	\$23,948,384
2008-09:	\$26,926,499
2007-08:	\$28,108,045
2006-07:	\$28,346,330
2005-06:	\$23,211,363

### FIND BUDGETS

Here is FIND's annual budget for the last five years:

2011-12:	\$77,233,603
2010-11:	\$81,634,616
2009-10:	\$78,856,831
2008-09:	\$77,065,746
2007-08:	\$74,957,833

### FIND ASSETS

Here is the total amount of assets FIND has had over the last five years:

2010:	\$166,181,894
2009:	\$153,751,037
2008:	\$142,236,846
2007:	\$134,931,347
2006:	\$120,251,543

## TREASURE COAST TAXES

Here is a look at the amount of taxpayer dollars FIND collected on the Treasure Coast over the last four years:

County/year	2011-12	2010-11	2009-10	2008-09
Martin	\$558,437	\$583,677	\$620,015	\$681,971
St. Lucie	\$482,917	\$502,173	\$571,610	\$721,806
Indian River	\$436,456	\$472,987	\$528,430	\$581,969
Treasure Coast total	\$1,477,810	\$1,558,837	\$1,720,055	\$1,985,746

## PROPOSED CHANGES

The Concerned Taxpayers of Indian River County has proposed the following changes to Florida Statutes 374, Navigation Districts, Waterway Development:

- Require FIND to disclose plans and costs for sediment processing facilities at a public meeting and empower county commissions to reject the sites for legitimate reasons.
- Among the details FIND must disclose are sediment quantity, sediment sample sites and depths and sediment testing results including details about chemicals, toxic substances and organic materials.

- FIND also must disclose the section of the Intracoastal Waterway proposed for dredging and the U.S. Army Corps of Engineers surveys to the waterway depths.
- FIND must provide detailed reports by independent experts about the environmental and archeological features on a proposed sediment site.
- If a sediment facility is not built within five years of FIND's purchase of a property, the county commissioners will review again the appropriateness of the site.
- If the county commissioners reject a sediment processing site, they will be obliged to assist the district in finding an alternative site.





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## Some Treasure Coast residents surprised at how FIND spends money

By George Andreassi, Alexi Howk

Monday, December 19, 2011

Some Treasure Coast residents said the Florida Inland Navigation District has too much power, virtually no oversight and wastes taxpayer money on what they call unnecessary dredging projects and cocktail parties that cater to wealthy boat owners.

And some are calling on Gov. Rick Scott to investigate the state agency and provide more oversight.

"I think there's a lot of work to do in redesigning the laws on how that money is spent," said FIND critic Gary Kaczinski in response to a Scripps Treasure Coast Newspapers investigation into FIND. "We certainly want the governor to look at this issue."

Bruce Barkett, who represents Indian River County on FIND's board of commissioners, defended the district's spending decisions, but conceded they may need to rethink plans to dredge a 3-mile stretch of the Intracoastal Waterway in northern Indian River County because it is not as shallow as once thought.

"I think that it's important for us to stay ahead of the curve, but whether this is actually requiring dredging at this time, we'll probably revisit," Barkett said. "The fact of the matter is there is no funding."

The Florida Inland Navigation District spends taxpayer money on dredging projects that are mainly the responsibility of the U.S. Army Corps of Engineers, waterfront park projects and luxury accommodations for its monthly district commission meetings.

The night before each meeting, FIND holds "community outreach events" or cocktail parties where FIND officials dine on free appetizers and drink wine and mixed drinks provided at a cash bar. The meetings are rarely attended by citizens and can be difficult to locate. They're mainly frequented by FIND officials, local government officials and representatives of the marine industries.

"I think these are just parties that are self-serving in that it literally is a free lunch or a free dinner with booze and wine," said Port St. Lucie resident Bob Poller. "(FIND officials) get all the spiffs as if they were the client and the other guys were the salespeople selling a product, which they are doing. 'Let's continue the dredging.'"

Barkett said that although FIND officials might stay in luxury hotels, that doesn't necessarily mean the agency is paying luxury prices.

"Some of the places where we have functions are in nice places, but we don't pay a lot of money for the functions," Barkett said. "And there might have been a couple that looked bad, but overall, for example, in my particular case, my functions have been at the Environmental Learning Center or at my home.

"If I can put on a function for 40 or more guests for \$500 or \$600 at a free venue and get attention paid to the Environmental Learning Center and environmental education, I'm really proud of that.

"And if anybody has a different opinion, well I respect their opinion, but I don't agree."

FIND's primary role is to work with the U.S. Army Corps of Engineers to maintain and manage the Intracoastal Waterway so boats safely travel in a navigation channel that extends roughly 400 miles. It goes through 12 counties from the southern Georgia border to Miami-Dade County.

Gail Kavanagh, the FIND commissioner representing St. Lucie County, said the organization is run economically and frugally.

"I am treasurer, and I check all of the checks as they're sent out and sign most of them," she said. "I have no qualms about how we spend money."

Kavanagh said FIND's social events are more expensive than others depending on what county they're held in.

"It's actually a real nice thing for us commissioners because we only see each other once a month," she said. "It gives us a chance to socialize, but not talk business."

Kavanagh said FIND probably spends about \$800 on each social event held in St. Lucie County.

"Our socials are really not extravagant at all," she said.

FIND Commissioner Don Cuozzo, who represents Martin County, referred questions Monday to FIND Executive Director David Roach. Roach could not be reached for comment.

St. Lucie County resident Ward Pearce said he lives next to one of FIND's future dredged materials management facilities on Indian River Drive. He said he has no problem with the site or with the way the agency spends taxpayer money.

"FIND is the only state agency who has their financial house in order," he said. "They have amassed a considerable sum using a pittance of taxation. Their functions seem extravagant, but these activities are an efficient method of public relations in that they impress only who they need to."

He said FIND doesn't waste money on frivolous things and he doesn't see anything wrong with the social events.

"They have to stay friends with folks who have an influence on what they do," he said.

The little-known state agency collects more than \$20 million in property taxes statewide each year, has bank accounts totaling about \$60 million and amassed net assets worth more than \$166 million, FIND records show.

But the agency has managed to stay under the radar mainly because of its low tax rate of 3.45 cents per \$1,000 of assessed property. Most taxpayers on the Treasure Coast are paying less than \$10 a year to the organization.

"It's not a significant amount on your tax bill, so a lot of people overlooked it, including myself," Kaczinski said. "But, when you consider every taxpayer in Florida contributes to this, obviously, they collect a lot of money."

Since 2005, FIND has spent more than \$503,000 on travel and meeting expenses for commissioners and staff. FIND's travel expenses have steadily increased over the last six years — except for budget year 2009-10 when expenses went down slightly from the previous year.

The governor appoints a FIND commissioner for each of the 12 counties on Florida's east coast. FIND has one commission meeting in each county per year. The commissioners are unpaid volunteers.

Poller said he had never heard of the agency until he read news reports over the weekend.

"And I thought I was pretty smart in the stuff that's going on," he said. "They run these meetings with very little promotion intentionally so people don't come out, so people don't comment. So, this keeps going on and on and on. If Governor Scott continues to let this thing go on it's really an abuse of the taxpayers as far as I can see."

Other residents have concerns over FIND's handling of storage sites for dredged material and how their local elected officials have little power to stop the agency. Kaczinski and several other members of the Concerned Taxpayers of Indian River County are fighting the construction of a large sediment processing facility on U.S. 1 near Sebastian. They have criticized some of the agency's spending practices and dredging project priorities.

They have questioned why FIND is spending millions of dollars on a sediment facility and a dredging project they consider unnecessary because shoaling in the Intracoastal Waterway is far worse in other areas than it is in northern Indian River County, they said.

"The governor should know the relationships and reporting responsibilities among all the agencies that are involved in the development of major sites such as these," said Sebastian resident Steve Kidder. "For example, national, state, and county environmental people need to be fully involved and accountable to the area citizens who are paying for it."

Sebastian resident Frank Marshall said, "Nobody is controlling (FIND).

"You can't fight these guys. They are too powerful. The governor's office doesn't think they control them. The commissioners don't control them."

Asked whether FIND would be discussing its spending practices at its January commission meeting in St. Johns County, Barkett said he didn't set the agenda.

"I think it'll be a topic of discussion," he said.



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## Comments » 15

- December 20, 2011
- 6:56 a.m.

**bert#482860** writes:

This is pretty sad. The author of the article is just TRYING to find controversy here. He is just praying on finding some dirt where there isn't any! Sad George, very sad.

- December 20, 2011
- 7:39 a.m.

**summerlover** writes:

Let's see. 12 members, lets say 5 staff members. Meet in public owned buildings, government offices of the state, counties or libraries 12 times a year in different counties. The maximum per year for lodging for one night, expenses 100,000. And that is extravagant. Exactly what do they really do that could not be done by some other existing government employees? And exactly who do they need to impress with those parties? Vendors? It is suppose to be the other way around.

- December 20, 2011
- 7:41 a.m.

**riandrewt1#346135** writes:

"praying on"? Praying to find dirt...sad, Bert, very sad.

- December 20, 2011
- 8:18 a.m.

**Newton** writes:

I'm not surprised at anything these crooks do....try writing a piece on how both the county and the city has held up the Port's submerged land permits while claiming there are no jobs!

Think bagman as to why nothing ever gets done around here...you first have to pay for the pleasure of a job!

- December 20, 2011
- 8:41 a.m.

**Bosoxfan1955** writes:



All these independent taxing districts need to go away. We need city and county tax bills, period....fire, schools, navigation, children's services..etc need oversight by elected officials we can hold accountable...

- December 20, 2011
- 9:32 a.m.

dalebeetley writes:

Wasteful spending of taxpayer money, without any oversight???!!! Heads will roll when Ciampi, Smith and Hayes find out they were left off this committee.

- December 20, 2011
- 10:57 a.m.

patrickhenry0001#461494 writes:

It's not at all surprising that a government institution is flushing money down the toilet. It's what they do.

- December 20, 2011
- 12:47 p.m.

TopCat writes:

This is a muckraking "investigative" report that is not finding any real muck to rake - inspired no doubt by our local whining NIMBY's who don't like the drege material disposal area.

- December 20, 2011
- 1:56 p.m.

SFTRUTH writes:

Let see, according to the report they collect one third of what they could. They in turn give that money back to local governments for public boat ramps and resource management, including dredging. They do with a staff of 6 what the Corps can't get to, and provide economic benefits directly and indirectly to the public. Measure that against any other public agency.

- December 20, 2011
- 4:42 p.m.

yoman writes:

There needs to be a full investigation, sounds like alot of unnecessary spending. This entity needs to come in full view of the taxpaying citizens. Travel and expenses and the community outreach events seem quite excessive, considering they are the taxpayers expense. Typical government, relate this to the 535 in Washington.

