

PRELIMINARY AGENDA

FLORIDA INLAND NAVIGATION DISTRICT Board of Commissioners Meeting

9:00 a.m., Friday, May 17, 2013

**Sonesta Bayfront Hotel
2889 McFarlane Road
Miami, Miami-Dade County, Florida 33133**

Item 1. Call to Order.

Vice-Chair Kavanagh will call the meeting to order.

Item 2. Pledge of Allegiance.

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

Item 3. Roll Call.

Secretary Blow will call the roll.

Item 4. Additions or Deletions.

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

RECOMMEND Approval of a final agenda.

Item 5. Board Meeting Minutes.

The Minutes of the following meetings are presented for approval:

- April 13, 2013 Finance & Budget Committee Mtg. (Please see back up pages 5 - 7)
- April 13, 2013 Board Meeting (Please see back up pages 8 - 30)

RECOMMEND Approval of the minutes as presented.

Item 6. Public Comments.

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

Item 7. Staff Report on Miami-Dade County Area Projects.

Staff will present a report on the District's projects and programs in Miami-Dade County.
(Please see back up pages 31- 43)

Item 8. Draft Financial Audit for FY 2011 – 2012.

The District's Auditor has completed and will present a draft of the FY 2011-2012 Financial Audit for Board review and comment. The Finance and Budget Committee reviewed the draft audit this morning and will provide their comments.

(Please see Finance and Budget Committee Agenda Package)

Item 9. Easement Release Request MSA 237, St. Johns County.

The Friends of Summerhaven River, Inc. have requested the release of MSA 237 which is a perpetual easement for dredged material placement over an island, marsh and open water owned by the State of Florida. The property is no longer needed for dredged material management.

(Please see back up pages 44 - 53)

RECOMMEND Approval of the release of MSA 237 in accordance with the District's easement release policy and subject to the Corps of Engineers concurrence.

Item 10. IWW Maintenance Dredging Project in the Vicinity of Ponce Inlet, Volusia County.

A survey has documented severe shoaling in the Intracoastal Waterway in the vicinity of Ponce DeLeon Inlet. This area is the second highest shoaling area in the waterway and was last dredged in 2008. Six bids were received in response to our noticing. The low bidder's equipment is still being reviewed for compliance with the bid specification. A recommendation of the low responsive bidder will be made at the meeting.

(Please see back up pages 54 - 63)

RECOMMEND Approval of the low responsive bid for the IWW Maintenance Dredging Project in the Vicinity of Ponce Inlet.

Item 11. Crossroads Maintenance Dredging Project, Martin County.

A survey has documented shoaling in the Okeechobee and Intracoastal Waterways at the Crossroads. This area is the one of our highest shoaling areas in the waterway and was last dredged in 2010. Four bids were received in response to our noticing and the low bidder was found to be qualified and responsive.

(Please see back up pages 64 - 70)

RECOMMEND Approval of the low responsive bid from Southwind Construction Corporation, Inc. in the amount of \$973,682.22 for the Crossroads Maintenance Dredging Project.

Item 12. FIND vs. Dredge Enterprise LLC Settlement, St. Johns County.

Staff reached a settlement offer with Dredge Enterprise and their insurance carrier, XCEL Insurance, in the amount of \$1.05 million which was within the settlement range approved by the Board.

(Please see back up pages 71- 80)

Item 13. Washington Report.

A status report from Alcalde and Fay on our Washington efforts is presented for Board review.

(Please see back up pages 81 - 83)

Item 14. Tallahassee Report.

The District's Tallahassee Governmental Affairs firm has provided a report on the State Legislative session.

(Please see back up pages 84 – 95)

Item 15. 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.

(Please see Finance and Budget Committee Agenda Package)

RECOMMEND Approval of the recommendations of the District's Finance and Budget Committee.

Item 16. Nomination of Officers Committee Report.

The Nomination of Officers Committee met earlier today and the Chair of the Committee will present their recommendations for officers for the next year. These officers will assume their positions after today's meeting.