- December 20, 2011
- 4:53 p.m.

jmh#432358 writes:

I can't help but think Andreassi is hoping to date the daughter of one of the local critics. TopCat's right. There's no muck here.

Wine, beer and cocktails at a cash bar? That's a scandal?

They have reasonable travel and meeting budgets (1/2%), strong assts and provide hundreds of jobs while keeping one of the states biggest industries afloat. Sounds like a winner to me.

- December 20, 2011
- 6:59 p.m.

bert#482860 writes:

Again, here is an agency that gives back to the community, makes sure jobs are local, and has so many projects that are great for our LOCAL waterways. NO controversy here.

- December 20, 2011
- 7:30 p.m.

lassie writes:

Someone please FIND a way to put these yahoos in jail!!!!!!

- December 21, 2011
- 8:44 a.m.

jmh#432358 writes:

in response to lassie:

Someone please FIND a way to put these yahoos in jail!!!!!!

Are you referring to the "investigative reporter" yahoos?

- December 22, 2011
- 6:45 p.m.

Take95North writes:

Nothing I've read or seen in 20 years indicates FIND deserves this malicious muckraking journalism. Why not some bloated bureaucracy like SFWMD, especially before the new director cleaned house?

Sorry, but The News hasn't exposed anything out of the ordinary.



Printer friendly story  
Read more at [tcpalm.com](http://tcpalm.com)

## **S. Norman Bray: Florida Inland Navigation District's contributions far outweigh its costs**

### **Contributions statewide far outweigh the costs of dredging, parks, piers, other special projects**

S. Norman Bray is Nassau County representative and chairman of the Florida Inland Navigation District board of directors.

Wednesday, December 21, 2011

The Scripps Treasure Coast Newspapers staff has undertaken an exhaustive examination of the activities and finances of the Florida Inland Navigation District. FIND staff has had contact with about a dozen Scripps employees over a nine-month period and provided thousands of documents, budgets, photos, spreadsheets, collateral material, interviews and more. The scope of the paper's work is impressive.

Unfortunately, the report's sensationalized headlines are not reflective of what the reporters actually discovered during the examination. If readers take the time to pore over the extensive list of projects, benefits, and details available in the Scripps reports, the conclusion is unmistakable — FIND's contributions far outweigh its costs.

Consider these points:

FIND's actual taxation rate is 34 percent of the allowable rate. In fact, FIND has either lowered the tax rate or kept it stable for 15 years.

FIND manages about 150 projects a year with a six-person staff housed in a very modest office. We spend 98 percent of taxes collected on capital improvements within the district and its communities.

Over the past four years, FIND collected an average of \$1.7 million in annual taxes on the Treasure Coast to maintain and enhance an asset that generates about \$599 million in local annual sales and provides 7,781 jobs on the Treasure Coast alone.

Studies calculate that if the waterways were not adequately maintained, Treasure Coast residents would lose \$114 million in personal income and \$640 million in property values.

I know of no other return on investment that comes close to the value FIND's taxpayers derive from their investment in our waterways.

I hope readers will take the time to visit the Scripps website ([findinvestigation.com](http://findinvestigation.com)) and review the list of Treasure Coast projects FIND has invested in over the past several

years: dredging, shoreline stabilization, piers, boat ramps, waterfront parks, environmental education centers and exhibits, marinas, boardwalks, and boating safety programs. It would be hard to find a resident that hasn't enjoyed, utilized or benefitted from these investments.

Scripps reporters noted that FIND spent district funds on community outreach events and commission meeting expenses. The district extends 400 miles from the Florida/Georgia border to south of Miami — a lot of territory to cover. Yet, we meet in every county of our district every year. We feel it's our obligation to be as accessible as possible and to conduct our business in the sunshine. Our commissioners are also spread out over the length of the state so they have to travel to the meetings. They aren't compensated for the time they spend on FIND business and they aren't compensated for the time they spend traveling. We do, however, reimburse their hotel and travel expenses. Some places to stay cost a bit more than others but our average is a reasonable — \$126 a night for lodging, and our community outreach events are limited to \$25 per person, regardless of venue.

The Scripps report faulted FIND for spending \$69 million on projects that were the responsibility of the Army Corps of Engineers. I believe FIND displayed the kind of leadership we are looking for from our government in completing these essential projects. An adequately maintained waterway is crucial to Florida's economy. At times we chose to ensure that the waterway stayed open and didn't wait until Uncle Sam was ready to pick up the tab. That's not always possible but, when it is, we are going to act to ensure Florida has an operational waterway.

Finally, Scripps seems to equate elections with accountability and oversight, suggesting that because FIND's commissioners are appointed and not elected our agency operates without budget or financial oversight. Nothing could be further from the truth. Our 12 commissioners scrutinize every line of our budget and the law requires that two commissioners approve every expenditure and check. The Florida Department of Environmental Protection reviews the budget, we are audited by an independent certified public accountant, our audits are reviewed by the state auditor general, we advertise and conduct public hearings on the budget and, ultimately, our commissioners answer to the governor — an elected official.

Few agencies offer their constituencies more value for their tax dollar than FIND. FIND is effective, cost-efficient and strives to be accessible to the public, despite daunting geographical challenges. I urge your readers to fully examine our programs by visiting our website, [www.aicw.org](http://www.aicw.org). In doing so, we feel confident they will take away more than just sensational headlines and come to the unmistakable conclusion that FIND's contributions far outweigh its minimal costs.





## Comments » 5

- December 21, 2011
- 11:25 p.m.

**larrysinclair** writes:

Get a real job ! All crooks liars and thieves.

- December 22, 2011
- 8:27 a.m.

**Take95North** writes:

I agree that this appears to be a hatchet job.

Rather than scrutinizing FIND, why not look at the gross mismanagement of our coastal resources where the design, implementation, and funding is provided by the Corps of Engineers and/or county officials. We have wasted millions of dollars on poorly advised beach renourishment and inlet "stabilization" (sic) projects.

- December 22, 2011
- 1:58 p.m.

**Public Beach Nudity** writes:

in response to **larrysinclair**:

Get a real job ! All crooks liars and thieves.

Being a FIND commisioner is an unpaid postion.

Sigh...

- December 22, 2011
- 7:45 p.m.

**larrysinclair** writes:

in response to **Public Beach Nudity**:

Being a FIND commisioner is an unpaid postion.

Sigh...

But what are the benefits ?

- December 25, 2011
- 9:04 a.m.

Take95North writes:

They manage INLAND navigation..dredging, boat ramps, environmental issues. Their greatest is as a go-between..THEY deal with the doofus' at the Corps of Engineers.

Compare them with SFWMD. Now THERE'S a bloated, incompetent bureaucracy historically shrouded in secrecy and back room deals. (To be fair, some of these faults appear to be disappearing with the new director...)



Printer friendly story  
Read more at [tcpalm.com](http://www.tcpalm.com)

## Should FIND be required to obtain county approvals for sediment processing facilities? | Video

By George Andreassi

Wednesday, December 21, 2011

Several Martin County officials and activists agreed that local governments should have the final say on the location of state sediment processing facilities for dredging projects in the Intracoastal and Okeechobee waterways, as requested by a group of Sebastian homeowners.

"I think that's a fine proposal," said Martin County Commissioner Sarah Heard. "I think that all projects that are funded with taxpayers dollars should undergo rigorous public scrutiny before they're approved."

The Concerned Taxpayers of Indian River County submitted petitions with more than 600 signatures to state lawmakers asking for legislation to give county commissions veto power over the location of sediment facilities. They hope the proposal will be discussed during the legislative session that starts in January.

The group is fighting a sediment facility under construction on U.S. 1 near their homes, which they fear will harm their property values and quality of life. They were taken aback that work started on the 46-acre earthen dike without notice to nearby property owners or the typical government approvals for a construction project.

"We have been and continue to send letters to advocate for a change in the Florida Statute because it is the basis for all that is wrong with FIND," said Hal Goforth, a Sebastian area homeowner. "It gives tax dollars and autonomy to FIND without public recourse."

David Roach, FIND's executive director, said the district does not need to obtain local government approvals to build the containment basins because they are used to maintain a federal transportation facility. Roach also maintains FIND only spends money on dredging projects and facilities that are needed.

"The Atlantic Intracoastal Waterway project is a congressionally authorized federal navigation project supporting intrastate commerce," Roach said. "As such, it is exempted from local laws through federal supremacy."

While officials in Indian River and St. Lucie counties have required no local county permits for the construction of sediment facilities, Martin County planners said they

believe FIND would have to comply with at least some county development regulations.

Several 2012 candidates for Martin County Commission were among those expressing support for the idea of giving local governments more say over where the Florida Inland Navigation District builds the sediment facilities.

The issue could come to a head in 2012 when FIND plans to start work on a 32-acre containment basin near the St. Lucie Lock and Dam in Martin County to handle the sediment from a dredging project in the Okeechobee Waterway that is set for 2013.

Engineering and design is under way for the \$1.8 million sediment facility, FIND records show. Engineering and design for the \$1.5 million dredging project is expected to start in 2012.

The agricultural property would need a land use and zoning change to conform to county policies for a dredge spoil management site, said Martin County Growth Management Director Nicki van Vonno. The sediment facility would also need site plan approval, unless FIND can point to a state statute that exempts the project from local permitting requirements.

"Regardless of that determination there are provisions within the Comp Plan that all sites must meet," van Vonno said. "So these policies would be reviewed with them at (a pre-application meeting with the Development Review Team)."

Roach said local governments have a legal responsibility to designate lands in their comprehensive plan for spoil sites.

Virginia Sherlock, a Stuart lawyer who often represents homeowners on land use issues, said she agrees that FIND's sediment facilities should be subject to county regulations.

"I do not understand why federal or state regulations should pre-empt local land use controls which protect neighborhoods and citizens from having potentially hazardous materials dumped and stored near their homes," Sherlock said. "The farther removed citizens are from the decision-makers, the harder it is to ensure that good decisions are made."

Jacqueline Trancynger said she was surprised to learn that FIND has long-standing plans to build a sediment facility east of Savannah Road, not far from her home in the Jensen Park Estates subdivision.

"Why are people so angry at government right now in this time in our country's history? It's because people have no say in their own government," Trancynger said. "I want my destiny to be in the hands of the people in Martin County."