(Please see Nomination of Officers Committee Agenda Package)

RECOMMEND Approval of the Nomination Committee for Officers recommendations for Officers for the period of June 2013 through May of 2014.

Item 17. Additional Staff Comments and Additional Agenda Items.

Item 18. Additional Commissioners Comments.

Item 19. Adjournment.

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

Finance and Budget Committee Meeting

8:45 a.m., Saturday, April 13, 2013

The Hilton Garden Inn

55 Town Center Boulevard

Palm Coast, Flagler County, Florida

ITEM 1. Call to Order.

Chair Chappell called the meeting to order at 8:47 a.m.

ITEM 2. Roll Call.

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

ITEM 3. Financial Statements for February of 2013.

Chair Chappell presented the District's financial statements for February of 2013.

Mr. Roach noted that information was added to the balance sheet, under Fund Equity, to show a \$2.5 million reserve for Port Everglades and that the U. S. Army Corps refund of \$4.1 million was added to the Budget vs Actual Revenue sheet.

Commissioner Sansom made a motion to approve a recommendation to the full Board of the financial statements for February of 2013. The motion was seconded by Commissioner Kavanagh. Chair Chappell asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 4. February 2013 Expenditure and Project Status Report.

Mr. Roach presented the Expenditure and Project Status Report for February 2013 and asked if there were any questions. There were none.

ITEM 5. Delegation of Authority Report.

Chair Chappell referred to the Executive Director's Delegation of Authority actions and stated that six actions were taken from March 1, 2013 through April 1, 2013 and he asked for questions.

Commissioner Kavanagh asked if Mr. Roach is still performing this delegation. Mr. Roach stated that the Delegation of Authority will continue to be his responsibility until he retires or the Board makes a change.

ITEM 6. Additional Agenda Items or Staff Comments.

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

ITEM 7. Additional Commissioners Comments.

Chair Chappell asked if there were any additional Commissioner comments.

Commissioner Sansom asked how long the applicant has to complete a Phase I assistance project. Mr. Roach answered that a Phase I agreement is a two year agreement with the possibility of a one year extension. He stated that once the Phase I is finalized, the applicant has one more year to get under a construction contract.

Commissioner Bowman asked about the Tax Collector and Property Appraiser Commissions. Mr. Crosley stated that the District pays a fee to these agencies to assess property and collect tax revenue for the District.

Commissioner Blow asked about the settlement offer sent to the insurance company for the District's SJ-14 site. Mr. Roach stated that at the September 2012 Board meeting the Board approved a settlement offer range.

Attorney Breton stated that a Demand for Judgment/Settlement in the amount of \$1.4 million was made to the insurance company. He stated that this week, the District received the insurance company's Demand for Judgment/Settlement offer in the amount of \$950, 00.00. He stated that we will now negotiate between those numbers.

ITEM 8. Adjournment.

Chair Chappell stated that hearing no further business the meeting was adjourned at 8:55 a.m.

FLORIDA INLAND NAVIGATION DISTRICT

Board of Commissioners Board Meeting

9:00 a.m., Saturday, April 13, 2013

The Hilton Garden Inn

55 Town Center Boulevard

Palm Coast, Flagler County, Florida

ITEM 1. Call to Order.

Vice-Chair Kavanagh called the meeting to order at 9:03 a.m.

ITEM 2. Pledge of Allegiance.

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

ITEM 3. Roll Call.

Secretary Blow called the roll and Vice-Chair Kavanagh, Treasurer Chappell, Commissioners Bowman, Cuzzo, Dritenbas, Isiminger, Netts, Sansom, and Williams were present. Secretary Blow stated that a quorum was present. Commissioners Crowley and McCabe were absent.

Vice-Chair Kavanagh asked commissioners and staff to introduce themselves and tell a little bit about themselves. Introductions ensued.

ITEM 4. Consent Agenda.

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

Commissioner Sansom made a motion to approve the Consent Agenda as presented. The motion was seconded by Commissioner Cuozzo. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 5. Additions or Deletions.