#### **FIND sediment processing facility locations in Martin County:**

##### **MSA 524 B**

Location: East side of U.S. 1 in Hobe Sound, just south of the Hobe Sound National

Wildlife Refuge, north of Southeast 171st Street

Site size: 18.54 acres

Containment basin: 5.3 acres

Construction date: Not in FIND's 5-year plan

**MSA 504 B/E**

Location: Southeast Gomez Avenue, Hobe Sound, north of Loblolly Bay subdivision, west of Peck's Lake

Site size: 65 acres

Containment basin: 10.92 acres

Construction dates: Not in FIND's 5-year plan

**0-7**

Location: 900 feet northwest of the St. Lucie Lock and Dam and about 5,500 feet south-southwest of the intersection of Florida's Turnpike and Interstate 95

Site size: 77.29 acre

Containment basin: 32.63 acres

Construction dates: 2012 and 2013

**0-23**

Location: East of Savannah Road, north of Florida East Coast Railway tracks and south of the Martin County Business Park in Jensen Beach

Site size: 30.66 acres

Containment basin: 15.11 acres

Construction dates: Not in FIND's 5-year plan

**0-35A**

Location: West of Boat Ramp Road, south of the C-23 Canal and the St. Lucie County line

Site size: 126.72 acres

Containment basin: 29.96 acres

Construction date: Not in FIND's 5-year planM-12

Location: Indian River Drive, north of County Line Road, east of Wetland Way (the



former Savanna Dunes Planned Unit Development property).

Site size: 68.42 acres

Containment basin: 18 acres

Construction date: Not in FIND's 5-year plan

#### **FIND sediment sites in St. Lucie County**

##### **M-12**

Location: Indian River Drive, north of County Line Road, east of Wetland Way (the former Savanna Dunes Planned Unit Development property).

Site size: 68.42 acres

Containment basin: 18 acres

Construction date: Not in FIND's 5-year plan

##### **M-8**

Location: 10315 S. Indian River Drive, 4,900 feet north of Walton Road, between the Indian River Lagoon and the Florida East Coast Railway tracks

Site size: 20.3 acres

Containment basin: 9.67 acres

Construction date: Not in FIND's 5-year plan

##### **SL-2**

Location: Access from Old Dixie Highway, east of Florida East Coast Railway tracks, west of Intracoastal Waterway, 3,300 feet south of the Indian River/St. Lucie County line

Site size: 56.63 acres

Containment basin: 13.32 acres

Construction: Completed

#### **FIND sediment sites in Indian River County**

##### **IR-14**

Location: Indian River Boulevard, west of the Indian River Lagoon, a half mile south of the city of Vero Beach

Site size: 53.39 acres

Containment basin: 15.54 acres

Construction date: Not in FIND's 5-year plan

#### **IR-7A**

Location: 4290 81st St., east of 43rd Avenue, near U.S. 1, south of Wabasso, on the Indian River's Lagoon's western shore

Site size: 42.51 acres

Containment basin: 9.88 acres

Construction date: Not in FIND's 5-year plan

#### **IR-2**

Location: 9900 to 10470 U.S. 1, two miles south of Sebastian, 1.2 miles north of Wabasso, west of the Indian River Lagoon

Site size: 179.45 acres

Containment basin: 46.79 acres

Construction dates: Began Feb. 18, set to end by Feb. 10



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## Comments » 5

- December 21, 2011
- 9:31 a.m.

**naturalphenomenon** writes:

THE SAVANNAH ROAD AND INDIAN RIVER DRIVE FACILITY; JUST LIKE THE POWER PLANT WAS IN THE CARDS BEFORE THEY BUILT ALL THE MILLION \$\$\$ HOMES ON THE RIVER AND ON TICK RIDGE; THE RUNOFF FROM THE MUCK WILL ULTIMATELY HAVE A NEGATIVE AFFECT ON THE CONTIGUOUS SAVANNAHS AND THE LOCAL AQUIFERS THAT LOCALS DEPEND ON FOR DRINKING WATER; SINCE CITY WATER IS NOT AVAILABLE IN MANY AREAS SURROUNDING THIS POTENTIALLY MERCURY LADEN DUMPING FIELD; SOMEBODY CALL ERIN BROCKOVICH!!!! OR DO WE HAVE TO WAIT FOR THE TWO HEADED GATORS TO START SHOWING UP???

- December 21, 2011
- 12:11 p.m.
- 

**tgrne#523250** writes:

FIND is another example of government gone wrong! They tax all to benefit only a few. They think they can do whatever they want without any County or taxpayer oversight... Gov Scott - CUT THIS ONE !!!

- December 21, 2011
- 12:27 p.m.

**AMHA8ME** writes:

the footprint for the basin abutting Hobe Sound Wildlife refuge and directly across the road from Jonathan Dickenson park has already been there now for three years or so. They scraped the dunes, dug a pit, put a fence around it, then said it wasn't going to be used until 2014 at the earliest.

Is there any information stating when the last time the ditch was dredged- and where did they put the spoils then?

- December 23, 2011
- 3:09 p.m.

**Public Beach Nudity** writes:

in response to **naturalphenomenon**:

THE SAVANNAH ROAD AND INDIAN RIVER DRIVE FACILITY; JUST LIKE THE POWER PLANT WAS IN THE CARDS BEFORE THEY BUILT ALL THE MILLION \$\$\$ HOMES ON THE RIVER AND ON TICK RIDGE; THE RUNOFF FROM THE MUCK WILL ULTIMATELY HAVE A NEGATIVE AFFECT ON THE CONTIGUOUS SAVANNAHS AND THE LOCAL AQUIFERS THAT LOCALS DEPEND ON FOR DRINKING WATER; SINCE CITY WATER IS NOT AVAILABLE IN MANY AREAS SURROUNDING THIS POTENTIALLY MERCURY LADEN DUMPING FIELD; SOMEBODY CALL ERIN BROCKOVICH!!!! OR DO WE HAVE TO WAIT FOR THE TWO HEADED GATORS TO START SHOWING UP???

Mercury laden? Really?! What is the source of the mercury contamination?

- December 23, 2011
- 3:23 p.m.

Public Beach Nudity writes:

in response to AMHA8ME:

the footprint for the basin abutting Hobe Sound Wildlife refuge and directly across the road from Jonathan Dickenson park has already been there now for three years or so. They scraped the dunes, dug a pit, put a fence around it, then said it wasn't going to be used until 2014 at the earliest.

Is there any information stating when the last time the ditch was dredged- and where did they put the spoils then?

Call FIND and request the information or go to its website and download the info. They are a public entity and they willingly give out this kind of information.

My guess is that the material was "stored" in the spoil islands that line the intracoastal waterway in this area.



Printer friendly story  
Read more at [tcpalm.com](http://tcpalm.com)

## Letter: Scripps "FIND" series is poor journalism

John Corzine, Port St. Lucie

Thursday, December 22, 2011

If it is meant to sell newspapers, it probably has succeeded. If it is meant to provide a non-slanted look at the Florida Inland Navigation District, it has totally failed.

A few folks take exception to a FIND cleanup location, and through very slanted reporting, this series is meant to incite and provoke dissension toward an organization doing, by any business analysis, a decent job at the tasks it was assigned to do.

Consider the headline "Some residents surprised at how FIND spends money." How many residents? Who are they? Are they the same folks taking exception to a specific cleanup site location?

The newspaper reports, "FIND officials dine on free appetizers and drink wine and mixed drinks provided at a cash bar." I see nothing wrong with the use of appetizers to help folks mingle, and smooth the FIND mission. To report "drinks wine and mixed drinks provided at a cash bar" is meant to incite.

I fail to see the eating of a few miniature hot dog appetizers and purchasing a drink at a bar with non-taxpayer money being equivalent to having a free lunch or dinner with booze and wine as reported.

The newspaper reports: "Since 2005, FIND has spent more than \$503,000 on travel." How many readers will understand that is a seven-year period or \$71,857 per year, or \$5,988 per month for all FIND associates. I can see the reporter adding up the yearly travel expenses until a total of half a million dollars to report was reached.

This series is slanted and poor muckraking journalism at its best.



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## Comments » 9

- December 22, 2011
- 11:07 a.m.

**Florida kes** writes:

"This series is slanted and poor muckraking journalism at its best."

Couldn't agree with you more.

- December 22, 2011
- 1:43 p.m.

**vbpoindexter#438357** writes:

It is what many of us have come to expect from Scripps. The people in Cincinnati don't really give a rat's pa-tooty about this community, with the exception of the advertising revenue they can extract from it.

- December 22, 2011
- 2:41 p.m.

**AMHA8ME** writes:

I commend George Andreasi and the News for finally doing an investigative piece. George, we have missed you at the commission meetings, but now we know why.

- December 22, 2011
- 3 p.m.

**H D Thoreau** writes:

A good letter.

It seems the innuendo is that FIND is extravagant or unnecessary, and while it may be extravagant, it is a necessary agency if we're going to keep the ICW functional.

All things considered, I'm not sure that it is extravagant.

- December 22, 2011
- 7 p.m.

**martina** writes:

Not in recent memory have so many reporters produced so many pages that added up to so little.

And I think the Scripps reporters and editors truly do not understand what a "cash bar" is. That's where the people consuming the drinks pay -- not the organization. So what exactly is the scandal here?

- December 22, 2011
- 7:57 p.m.

**dorado609** writes:

OK, FIND probably is paying for things the ACOE is chartered to do, but isn't doing - we want most of that.

Why aren't the investigative reporters looking at real national issues like:

1. Obama's birth certificate - OK beat to death but still a question
2. Obama's school records - why are they sealed and what do they show
3. Michelle Obama's school records - why are they sealed and wht do they show
4. Both Obama's law licenses - why are they both suspended/inactive
5. Obama passports when he traveled to Pakistan - who issued them
6. Any revelant information re the college performance/activities of Barack and/or Michelle Obama - all sealed and why
7. Any college stories about Barack or Michelle - dates, organizations, scholastic perfomance, etc

Real investigative reporters like Bernstein and Woodwrad would have drool on their chins chasing stories like these! Who controls what investigatiosn are undertaken?

- December 22, 2011
- 10:06 p.m.

**Chonchitta** writes:

ATTENTION SCRIPPS: Keep up the good work, your reports seem to be making certain people very nervous.

- December 22, 2011
- 10:19 p.m.

**Chonchitta** writes:

I enjoy the investigative journalism of Scripps. I think the George Adreassi stories are the best !

I like to see how my tax dollars are being flushed down the toilet. I want all of you crooks in government to know that you cannot escape the public eye.

- December 23, 2011
- 9:18 a.m.

**H D Thoreau** writes:

Chonchitta

Are you suggesting that those in FIND are crooks?

If so, could you be specific as to which crimes they have committed?



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Read more at [tcpalm.com](http://tcpalm.com)

## **FIND uses unconventional accounting practices for some agency expenses**

By Alexi Howk

Thursday, December 22, 2011

For an organization that has assets worth more than \$166 million, records show the day-to-day accounting practices of the Florida Inland Navigation District are unconventional.

FIND is a six-person state agency based in Jupiter that works with the U.S. Army Corps of Engineers to maintain and manage the 400-mile Intracoastal Waterway along Florida's east coast. The governor appoints 12 unpaid board of commissioners, who represent the 12 counties on the east coast.

Since 2005, FIND has spent more than \$503,000 on travel and meeting expenses for commissioners and staff, a Scripps Treasure Coast Newspapers investigation found.

A review of travel records for the commissioners revealed they frequently stay in luxury waterfront hotels when attending meetings, throw taxpayer-funded outreach events the night before each meeting and on occasion rack up big bills for plane tickets and car rentals.

Scripps then looked at employee travel records and found expenses reports weren't as detailed as those filled out by commissioners. For example, staff members often don't list the price of hotel stays on reports or the cost of airfare for trips.

FIND Executive Director David Roach said staff doesn't list the cost for hotel stays or airfare in most cases because those costs are paid for using agency issued credit cards.

He said commissioners by law are required to pay out-of-pocket travel costs up front and later seek reimbursement. Roach said it's for tax purposes because commissioners are not employees of FIND, which is exempt from being taxed.

But Scripps Treasure Coast Newspapers also found other out of the ordinary accounting practices.

Records show Roach booked two one-way flights for himself and his wife from Jupiter to Washington for a FIND lobbying trip in July 2010. The total cost of the one-way flights was \$251. Roach submitted and approved reimbursement for both his and his wife's ticket. Roach said rather than seeking reimbursement for a round trip for himself, he added his and his wife's tickets together for the cost of his round trip.

"We were picking up our grandkid, and I paid for those three tickets coming back out of my personal account," Roach said. "Apparently, when I filled out that travel voucher I didn't have that other receipt coming back so I did the easy route. Instead of me going home and going through my personal records and finding that other receipt I just said well just double it. It did cost me the same amount back."

Records show Roach sometimes pays for corporate expenses with personal checks. He even wrote one in 2009 for \$700 to pay a permit fee to the Florida Department of Environmental Protection

He used the same payment method in 2008 to pay for landscaping services at the FIND office. Roach said he is not authorized to sign FIND's checks. He said Florida law requires the checks be signed by two commissioners, which can be difficult when paying for immediate expenses because commissioners are scattered across the state. The checks also are signed by FIND's finance director.

"Even if I wanted to pay somebody \$10 with a check I'm not authorized to write it," Roach said. "Every check we write has to be mailed out for signature somewhere within the district. That's the law, and that is a good check and balance because we're such a small staff. ... It is a little bit inefficient, but we're used to doing it."

"Most vendors send you an invoice for 30 days payment, so we cut checks every two weeks and ship them out and get them back and distribute them and make it work."

Roach paid out-of-pocket \$100 cash for office landscape maintenance and then received reimbursement after producing photocopies of \$20 bills.

He conceded making photocopies of \$20 bills totaling \$100 doesn't prove he gave actual cash to the contractor.

"But that's what I did to try to have something in the file for the auditors and you know anybody who wants to look at it like you," he said.

Roach said the contractor asked for partial payment in cash because he was financially struggling. Roach wrote a personal check to the contractor for the remaining balance of \$500.

"He's always \$20 short of everything," Roach said of the landscaper. "He's come over to do work for you and he'll be like, 'Can you give me \$20 so I can go get lunch and fill up my truck?' So he always likes to get a little cash on the deal. So, we had him trimming here and he wanted to get paid immediately because he's living hand-to-mouth, so I just paid him and got my reimbursement. He's a heck of a nice guy, and it makes me feel good to help him."

Roach on at least three occasions stayed at more expensive hotels for meetings but in handwritten notes addressed to "whom it may concern" and "the file" asked only for reimbursement for the less expensive rates paid by FIND officials staying at another hotel.

Roach said he stays on occasion at different hotels with his wife for a more private setting away from his co-workers. Asked why his reimbursement request wasn't addressed to FIND's finance director or Assistant Executive Director Mark Crosley, Roach said, "I just wanted to document what occurred for the finance director, commissioners, our independent auditors and anyone else that might review the information."

Employees have also requested and received lump-sum reimbursements for travel more than a year later. Crosley received a \$2,283 check in 2008 for a year's worth of travel expenses. Roach said there is no policy establishing a time frame for when employees must submit reimbursements.

"I don't think it's good," Roach said. "We got on him about it, and now he's submitting them at least twice if not three or four times a year."

Robert Weissert, vice president for research and general counsel with Florida TaxWatch, a nonprofit government watchdog group, said FIND should have a policy that dictates when reimbursements must be filed.

"As far as having no policy, that sounds like that would be an opportunity to have a policy in place that would ensure within a reasonable time where verifications can be made and where people could remember their expenses," he said. "The longer you wait after expenditures are incurred the harder it is to verify things."

Expense reports for Crosley also were heavily whited-out. Roach said Crosley fills out his reports using an ink pen and used Liquid Paper on several of his reports to correct mistakes.

Weissert said organizations handling taxpayer money should have standard policies in place governing expenses.

"We need to make sure that entities that are being reimbursed for public expenditures are keeping good records," he said. "Timely and accurate records are important for any organization handling taxpayer dollars. They don't have to be hard and fast policies, but there should be some standard in place for what should qualify, and it should pass the smell test."



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## Comments » 7

- December 22, 2011
- 1:50 p.m.

imh#432358 writes:

It's time for Scripps to give up this witch hunt.

You so called investigative reporters should wear big red noses and learn how to make doggies out of balloons as clowning is more your speed.

- December 22, 2011
- 1:52 p.m.

verowire writes:

OK: From the article: -The Executive Director stays at a nicer hotel and pays the difference- and -He takes a trip and gets reimbursed for two 'halves' of the trip-. Will it sell more papers if you kick up dust from an agency keeping our infrastructure in tact?

Wait! I get it! Let's throw mud on the government agency so when a private contractor is hired (gotta keep the JOB MAKERS happy) the impressionable public will be happy that the big bad inefficient government is now outsourced.

Get ready to pay THREE DOLLARS for your inland waterway maintenance.

- December 22, 2011
- 2:49 p.m.

AMHA8ME writes:

Meetings, hotels, airfare, food and drink...

How much of our tax dollars were actually spent on public projects and not on themselves?

- December 23, 2011
- 8:20 a.m.

bigpencil writes:

Give up, this is getting ridiculous.

- December 23, 2011
- 5:58 p.m.

j2tk writes:

Where there is a little smoke, there is always a fire. I would hardly say there is no dirt here.

- December 23, 2011
- 8:08 p.m.

**Richard Bachmann** writes:

TCpalm this has been in the "news" for the last 8 days. It's getting old. Here are some other ideas: Why doesn't Kryzda be investigated for bungling the dredging project? or Why does Stuart need \$750,000 for beautification?

- December 24, 2011
- 9:39 a.m.

**eli lilly** writes:

This whole series of articles on FIND, which includes a separate TCPalm-endorsed website, sure looks like an attempt to strongarm the Sebastian dredge spoil site issue. If it wasn't for FIND, I doubt we'd even be able to view the Indian River without trespassing on private property. I already read in another TCPalm article that FIND runs a 3% administrative overhead, that's at or below accepted standards (some charitable organizations run as high as 15%), so obviously there isn't excessive administrative spending. Yet the digging continues... I'm not even from the area that this newspaper covers but it's plain as day what is driving this series of articles.

## **Editorial: Four reasons why taxpayers should pay attention to the Florida Inland Navigation District**

By Editorial Board

Wednesday, December 21, 2011

Are you paying attention to the Florida Inland Navigation District?

You should be.

Created in 1927 by the Florida Legislature, FIND is a little-known, taxpayer-funded agency that possesses considerable resources. Statewide, it collects more than \$20 million annually in property taxes and has amassed net assets — in revenue and properties — in excess of \$166 million. The agency, in cooperation with the U.S. Army Corps of Engineers, then uses these resources to maintain and manage the Okeechobee and Intracoastal waterways. The latter is about 400 miles of navigation channel stretching from the southern Georgia border to Miami-Dade County.

Yet, despite FIND's extensive resources and responsibilities, many Florida residents know little or nothing about the agency. Consequently, it receives little scrutiny from the public. For example, no members of the public spoke during hearings on FIND's fiscal 2012 budget Sept. 27 at Fellsmere City Hall and Sept. 16 at Delray Beach City Hall.

Here are four reasons, among others, why the district deserves greater attention from taxpayers.

**APPOINTED BOARD.** The governor appoints the 12-member FIND board of commissioners, one from each county on Florida's east coast. There are no elections. As a result, there is no recurring public forum — i.e. election — where voters are educated about FIND, its operations and responsibilities, and the individuals that oversee the agency.

Appointed boards, by their very nature, are more secretive than elected boards. Consequently, it takes extra work on the part of taxpayers to familiarize themselves with an appointed board and the agency it oversees.

Furthermore, due to the size of the district, it could take hours to drive to attend a board meeting.

**LOSS OF EARMARKS.** For years congressional earmarks were used to fund dredging maintenance projects. However, this revenue stream dried up last year when Congress eliminated earmarks. With fewer federal dollars available, counties and municipalities

on the Treasure Coast that have relied on federal earmarks to fund dredging projects will be relying more on FIND to assist with such projects. Therefore, the process whereby the agency decides which projects to fund suddenly takes on greater importance.

**NO SURPRISES:** Dozens of Sebastian homeowners in northern Indian River County say they were surprised to discover earlier this year that FIND is preparing a sediment containment site — for material dredged from the Indian River Lagoon — on 179 acres not far from their homes.

The agency's long-term plans call for 12 such sediment processing facilities to be built on the Treasure Coast: six in Martin County, three each in St. Lucie and Indian River counties. Property owners throughout our region would do well to learn if any of these facilities are planned in their communities.

**IT'S YOUR MONEY:** In the past 25 years, two FIND grant programs have given money to more than 860 projects in the district's 12-county area — at a cost to taxpayers of almost \$167 million. These wide-ranging projects include education programs, small dredging projects, marinas, parks, parking lots, boats, boat docks and boardwalks.

Some have questioned whether the money is being distributed fairly among the 12 counties.

It's your money. You should have an active say in how this state agency is spending it.

To date, the Florida Inland Navigation District has received little scrutiny from the public. This needs to change.



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## Comments » 1

- December 22, 2011
- 10:24 p.m.

**Chonchitta writes:**

Agreed 100%



Printer-friendly story  
Read more at [tcpalm.com](http://tcpalm.com)

## Editorial: Florida Inland Navigation District should be more transparent about future projects

By Editorial Board

Thursday, December 22, 2011

"I didn't know."

It is a recurring refrain from Treasure Coast homeowners who learn they live near property owned by the Florida Inland Navigation District — property that may eventually be converted into a sediment processing facility.

"I wasn't aware of it," said Jacqueline Phillips, when told the state agency plans to build a sediment processing facility on U.S. 1 in Tequesta, within a quarter-mile of her home.