Vice-Chair Kavanagh asked if there were any additions or deletions to the meeting agenda.

Mr. Roach stated that he would like to add to the agenda: Item 18B, Temporary Lease of MSA 617C, Palm Beach County and; Item 18C, Bathymetric Survey of Cuts P-1 through P-7, Palm Beach County.

Secretary Blow made a motion to approve the final agenda as amended. The motion was seconded by Commissioner Netts. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 6. Board Meeting Minutes.

Vice-Chair Kavanagh asked if there were any comments or questions regarding the Board Meeting Minutes. There were none.

Commissioner Netts made a motion to approve the minutes as presented. The motion was seconded by Commissioner Bowman. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 7. Public Comments.

Vice-Chair Kavanagh asked if there were any public comments on issues that are not on today's agenda. There were none.

ITEM 8. 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 we have completed reviewing the as-built drawings of the DMMA IR-2 construction and have provided comments to the contractor. She stated that the Corps and the District will conduct a final inspection of the site. She stated that once we have received the final approved as-built drawings, we will convert the permit from a construction permit to an operation permit.

Mrs. Trulock stated that the IWW Sawpit Dredging project plans and specifications have been approved by the Corps and the project was advertised for bids on March 8th. She stated that on March 21st the Corps held a pre-bid teleconference with nine companies. She stated that they have received bids and the award is scheduled for June 10th. She stated that District staff is working on the bird and turtle monitoring responsibilities and has a contract with Mary Duffy for this monitoring, which will start on Monday, April 15th. She stated that the District will handle this responsibility until we go to contract then the responsibility will be transferred to the contractor.

Mr. Crosley stated that we have received Work Order No. 37-2013-01 in the amount of \$206,800.00 from the Corps for the development of the plans and specifications for the dredging of IWW Indian River Dredging Reaches I and II. He stated that non beach quality material from these reaches will be placed in newly completed DMMA IR-2.

Mrs. Trulock stated that the Corps anticipates public involvement and comment on the plans and specifications and the seagrass impact for the pipeline.

Commissioner Sansom made a motion to approve Work Order No. 37-2013-01 for the Development of Plans and Specifications for Indian River Dredging Reaches I and II as presented. The motion was seconded by Commissioner Bowman. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

Secretary Blow asked about the Bakers Haulover and Crossroads being two potential projects that could benefit by the development of plans and specifications.

Mrs. Trulock stated that she has received good news regarding waterway funding. She stated that she put in for post Hurricane Sandy impact funding and she has received \$200,000.00. She stated that she originally thought that Baker's Haulover and Crossroads would be two good projects to do with this funding. She stated that she had a conference call with staff and during that call it was determined that Baker's Haulover and the Jupiter Inlet area would be a better project combination. She stated that for the Jupiter project we are waiting for the hydrographic survey. She stated that she provided a project estimate and she has been told that once the plans and specifications are completed she can apply for and receive the dredging funds.

Mrs. Trulock stated that she is also the project manager for the small inlets along the east coast. She stated that they have received a small amount of Hurricane Sandy funding for the plans, specifications, and dredging for the St. Augustine, the Ponce, St. Lucie, and the Fort Pierce Inlets.

ITEM 9. Staff Report on Flagler County Area Projects.

Mr. Crosley stated that Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway in Flagler County was completed in 1993. He

stated that Phase II of the DMMP was completed in 1994 and all major land acquisition was completed in 1996.

Mr. Crosley stated that the 50-year dredging projection for the 20 miles of channel in Flagler County is 926,905 cubic yards and the storage projection is 1,992,846 cubic yards.

Mr. Crosley stated that Phase I construction has been completed for all three upland sites in Flagler County, DMMA FL-3, DMMA FL-8, and DMMA FL-12. He stated that all the sites have been fenced and the buffer of DMMA FL-12 was landscaped several years ago. He stated that stabilization of the shoreline of DMMA FL-8 has been completed along with the installation of a pedestrian pathway along the shoreline that connects an existing waterfront walkway to the City of Palm Coast's Waterfront Park. He stated that plans and specifications are now being prepared for the eventual construction of FL-3 in the coming year. He noted that the county is requesting a roadway in this site which will be included in the design.

Mr. Crosley stated that routine maintenance dredging of the Intracoastal Waterway in the vicinity of the Matanzas Inlet and in Cut F-2 was completed in September of 2011. He stated that the material was placed on the beach in Summerhaven. He stated that this project is likely to be undertaken again in 2014 or 2015.

Mr. Crosley stated that the Flagler County Waterways Economic Study was completed in 2002 and updated in 2011. He stated that the updated study found that the waterway related businesses in the county employ 1,226 people, with salaries of \$47.8 million, and a total economic impact of \$216 million. He stated that property values were

determined to be increased by \$163 to \$185 million by the presence of the ICW channel. He stated that there are approximately 3,737 registered vessels in the county.

Mr. Crosley stated that since 1986, the District has provided \$1.9 million in Waterways Assistance Program funding to 21 projects in the county having a total constructed value of \$3.3 million. He stated that the county, the City of Flagler Beach, Marineland and the City of Palm Coast have all participated in the program.

Mr. Crosley stated that notable projects funded include: Bings Landing, Moody, Grand Haven South and North Park boat ramps, Marineland Marina and Flagship Harbor Preserve.

Mr. Crosley stated that the District's Cooperative Assistance Program has providing funding assistance to 23 projects with elements in Flagler County. He stated that notable projects include: Florida Marine Patrol Officer Funding; Manatee Acoustic Warning System; FWC Officer Equipment Funding and, Environmental Education Exhibits at Gamble Rogers State Park. He stated that the District's funding assistance for the Flagler County portion of these projects was approximately \$492,100.

Mr. Crosley stated that the District's Interlocal Agreement Program (which is a sub-set of the WAP and CAP programs) has provided funding assistance to two projects. He stated that the District's funding assistance for the Flagler County portion of these projects was approximately \$25,000.

Mr. Crosley stated that the District currently prints and distributes the following brochures with specific information about Flagler County Waterways: the Economic Impact of Flagler County Waterways.

Mr. Crosley stated that the District has consistently partnered with the City of Palm Coast on waterway cleanup projects in Flagler County, in the amount of \$5,000 per cleanup.

Mr. Crosley stated that Flagler County has previously participated in the Small-Scale Derelict Vessel Removal Program with \$6,503 contributed in FIND funding.

Commissioner Netts stated that the recently completed Waterfront Park assistance project is one of the most popular parks in the city. He noted that the walkway and children's memorial garden is extraordinarily popular and very much appreciated by the community.

Secretary Blow noted that the walkway has interactive smartphone stations and asked if there is one for the history of the waterway. Commissioner Netts answered yes and stated that we have the smartphone capability at all of the city's environmental sites so that the facilities are educational as well as recreational.

Commissioner Sansom stated that the area is growing and noted that we should consider moving ahead with construction of our sites before they are flanked with residential communities. He stated that once the sites are built and people begin purchasing homes near the site, the District's site will not only be marked, it will actually be there. Mr. Roach stated that staff will review our five year plan.

ITEM 10. Change Orders No. 7 and 8 to the Dania Cut Off Canal Deepening Project, Broward County.

Mr. Roach stated that Change Orders No. 7 and 8 to the Dania Cut Off Canal Deepening Project are submitted for approval.

Mr. Roach stated that Change Order No. 7 is for the deepening of the Dania Canal at G&G Shipping. He stated that the Board previously approved an agreement with

G&G Shipping for this project and they have accepted the contractor's cost estimate. He stated that additionally, the District Engineer has submitted his costs to administer this dredging which, if approved, will be an amendment to our Work Order with Taylor Engineering. He stated that because of the timing of this project it was necessary to execute the change order prior to the meeting. He stated that the District's contract allows the Executive Director to execute this change order with the concurrence of the Chair. He stated that the project started today. He stated that there is no cost to the District for this work.