"We didn't know nothing about it," said Lucinda Oliver, longtime County Line Road area resident, of FIND's plans to build a sediment processing facility on Indian River Drive and County Line Road, just north of the Martin County line.

There are many Treasure Coast residents who might be surprised to learn they live near or adjacent to a future sediment processing site.

Consider: FIND owns 231 properties in the 12-county area it oversees on Florida's East Coast, including 37 parcels on the Treasure Coast. Much of the property is valuable waterfront land. The agency eventually plans to build more than 50 facilities on the east coast to process sediment dredged from the Intracoastal and Okeechobee waterways as part of a 50-year plan, which includes 12 sediment processing facilities on the Treasure Coast: six in Martin County, three each in St. Lucie and Indian River counties.

The Concerned Taxpayers of Indian River County — a group of Sebastian area homeowners fighting the construction of a sediment facility east of their neighborhood — is worried the site will smell bad, hurt property values and pose a threat to public safety if a major storm breaches the dike and spills sediment into the neighborhood. Residents point to a 2006 spill in St. Johns County that covered a 54-acre wetland with arsenic-laden mud.

When it comes to homeowners and potential sediment processing facilities, there should be no surprises.

David Roach, executive director of the navigation district, is quick to point out that state statutes require local governments in coastal areas to identify locations of



sediment disposal facilities in future land use sections of comprehensive growth management plans. But not all counties comply with these requirements. For example, Martin County's growth plan does not show all of FIND's sediment sites, county records show.

Martin County needs to add this information to its growth management plan.

But let's be honest: How many Treasure Coast residents — or prospective property owners — actively monitor growth management plans to see if the land they own — or are considering for purchase — is located near a potential sediment processing facility? Very few.

Consequently, FIND needs to be proactive about informing local residents. More conspicuous signs on property would help. Printed correspondence mailed to all those in the immediate vicinity of a future site would be a positive first step.

"(With) something like this, they should send something to the homeowners," Oliver said.

Agreed.

More transparency on the front end may alleviate some of the problems FIND experiences after homeowners learn they live next to a future sediment processing facility.



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## Comments » 2

- December 22, 2011
- 9:14 a.m.

### H D Thoreau writes:

A fair editorial about a good series of reports about FIND.

However, given the importance of the ICW in the development of Florida's East Coast, the information was not particularly profound. Should we allow the ICW to fill in and become unuseable?

That so many folks "didn't know" is simply testimony to how distracted and oblivious the average Floridian is in his everyday life. Ditto for Florida's journalists who also "didn't know" until some investigative reporting educated them.

Worse than being oblivious and distracted is what the legal system calls "wilful ignorance", and sadly on a very important controversial subject that cannot be mentioned in public, wilful ignorance ALL TOO OFTEN drives the public perception and the Fourth Estate. If such morbid INcuriosity were to drive all parts of our life, we would know nothing about FIND and how and why it operates.

- December 22, 2011
- 11:20 a.m.

### reality writes:

<http://www.tcpalm.com/news/2011/dec/1...> I thought FL had no money. FL Repubs all complain about FED bureaucracy. But FL State Dept. of Transportation District Manager Jeff Weidner seems to promise "free" money to Ft. Pierce to see if it should be "designated as a Strategic Intermodal System Facility". But didn't Ed Killer just give statistics about how much money the Treasure coast makes from recreational sport fishing?

Would cargo ships really bring in more revenue, or would it destroy tourism? FL Repubs seem to have spent Billions of \$\$ since Jeb in 2000, trying to transform the "Treasure Coast" into the "Research Coast". Now we read over & over, how "free money" from the NIH, FDA, etc. seems to be drained from all of us, to keep Repubs Research Dream going. Now here we go again?

Who exactly, wants to make FL into a Cargo hub? How much will this State study cost? What is Mr. Weidner's salary? Commissioner Tom Perona says it is a "free opportunity for the city to make an informed decision about what to do at the port based on facts instead of worries about the possible environmental hazards". Martin Co. women already have the highest concentration of mercury in their blood, 18%, than anywhere else in the U.S. Long ago, I saw a map of "cancer clusters" in the U.S. The Gulf port area around Mobile was one of them. If the St. Lucie inlet is not dredged, wouldn't Ft. Pierce be the logical place for big yachts to go? "Gentrifying", Snowbirds, Tourism, etc., are much maligned by "Locals". But what brings in the most tax money, really?



Printer friendly story  
Read more at [tcpalm.com](http://tcpalm.com)

## **Editorial: Florida Inland Navigation District must scrutinize expenditures for travel, meetings**

By Editorial Board

Friday, December 23, 2011

Question: When is a "community outreach event" not really a community outreach event?

Answer: When the vast majority of attendees are members of the inner circle and good ol' boy network.

In many ways, the taxpayer-funded Florida Inland Navigation District appears to operate frugally on the \$20 million it receives each year in property tax revenues. The district, which manages and maintains the Okeechobee and Intracoastal waterways in a 400-mile-long, 12-county area along Florida's East Coast, spends 98 percent of its money on capital improvement projects and 2 percent on administration, according to longtime Executive Director David Roach.

Sounds good, at first blush.

The district is governed by 12 commissioners — one from each county — and conducts one commission meeting in each county per year. The night before each meeting, the agency holds "community outreach events" or cocktail parties where FIND officials dine on free appetizers and drink wine and mixed drinks provided at a cash bar. Although advertised on the agency's website and in local newspapers and other publications, the meetings and outreach events rarely are attended by citizens. Often, the events are held in banquet or meeting rooms at luxury hotels and attended mostly by FIND officials, local government officials and representatives from the marine industry.

This is disconcerting.

First, community outreach events should involve members of the public not previously connected with the district.

Second, expenditures for travel and meetings are extravagant and unnecessary.

Since 2005, the district has spent more than \$503,000 on travel and meetings for commissioners and staff. FIND's travel expenses have steadily increased over the last six years — except for fiscal 2010, when expenses went down slightly from the previous year. Travel expenses in the last six years show:

- Luxury hotel stays at the Washington Court Hotel in the District of Columbia, costing more than \$300 and \$459 per night; \$254 per night at The Palms in Miami Beach; and \$243 per night at the Viceroy Hotel in Miami.
- Expensive flights to in-state meetings. In one case, a one-day, round trip for a board member to fly from Miami to Tallahassee cost \$697.
- Rentals of a Lincoln Navigator luxury sport utility vehicle by one board member, costing nearly \$900 in total, not including gas.
- Annual lobbying trips to Washington, costing as much as \$2,000 per board member.

No one expects FIND commissioners and staff to stay in cheap hotels and eat fast food while conducting the district's business. However, there appear to be multiple opportunities for the district to eliminate waste and rein in expenditures.

While unpaid commissioners might choose to spend their own money in this fashion, they're not; they're spending money hard-earned by taxpayers. Do they have to get together for monthly meetings preceded the night before by social time? Doubtful. Technology is such that meetings can be held more often via the Internet, accessible to the public.

The cocktail parties are disconcerting for other reasons. Business should be conducted openly in the boardroom; there should not even be a whiff of it in cocktail parties, open or not. Pat Gleason, special counsel for open government with the Florida Attorney General's Office, warns officials that casual conversation between board members can lead to: a) an appearance of impropriety; and b) discussions that potentially could violate the law. In other words, she says, it's most prudent to meet with fellow commissioners only in the boardroom.

The mere appearance of officials gathering in cocktail parties — with alcohol involved, no matter who pays for it — is unseemly. The fact that commissioners get special deals at fancy hotels based on their public status doesn't look good, either. It's easy to distrust government as it is, but the aforementioned activities make it even more difficult.

FIND officials need to scrutinize their travel and meeting expenses — and make appropriate adjustments. After all, Florida taxpayers are funding these trips and events.



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## Comments » 3

- December 23, 2011
- 8:58 a.m.

Take95North writes:

And the witch hunt continues.....

- December 23, 2011
- 12:44 p.m.

jackiet writes:

...and well it should!!!!

- December 23, 2011
- 5:27 p.m.

jmh#432358 writes:

I'm happy to see that tcpalm is burying this garbage deeper in the site.

This so called investigation is a blemish on Scripps' credibility.



Printer friendly story  
Read more at [tcpalm.com](http://tcpalm.com)

## Letter: Outstanding Scripps series on FIND just scraping at sorry surface

Staff Reports

Wednesday, January 4, 2012

Jeff Wittmann, Hobe Sound

Letter: Outstanding Scripps series on FIND just scraping at sorry surface

Kudos for the excellent series on the Florida Inland Navigational District — a rogue government agency with little or no oversight. It has done immense environmental damage to the Treasure Coast.

In 2006, FIND held a public meeting at the Hobe Sound Civic Center to say it was going to turn 18.54 acres of environmentally sensitive land into a dredge spoil site.

The land had scrub jays, gopher tortoises, indigo snakes and many other threatened and endangered species. The federally protected four-petal pawpaw (*Asimina tetramera*) had been identified across the street in Jonathan Dickinson State Park.

Many spoke out against it, including representatives from the U.S. Department of the Interior and the town of Jupiter Island, to no avail. The property was scraped, dug out, a 15-foot berm placed around its perimeter.

This was a totally unnecessary project. Now, I hear that FIND is trying to sell the property. I believe a flawed environmental assessment allowed this to move forward. That was the case with the spoil site on Gomez Avenue in Hobe Sound.

There were Native American mounds on the property. FIND Executive Director David Roach denied this. U.S. Army Corps of Engineers engineer Paul Demarco also was told about the mounds. FIND was using an outdated archeological survey done in 1992.

At the meeting, Roach stated that spoil material could be pumped up to seven miles. When informed there was an established spoil site within that distance, he dismissed the idea.

Because of federal supremacy, FIND is exempt from the Martin County Growth Management Plan. It also is exempt from the comprehensive plans of the other 11 counties in which it operates. The accounting irregularities, excessive expenses and cocktail parties probably are just the tip of the iceberg. It reminds me of the old saying, Where there is one Roach, there are probably more.





Printer friendly story  
Read more at [tcpalm.com](http://tcpalm.com)

# Letter: Disturbing tone of reporting on Florida Inland Navigation District

Staff Reports

Wednesday, January 4, 2012

Don Yackel, Sebastian

Letter: Disturbing tone of reporting on the navigation district

I am disturbed by the tone of the Scripps Treasure Coast Newspapers' investigation of the Florida Inland Navigation District. After reading several days of detailed reports about the planning and financial activities of this body, I can only conclude this: Despite the negative implications of many headlines, and the misleading and accusatory financial illustrations, FIND seems to be an outstanding example of public servants doing an excellent, proactive job.

FIND should be complimented for spending only 2 percent of its annual revenue on administrative costs and only .004 percent on commissioners' meetings, outreach and lobbying (\$83,800 per year average, using your figures). One can always argue over whether a \$459 per night room is acceptable, but FIND's overall average of \$126 per overnight stay is quite reasonable. I would challenge any agency, public or private, to undergo this level of scrutiny without some debatable areas turning up.

I have no problem with the newspaper's inquiry. However, the implication that a well-functioning organization is behaving in a shady manner, just to justify the time and money spent on this exhaustive inquiry, is unethical. It plays right into the public's too-often-incorrect belief that all public entities are self-serving and corrupt. Quite frankly, the only reason for the investigation was the noise generated by a "Not In My Backyard" group, masquerading as "Concerned Taxpayers," making a stink because they believe the Barber Street spoils disposal site is too close to their homes — a legitimate concern, but it has nothing to do with being concerned with taxation.

The only legitimate issue in this whole investigation surrounds making the public more aware of the things that might impact them and giving them input. If the investigation brings that result, good. But let's hope it doesn't also destroy the functioning of an exemplary institution.



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January 3, 2012

**MEMORANDUM**

**TO:** David Roach, Executive Director  
Mark Crosley, Assistant Executive Director

**FROM:** Jim Davenport

**SUBJECT:** Federal Legislative Update

---

On December 23, 2011, the President approved P.L. 112-74, the Consolidated Appropriations Act of 2012, which included the Fiscal Year (FY) 2012 Energy and Water Appropriations Bill. The bill passed Congress on December 17<sup>th</sup>.

The bill provided \$5 billion to the Army Corps of Engineers, an increase of \$145 million above fiscal 2011. The Operations and Maintenance Account included \$30 million for Inland Waterways and \$55 million for Navigation Maintenance. These two funding sources provide the Florida Inland Navigation District with an opportunity to obtain maintenance dredging funding for the Intracoastal Waterway in the absence of FY 2012 congressionally directed appropriations (i.e. earmarks), and we have already begun pursuing the funding on FIND's behalf.

Just prior to congress adjourning for 2011, we met and/or contacted all the legislative aides that make up FIND's congressional delegation and asked for their assistance in obtaining Inland Waterway and/or Navigation Maintenance funding for maintenance dredging of the IWW. To that end, we prepared a letter to Secretary Jo-Ellen Darcy on their behalf, seeking funding for FIND's projects. Six House Members, including Representatives Alcee Hastings, Ted Deutch, Corrine Brown, Bill Posey, Allen West and Debbie Wasserman Schultz sent a joint letter to the Army Corps of Engineers (see attached) on FIND's behalf, while Representative Ileana Ros-Lehtinen sent her own letter to the Corps (see attached).

As to the other six Members of FIND's Congressional Delegation, and Senator Nelson's office, their aides either could not provide an answer before the holidays or failed to return our call. We will continue working with them to ask that they submit letters to the Corps as well.

Furthermore, we will contact FIND's Jacksonville Corps Project Manager, Shelley Trulock, to ask for support from the District Office level. We would encourage you to contact Ms. Trulock as well.

Please contact us with any questions.



**Congress of the United States**  
**House of Representatives**

**ILEANA ROS-LEHTINEN**  
18TH DISTRICT, FLORIDA

December 21, 2011

The Honorable Jo-Ellen Darcy  
Assistant Secretary of the Army for Civil Works  
Headquarters, US Army Corps of Engineers  
441 G. Street, NW  
Washington, DC 20314-1000

Dear Secretary Darcy:

I am writing in support of Florida Inland Navigation District (FIND) and its efforts to maintain the Intracoastal Waterway (IWW) at a safe navigable depth and width in Florida. Continued maintenance and dredging of the IWW is vital to our state's economy by restoring safe navigability for commercial barges and recreational vessels.

Florida waterways annually transport nearly 1.9 million tons of commercial cargo and 500,000 recreational vessels; provide \$15.9 billion in economic output, which includes \$4.78 billion in personal wages and 124,000 jobs; and increase property values by over \$19.65 billion. Without proper maintenance, these great benefits could not be realized.

As the Army Corps of Engineers reviews projects for FY 2012, I ask that you give full and fair consideration to Florida Inland Navigation District's efforts to maintain the Intracoastal Waterway, in accordance with all applicable rules and regulations.

Sincerely,

Ileana Ros-Lehtinen  
Member of Congress

IRL:jhs

Page 132  
PLEASE RESPOND TO:  
2206 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-0918  
☐ (202) 225-3931  
FAX: (202) 225-5620  
<http://www.house.gov/ros-lehtinen>

☐ DISTRICT OFFICE:  
4960 SW 72 AVENUE  
SUITE 208  
MIAMI, FL 33155  
(305) 668-2285  
FAX: (305) 668-5970  
☐ MONROE COUNTY:  
(305) 304-7789  
☐ MIAMI BEACH AREAS:  
(305) 934-9441

**Congress of the United States**  
**Washington, DC 20515**

December 20, 2011

The Honorable Jo-Ellen Darcy  
Assistant Secretary of the Army for Civil Works  
Headquarters, US Army Corps of Engineers  
441 G. Street, NW  
Washington, DC 20314-1000

Dear Secretary Darcy:

We are writing on behalf of the Florida Inland Navigation District (FIND), the state sponsor of the Atlantic Intracoastal Waterway (AIWW) and Intracoastal Waterway (IWW) in Florida, to request \$4.87 million in Fiscal Year 2012 funding for the maintenance dredging of the AIWW and IWW.

The Fiscal Year 2012 Energy and Water Appropriations includes \$30 million for Inland Waterways and \$34 million for Navigation Maintenance. Maintenance dredging is needed at the Indian River Reach 1 and Palm Beach Reach 3 and 4 in the IWW, and also Reaches 1 and 3 of the AIWW (see attached). Dredging will restore safe navigability to these areas for commercial barges and recreational vessels. The total cost of these projects is \$9.7 million, and FIND is prepared to provide 50% of the federal cost share, or \$4.85 million.

Continued maintenance of the AIWW and IWW in Florida is vital to the State and National economy. The waterways annually transport nearly 1.9 million tons of commercial cargo and 500,000 recreational vessels, provide \$15.9 billion in economic output, which includes \$4.78 billion in personal wages and 124,000 jobs, and increase property values by over \$19.65 billion. Studies show that without proper maintenance these benefits will decline by over 50 percent

As the Army Corps of Engineers reviews projects for FY 2012, we ask that you give strong consideration to funding Florida's AIWW and IWW maintenance dredging projects.

If you have any questions, please contact Ian Wolf in the office of Congressman Alcee L. Hastings at (202) 225-1313. Thank you for your consideration of our request.

Sincerely,

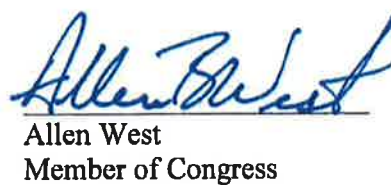
  
Alcee L. Hastings  
Member of Congress

  
Debbie Wasserman Schultz  
Member of Congress

  
Ted Deutch  
Member of Congress

  
Bill Posey  
Member of Congress

  
Corinne Brown  
Member of Congress

  
Allen West  
Member of Congress





# FLORIDA INLAND NAVIGATION DISTRICT

## COMMISSIONERS

November 29, 2011

## MEMO

To: David Roach, Executive Director

From: Mark Tamblyn, Field Projects Coordinator *MT*

Re: District Continuing Education FAU-MBA Program

**S. NORMAN BRAY**  
CHAIR  
NASSAU COUNTY

**DONN R. COLEE, JR.**  
VICE-CHAIR  
PALM BEACH COUNTY

**GAIL KAVANAGH**  
TREASURER  
ST. LUCIE COUNTY

**NANCY J. FREEMAN**  
SECRETARY  
VOLUSIA COUNTY

**BRUCE D. BARKETT**  
INDIAN RIVER COUNTY

**J. CARL BLOW**  
ST. JOHNS COUNTY

**E. TYLER CHAPPELL**  
BROWARD COUNTY

**T. SPENCER CROWLEY, III**  
MIAMI-DADE COUNTY

**DONALD J. CUOZZO**  
MARTIN COUNTY

**MICHAEL D. MESIANO**  
DUVAL COUNTY

**JONATHAN S. NETTS**  
FLAGLER COUNTY

**JERRY H. SANSOM**  
BREVARD COUNTY

Please allow me to thank the District's Board of Commissioners for their support of continuing education at this level. I have completed my application to FAU, and have been accepted into the executive MBA program. Classes will begin on January 7, 2012 at the FAU campus in Boca Raton. I am also pleased to say that I have spoken with FAU faculty regarding changing some of the program electives to a balance of construction or environmental electives which satisfied some of the Board's curriculum concerns. The FAU faculty confirmed that would be possible as the program moves along and electives are in the schedule.

I understand my financial obligation to pay the entire tuition, and upon receiving a "B" grade for the semester will be reimbursed ½ of the semester's costs. I also understand that I am obligated to continue employment with the District for 4 years after graduation from the program.

I believe this investment in education will serve to increase my skills and level of service to the District. I want to thank you for giving me the opportunity to be a better District employee. I promise to be a diplomat for the District and establish many new contacts and relationships with businesses throughout south Florida. Thank you.

**DAVID K. ROACH**  
EXECUTIVE DIRECTOR

**MARK T. CROSLLEY**  
ASSISTANT EXECUTIVE DIRECTOR

**EXCERPTED MINUTES OF THE  
FLORIDA INLAND NAVIGATION DISTRICT**

**Personnel Committee Meeting**

**11:58 a.m., Friday, July 15, 2011**

**Hampton Inn**

**19 South Second Street**

**Fernandina Beach, Nassau County, Florida**

**ITEM 4.      Field Projects Manager Education Support Request.**

Mr. Roach stated that Florida state law allows agencies to provide support for education for employees and the District has done so in the past with our Public Information Manager. He stated that, in that instance, the District reimbursed the total tuition when the employee earned a grade of C or above in a course. He stated that the law allows the District to require continued employment for up to four years for tuition reimbursement.

Mr. Roach stated that the District's Field Projects Manager has wanted to continue his education for a number of years. He stated that Florida Atlantic University (FAU) offers an Executive MBA program that can be completed on Saturdays. He stated that while it appears that a Field Projects Manager with an MBA degree may not seem like the best fit, staff believes that it would help him do a better job for the District. He stated that additionally, as things change with FIND over the next few years, he would like to be considered to move up to another position. He stated that he is a good employee and he is respectfully making this request.

Chair Netts asked how long this employee has been with the District. Mr. Roach answered at least 13 years.

Commissioner Crowley asked the total cost for this program. Mr. Roach answered approximately \$35,000.00.

Commissioner Freeman stated that she is a huge proponent of higher education, but that she believes that the individual should have a financial investment in the program. She stated that she has never participated in any education program that has been fully funded.