Mr. Roach stated that Change Order No. 8 is to restore and leave the dredged material management facility in place for our next project. He stated that our original contract called for the deconstruction of the facility in accordance with our License Agreement with the Port. He stated that the Port has agreed to extend our License Agreement for the Intracoastal Waterway Deepening Project. He stated that there is no cost for the Change Order.

Treasurer Chappell made a motion to approve Change Orders No. 7 and 8 to the Dania Cut Off Canal Deepening Contract and an amendment to our Work Order with the District Engineer for Construction Administration services. The motion was seconded by Secretary Blow. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

Mr. Roach stated that during the course of this project we changed from using a closed dredging bucket to an open dredging bucket. He stated that when that was done, the contractor had his best production. He stated that for the two days of maximum dredging production, the contractor also produced a lot of turbidity. He stated that

Broward County and the Florida Department of Environmental Protection (FDEP) were made aware of the turbidity and the County sent a Notice of Violation to the District and the contractor. He stated that staff has been working with the County to negotiate the proposed fine for the turbidity exceedances and it has not been resolved yet. He stated that a hearing has been scheduled for April 25th.

Mr. Roach stated that the County has a penalty matrix which they used to determine this was a major-major violation. He stated that these matrix categories are subjective. He stated that the County is proposing a fine for these two days in the amount of \$30,000.00, but they have agreed to settle in the amount of \$14,000.00. He stated that the contractor has to pay this fine, but staff is concerned about the precedent of this major-major violation classification on our next project. He stated that staff believes that the matrix shows that these exceedances are in the minor-moderate category.

Mr. Roach stated that as we move toward the hearing and with our last phase of negotiations, it would be preferable to have the District attorney involved. He noted that the attorney fees could exceed the fine amount and he asked for commissioner input about spending these funds. He stated that staff would like to see these exceedances reclassified as something less. He stated that the permit does note that turbidity could be exceeded during the project, what we must do if that were to happen, and that is what we did do. He stated that staff does not believe that there is any evidence of harm here and noted that out of approximately 280 turbidity tests, there were only two exceedances.

Attorney Breton stated that Mr. Roach has accurately described this project and violation. He stated that what he would like to argue before this hearing officer is that the County cited the District for violating the permit conditions, which is the turbidity plan,

which does not say you will never exceed 29 NTU's above the background. He stated that what it does say is if you do exceed, here is what you will do, which the District complied with. He stated that technically, the District did not violate this permit. He stated that the penalty matrix has guidelines within it, which are very subjective and subject to different type of interpretations. He stated that under the circumstances he feels that the County's interpretations are extreme and inappropriate under the circumstances. He would estimate the legal cost in this matter to be \$10,000.00.

Commissioner Sansom stated that the plan anticipated that there could be a small number of exceedances and included a course of action, which we followed. He stated that it could be anticipated that a small fine related to any exceedance would be imposed. He stated that the designation of a major-major violation seems unreasonable because it has not been demonstrated that there has been any damage to the environment.

Commissioner Sansom asked if this legal fee should come under a cost to the contractor. Mr. Roach stated that it will be interesting to see how this plays out.

Mr. Roach stated that when the County issued the Notice of Violation, the contractor clearly understood that he had to slow down the dredging. He stated that he feels that the county achieved their main objective which was to get the contractor to slow down and produce less turbidity.

Treasurer Chappell stated that we plan on one more conference meeting with the County prior to the hearing. He stated that the County is assessing a fee based on what was found by DEP. He stated that DEP's inspection may not have been taken properly and therefore it should be void. He stated that he feels that a one day fine of \$6,650.00 is acceptable, but not a two day fine.

Treasurer Chappell made a motion to approve the District's legal counsel to assist staff in working with Broward County in this action. The motion was seconded by Commissioner Sansom. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 11. Interlocal Agreement with Palm Beach County for the Maintenance Dredging of Cut P-31.