Commissioner Cuzzo agreed with Commissioner Freeman and noted that he has an education program in his company that reimburses 50% of the tuition, with three years of future employment.

Commissioner Crowley made a motion to approve the tuition reimbursement of 50% to the Field Projects Manager for continuing education based upon earning a B grade, with four years continued employment upon completion. Commissioner Freeman seconded the motion. Chair Netts asked for discussion.

Commissioner Blow stated that he has reviewed the MBA course and he finds it hard to relate the program to a construction related position. He stated that this MBA would improve his skill set, but how does it relate to his work at the District.

Chair Netts noted that the City of Holly Hill had a Fire Chief who became the City Manager. He stated that with a diverse skill set, there is always the possibility of upward mobility.

Commissioner Freeman stated that she would like to review a legitimate succession plan for the District. She asked if this particular MBA is a requirement to obtain an upper position at the District.

Commissioner Blow stated that he feels an engineering degree would be better suited for the District's work.

Commissioner Cuzzo stated that an MBA would be a good degree for a government employee to have because they need to know how business operates.

Commissioner Sansom noted that this is a two-year program and the reimbursement would be completed over that time. He stated that this request seems reasonable.

Commissioner Crowley noted that there is an Environmental MBA. He suggested that Mr. Roach discusses the various degree options with Mr. Tamblyn. He stated that perhaps some of these suggested elective classes could better tailor this degree to the District's needs.

Commissioner Sansom asked if this will have to come before the full Board for final approval. Mr. Roach answered yes. Commissioner Sansom suggested discussing the commissioner's suggestions with the employee and bring the revised request before the full board for approval.

Chair Netts asked for any further discussion, hearing none, a vote was taken and the motion passed.

**110.1099, FS.****Education and training opportunities for state employees.—**

(1) Education and training are an integral component in improving the delivery of services to the public. Recognizing that the application of productivity-enhancing technology and practice demands continuous educational and training opportunities, a state employee may be authorized to receive a voucher or grant, for matriculation fees, to attend work-related courses at public community colleges, public career centers, or public universities. The department may implement the provisions of this section from funds appropriated to the department for this purpose. In the event insufficient funds are appropriated to the department, each state agency may supplement these funds to support the training and education needs of its employees from funds appropriated to the agency.

(2) The department, in conjunction with the agencies, shall request that public universities provide evening and weekend programs for state employees. When evening and weekend training and educational programs are not available, an employee may be authorized to take paid time off during his or her regular working hours for training and career development, as provided in s. 110.105(1), if such training benefits the employer as determined by that employee's agency head.

(3) An employee who exhibits superior aptitude and performance may be authorized by that employee's agency head to take a paid educational leave of absence for up to 1 academic year at a time, for specific approved work-related education and training. That employee must enter into a contract to return to state employment for a period of time equal to the length of the leave of absence or refund salary and benefits paid during his or her educational leave of absence.

(4) As a precondition to approving an employee's training request, an agency or the judicial branch may require an employee to enter into an agreement that requires the employee to reimburse the agency or judicial branch for the registration fee or similar expense for any training or training series when the cost of the fee or similar expense exceeds \$1,000 if the employee voluntarily terminates employment or is discharged for cause from the agency or judicial branch within a specified period of time not to exceed 4 years after the conclusion of the training. This subsection does not apply to any training program that an agency or the judicial branch requires an employee to attend. An agency or the judicial branch may pay the outstanding balance then due and owing on behalf of a state employee under this subsection in connection with recruitment and hiring of such state employee.

(5) The Department of Management Services, in consultation with the agencies and, to the extent applicable, with Florida's public community colleges, public career centers, and public universities, shall adopt rules to administer this section.

History.—s. 2, ch. 91-431; s. 7, ch. 92-142; s. 5, ch. 94-113; s. 31, ch. 96-399; s. 5, ch. 98-309; s. 2, ch. 99-399; s. 5, ch. 2001-43; s. 51, ch. 2001-254; s. 1062, ch. 2002-387; s. 13, ch. 2004-357; s. 1, ch. 2010-4.



# FLORIDA INLAND NAVIGATION DISTRICT

## COMMISSIONERS

May 18, 2011

## MEMO

**JERRY H. SANSOM**  
CHAIR

BREVARD COUNTY

**S. NORMAN BRAY**  
VICE-CHAIR

NASSAU COUNTY

**DONN R. COLEE, JR.**  
TREASURER

PALM BEACH COUNTY

**GAIL KAVANAGH**  
SECRETARY

ST. LUCIE COUNTY

**BRUCE D. BARKETT**  
INDIAN RIVER COUNTY

**J. CARL BLOW**  
ST. JOHNS COUNTY

**E. TYLER CHAPPELL**  
BROWARD COUNTY

**T. SPENCER CROWLEY, III**  
MIAMI-DADE COUNTY

**DONALD J. CUOZZO**  
MARTIN COUNTY

**NANCY J. FREEMAN**  
VOLUSIA COUNTY

**MICHAEL D. MESIANO**  
DUVAL COUNTY

**JONATHAN S. NETTS**  
FLAGLER COUNTY

**DAVID K. ROACH**  
EXECUTIVE DIRECTOR

**MARK T. CROSLY**  
ASSISTANT EXECUTIVE DIRECTOR

To: David Roach, Executive Director

From: Mark Tamblyn, Field Projects Coordinator *MT*

Re: MBA Program Meeting Request

As you may recall from our past conversations, I remain committed to furthering my service to the District while enhancing my career opportunities with the organization in an effort to do so, we briefly discussed my strong desire to better serve the organization through advanced educational opportunities. I believe my pursuit of a Masters of Business Administration would enhance these efforts in a number of ways, including:

- Development of new skills which will make me a more productive member of the team.
- Enhanced ability to take on new initiatives and assignments.
- Increased leadership skill development.
- Strengthen long-term real-life industry knowledge to increase service to the District.

I would like to discuss the District's Education Benefit Policy with you and how it could be utilized to achieve furthering education of an Executive MBA program. I believe the completion of an Executive MBA can benefit the goals, missions and values of the District today, tomorrow and well into the future.



I have investigated the MBA programs at the local State Institutions (FAU, FIU). I have also attended the information session at Florida Atlantic University (FAU). FAU has proven to be the best fit overall for a number of reasons:

- 1) FAU's Executive MBA program takes just 23 months to complete.
- 2) Classes are only on the weekend, and are held one weekend per month, (no workday classes).
- 3) State of Florida Employee Tuition Waiver Program reduction allowance of \$11,500.
- 4) Small class sizes affording industry-specific real-life teachings.
- 5) Hands-on, team-oriented project based learning.

May I please schedule a one-on-one meeting to further discuss FAU's Executive MBA program, the District's Education Benefit Policy and how improved educational benefits can enhance my skills and knowledge to become an integral part of your succession planning efforts?

I understand this would be a substantial investment of time and money for the organization. I also understand that this will need to be discussed with the District's Board of Commissioners. Please know I seek this opportunity to better serve the District for many years to come. I feel that I have become well balanced in the field operations, and would like to achieve / create balance in the business operation of the District in the future. At the time when our DMMA facilities have been constructed we will need to have a business operations plan in place that will continue to be self sustainable, business oriented, and provide the level of service and continued level of excellence which the District has always provided. With this advanced education I believe I can become an integral of the team which makes this happen.

Please let me know when we may meet. Thank you for your consideration.



# FLORIDA INLAND NAVIGATION DISTRICT

## COMMISSIONERS

May 31, 2011

## MEMO

**S. NORMAN BRAY**  
CHAIR

NASSAU COUNTY

**DONN R. COLEE, JR.**  
VICE-CHAIR

PALM BEACH COUNTY

**GAIL KAVANAGH**  
TREASURER

ST. LUCIE COUNTY

**NANCY J. FREEMAN**  
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**DONALD J. CUOZZO**  
MARTIN COUNTY

**MICHAEL D. MESIANO**  
DUVAL COUNTY

**JONATHAN S. NETTS**  
FLAGLER COUNTY

**JERRY H. SANSOM**  
BREVARD COUNTY

To: David Roach, Executive Director

From: Mark Tamblyn, Field Projects Coordinator *MT*

Re: MBA Program Courses & Costs

The following information is for FAU'S 23 month Executive MBA Program. This program will be taught over six (6) semesters. The costs differ only by the amount of credits taken per semester.

The following is the cost breakdown per semester:

- FALL 2011-----\$4,485.00
- SPRING 2012-----\$6,315.00
- SUMMER 2012-----\$3,570.00
- FALL 2012-----\$6,315.00
- SPRING 2013-----\$6,315.00
- SUMMER 2013-----\$3,570.00

These costs reflect the same cost per credit hour throughout the entire program. These costs also reflect the State of Florida employee tuition reduction of up to 6 credits per semester or \$1919.76 per semester. Please see Exhibit A: (FAU Cost Analysis-23 month Executive MBA).

The entire FAU-MBA curriculum and schedule is attached as Exhibit B. This is the entire MBA degree broken down into semesters and courses. I hope this will help establish the course work for the program, and the cost of this Executive MBA degree. Please let me know if would like to discuss the District's Education Benefit Policy with regard to this specific request. I understand that this is a substantial obligation, but I do believe the completion of an Executive MBA can benefit the goals, missions and values of the District today, tomorrow and well into the future.

**DAVID K. ROACH**  
EXECUTIVE DIRECTOR

**MARK T. CROSLEY**  
ASSISTANT EXECUTIVE DIRECTOR

# Exhibit A

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23-month Executive MBA Curriculum and Schedule			
Classes meet 8:00am-6:15pm			
Fall 2011			
Dates	Semesters		
Aug 20 & 21 Sept 10 & 11 Oct 1 & 2 Oct 22 & 23 Nov 5 & 6 Dec 3 & 4 Semester Break	MAR 6815  Advanced Marketing Management  3 credits	GEB 6217  Communication Skills for Business Professionals  3 credits Semester Break December 5 - January 6	GEB 6931  Leadership and Executive Forum  1 credit
Spring 2012			
Jan. 7 & 8 Jan 28 & 29 Feb 18 & 19 Mar 10 & 11 Mar 31 & Apr 1 Apr 21 & 22 Semester Break	ACG 6027  Financial Accounting Concepts  3 credits	MAN 6937  Global Environment of Management  3 credits Semester Break April 23 - May 11	MAN 6614  International Business Operations (IB)  3 credits
Summer 2012			
May 12 & 13 June 2 & 3 June 23 & 24 July 14 & 15  Semester Break	ACG 6315  Advanced Analysis of Accounting Data  3 credits	MAN 6728  Managing Emerging Markets (IB)  3 credits Semester Break July 16 - August 17	
Fall 2012			
Aug 18 & 19 Sept 8 & 9 Sept 29 & 30 Oct 20 & 21 Nov 3 & 4 Dec 1 & 2 Semester Break	FIN 6406  Corporate Financial Management  3 credits	ISM 6026  Management of Information Systems and Technology  3 credits Semester Break December 3 - January 4	MAN 6245  Organizational Behavior  3 credits
Spring 2013			
Jan. 5 & 6 Jan 26 & 27 Feb 16 & 17 Mar 9 & 10 Mar 30 & Mar 31 Apr 20 & 21 Semester Break	FIN 6806  Advanced Managerial Finance  3 credits	MAN 6501  Operations Management  3 credits Semester Break April 22 - May 10	ECO 6716  Advanced International Monetary Economics (IB)  3 credits
Summer 2013			
May 11 & 12 June 1 & 2 June 22 & 23 July 13 & 14  Graduation	MAN 6721  Strategic Management and Policy  3 credits	International Field Experience (IB) or IB Elective Semester  3 credits	
Total Credits			46

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# Externship Proposal Form

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To: Curriculum Committee  
 From: Professor Thomas T. Ankersen  
 Date: Dec. 14, 2011

The Professor completing this form will be the assigned Faculty Supervisor for this externship.

Name and Location of Externship	Florida Inland Navigation District, Miami Florida		
Proposed Field Supervisor (include title & contact info)	Spencer Crowley, Commissioner, Florida Inland Navigation District & Partner, Akerman Senterfitt, One Southeast Third Avenue, 25th Floor, Miami, FL 33131 Dir: 305.982.5549, Main: 305.374.5600, Fax: 305.374.5095 <a href="mailto:spencer.crowley@akerman.com">spencer.crowley@akerman.com</a>		
Semester the Externship will begin	Summer, 2012	Semester(s) Externship will be offered	1-3 depending on field supervisor needs
Number of Positions	1	Number of Credits (may be variable 2-5 for Spring and Fall, 2-6 for Summer)	2-6
Pre Requisites or Other Requirements/ Preferences	Preference for Environmental and Land Use Program and students with an expressed interest in marine and coastal law and policy		
Educational Objectives & Methods of Achieving Objectives  Description of the work to be performed by the Extern	Legal extern will receive meaningful work assignments and interact with the field supervisor and FIND staff on a regular basis. The work assignments will serve the legal and policy needs of the Florida Inland Navigation District, a Florida Taxing Special District, with responsibility for maintaining the Atlantic Intracoastal Waterway and other navigational needs of the boating public on Florida's East Coast.		
Contemporaneous Guided Reflection - Specify frequency and method of contact with the student(s) and journal and other writing requirements.	Every two weeks, the student will submit a journal, by email, to the faculty supervisor. In the journal the student will discuss what the student is learning about the law and policy related to the work of FIND. The student will describe the projects worked on and any legal issues presented by the work. Additionally, the student, field supervisor and faculty supervisor will meet in person or by telephone prior to and at the conclusion of the externship.		
Orientation (if applicable)	N/A		
Faculty Academic Relationship to the Field & Availability to Undertake Supervision	Faculty member directs Conservation Clinic, which does a considerable amount of applied legal work in the area of boating and waterway law and policy, as well as related environmental and land use law and policy		

Site Visit or Equivalent:

Please indicate how you plan to satisfy the requirement of a site visit or equivalent.

☐ Prior to commencement of the externship, I will visit the site or another UF law professor will visit the site.

X ☒ Prior to commencement of the externship, I will satisfy the site visit requirement by a means equivalent to a physical visit made by me or by another UF law professor such as:

☐ A law professor from a law school near the site will visit the site for me.

X ☒ I will contact the site and determine that the site will provide the student meaningful legal work, adequate workspace, and sufficient resources.

Other: The student will be housed in the offices of the Field Supervisor's law firm and make regular visits to the District's Staff offices

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January 4, 2012

Mr. David K. Roach  
Executive Director  
Florida Inland Navigation District  
1314 Marcinski Road  
Jupiter, FL 33477

Re:     Annual Adjustment of Billing Rates

Dear Mr. Roach:

I have attached our proposed schedule of billing rates effective January 1, 2012 through December 31, 2012 (Attachment 1). Attachment 1 includes our currently effective rates for comparison and notes the percentage change with the proposed rate for each staff category. Variations in the percentage increase by labor category result from changes in staffing. As noted in Attachment 1, the average percentage increase in rates for 2012 is 0.7% for all staff and 0.8% for professional and technical staff.

So that you can fairly evaluate our rates, we have included supporting documentation comparing them with industry averages. Each proposed rate comprises three elements: direct salary, overhead rate (or indirect costs, including employee fringe benefits) and profit. Attachment 2 provides a comparison of the direct salaries included in our proposed rates with the Florida Department of Transportation's (FDOT) average negotiated rates for the period December 28, 2010 through December 28, 2011 and with the *2012 Zweig-White Salary Survey of Northeast & South Atlantic Engineering Firms*. Because the labor classifications within each comparable group do not exactly match our standard labor classifications, we assigned an equivalent labor classification for each of our proposed rates. As noted on the comparison chart, our average proposed direct rates are less than 1% higher than the average FDOT and Zweig-White rates. Considering that both sources base their information on early 2011 salaries, we feel that our direct rates for 2012 are fair and reasonable.

Furthermore, our proposed rates include our standard overhead of 167% of direct labor. Attachment 3 provides average overhead rates, as audited by the FDOT from 2009 to 2011, which is the most recently published data. The average FDOT home office overhead rate is 172.58%, above our proposed rate of 167%. Therefore, we feel that our overhead rate is also fair and reasonable.

Finally, the labor rates include our standard 12% profit. This is the standard profit we charge our clients and the profit on labor we have been granted by the FIND in the past. As previously authorized by the FIND, we include a 10% fee on subcontractor and other direct costs.





December 29, 2011  
David Roach  
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Thank you for your consideration of this request. Please let me know if I can answer any questions.

Sincerely,



R. Bruce Taylor, Ph.D., P.E.  
CEO/Chairman of the Board

Enclosures

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## ATTACHMENT 1

**TAYLOR ENGINEERING, INC.  
PROPOSED HOURLY RATES FOR  
FLORIDA INLAND NAVIGATION DISTRICT**

Effective Date: 1/1/2012  
Expiration Date: 12/31/2012  
Fee on ODC's: 10%

Labor Category	Current Burdened Hourly Rate	Proposed Burdened Hourly Rate	% Change
R. Bruce Taylor, Ph.D.	\$ 297.00	\$ 306.00	3.0%
President	223.00	223.00	0.0%
Vice President	193.00	185.00	-4.1%
Senior Advisor	175.00	177.00	1.1%
Director	154.00	154.00	0.0%
Senior Professional*	128.00	129.00	0.8%
Project Professional*	107.00	105.00	-1.9%
Staff Professional*	86.00	86.00	0.0%
Technical Editor	95.00	99.00	4.2%
Senior GIS Technician*	93.00	96.00	3.2%
Staff GIS Technician*	73.00	75.00	2.7%
Senior Technician*	90.00	90.00	0.0%
Staff Technician*	64.00	65.00	1.6%
Administrative	55.00	56.00	1.8%
Average Billing Rate — All Staff	130.93	131.86	0.7%
Average Billing Rate — Professional & Technical Staff	91.57	92.29	0.8%

\*Included in calculation of *Average Billing Rate — Professional & Technical Staff*

## ATTACHMENT 2

**Taylor Engineering, Inc.**  
**Comparison of Proposed Rates to FDOT Average Negotiated Rates**  
**and Zweig-White Average Salaries**

<b>Labor Category</b>	<b>Direct Rate Proposed</b>	<b>Equivalent FDOT Job Classification</b>	<b>FDOT Average Rate</b>	<b>Equivalent Zweig-White Classification</b>	<b>Zweig-White Average Rate</b>
R. Bruce Taylor, Ph.D.	102.34	No comparison		CEO/President	97.06
President	74.58	Chief Engineer	65.64	Executive Vice President	82.33
Vice President	61.87	Chief Engineer	65.64	Vice President	65.08
Senior Advisor	59.20	Senior Engineer	52.52	Principal Engineer	65.20
		Chief Engineer	65.64	Department Manager	52.93
Director	51.51	Project Manager	54.33	Department Manager	52.93
Senior Professional	43.14	Project Manager	54.33	Project Manager	42.50
		Project Engineer	38.01		
Project Professional	35.12	Project Engineer	38.01	Project Engineer	31.67
		Engineer	33.09		
Staff Professional	28.76	Engineering Intern	27.17	Entry-level Engineer	24.01
Technical Editor	33.11	No comparison		No comparison	
Senior GIS Technician	32.11	No comparison		Proj. Mgr. GIS Professional	34.46
Staff GIS Technician	25.08	GIS Specialist	25.98	Entry-level GIS Professional	19.76
				Project GIS Professional	29.18
Senior Technician	30.10	Senior Engineering Tech	25.11	Sr. Civil Engineering Tech.	27.36
				CAD Manager	32.00
Staff Technician	21.74	CADD/Computer Tech	23.71	Mid-level Civil Eng. Tech.	23.74
				Entry-level Civil Eng. Tech.	17.98
Administrative	18.73	Secretary/Clerical	18.58	Administrative Assistant	19.32
Average Rate <sup>1</sup>	<b>40.89</b>	Average Rate <sup>1</sup>	<b>40.63</b>	Average Rate <sup>2</sup>	<b>44.88</b>
Average Rate <sup>2</sup>	<b>44.94</b>				

<sup>1</sup>Average Rate excludes categories that have no comparison to FDOT job classifications.

<sup>2</sup>Average Rate excludes categories that have no comparison to Zweig-White job classifications.

### Attachment 3

#### Current Averages for Audited Overhead, Expense and Facilities Capital Cost of Money (FCCM) Rates

Updated: February 14, 2011

<u>RATE</u>	<u># OBS.</u>	<u>HIGH</u>	<u>LOW</u>	<u>MEAN</u>
Home Office Overhead	966	257.02%	112.63%	172.58%
Field Office Overhead	410	189.92%	83.15%	125.57%
Home Office Expense	931	38.29%	0.92%	10.72%
Field Office Expense	384	41.65%	0.67%	16.11%
FCCM	858	4.271%	0.077%	1.00%

The averages were calculated using three years worth of audit data, after eliminating the highest and lowest 5%. Self-certified rates, interim rates, and rates determined from job cost accounting system reviews were also eliminated from the calculations, since they are unaudited rates.

The average overhead, expense, and FCCM rates are to be used for comparatively assessing consultant cost control efforts, in accordance with Section 5.0, Negotiation of Operating Margin.

The averages will be used as caps on maximum awarded overhead rates for firms who submit unaudited or self-certified rates for use on new professional services contracts. Additionally, the averages will continue to be used for caps for supplemental amendments on professional services contracts selected BEFORE October 2003.