Mr. Roach stated that staff has obtained permits for the maintenance dredging of a small shoal in the Intracoastal Waterway in North Palm Beach County. He stated that Palm Beach County is building the second phase of the Snook Islands Restoration Project and needs additional sand for the deep hole filling. He stated that they indicated that they would like to have the dredged material and would have their contractor provide the dredging. He stated that staff has drafted an Interlocal Agreement for this mutually beneficial project. He stated that once this agreement is approved, the County will move forward and provide a dredging project cost which will be brought back for approval.

Commissioner Isiminger asked if the County will pay the additional costs to move the material to Snook Islands. Mr. Roach answered yes. Commissioner Isiminger asked if that information is set-forth in the agreement, because he could not figure that out from just reading it. Mr. Roach stated that was staff discussion with the County and we will add that to the agreement.

Commissioner Isiminger asked about past District policy when allowing a county to perform project design and construction. Mr. Roach stated that the District does not have a written policy. He stated that staff works with our partners to put together a plan that will be mutually beneficial to each other. He stated that the District feels that with a

small staff of six, partnering with a city or county who will contract and complete and contract for a work project that mutually benefits all is a win-win for us.

Commissioner Sansom stated that if the District is responsible for the dredging project and the County is responsible for moving the material and placing it at Snook Islands, who will be responsible for turbidity. Mr. Roach stated that the County through DOT has an ongoing project to fill the holes at Snook Islands. He stated that the County would be responsible for that project and related turbidity. He noted though that anytime you hold a permit you could be at risk for any violation. Commissioner Sansom stated that he would like all safeguards included in the contract.

Attorney Breton stated that Section 7 of the contract under Liability is worded to protect the District.

Secretary Blow asked if the County was not interested in using this material for Snook Island, would the District be transporting the material north to DMMA MSA 617C. Mr. Roach answered correct and noted that is the way the project has been permitted. Secretary Blow stated that because that is our permit, from the time the County takes the material and moves it south, it will then be under their permit. Mr. Roach answered correct.

Commissioner Isiminger referred to Item 4 of the contract and stated that he would suggest adding to the words for obtaining and “or” abiding “by” to the sentence.

Commissioner Netts made a motion to approve an Interlocal Agreement with Palm Beach County for the maintenance dredging of Cut P-31. The motion was seconded by Commissioner Isiminger. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 12. Dredge Material Management Plan Updates for Nassau and Duval Counties.

Mr. Roach stated that at the last Land Acquisition and Management Committee meeting, staff discussed the need to update our Dredge Material Management Plans and the committee concurred. He stated that the Nassau and Duval plans were the first ones prepared in 1986 and 1987.

Mr. Roach stated that the plans are completed in two phases. He stated that Phase I is an investigation to collect and review the data about the Intracoastal Waterway and identify potential areas to manage the dredged material. He stated the current plans include hundreds of pages of information on properties that were looked at but were never selected to be a permanent DMMA. He stated that some of these plans are 400 pages long. He stated that Phase II is a specific plan for a property that has District purchased.

Mr. Roach stated that staff would like to update the Phase I plan for Nassau and Duval Counties into a document that is 50 to 100 pages that will incorporate updated survey information with projected shoaling rates, and include how much dredged material will have to be managed for each dredging reach.

Mr. Roach stated that this information will provide staff with a clear vision of each Dredged Material Management Plan. He stated that his career at FIND has been to put these DMMA plans together. He stated that he is familiar with them and can find what he needs, but staff may not be able to do that.

Dr. Taylor noted that when these original plans were formed, Nassau County was not a part of the District. He stated that one of the project objectives will be to update the

current document and separate it into two documents one for Nassau County and one for Duval County.

Commissioner Bowman inquired about these plans being on the District's web site. Mr. Roach stated that these large plans are currently not on our web site. Commissioner Bowman asked if these new documents will be public documents. Mr. Roach answered yes and stated that the new documents will be more public friendly and will be on the website.

Secretary Blow stated that he has always feared that some of the District's dredged material management sites may not be large enough. He stated that this project will update the plan and review our sites and needs. Dr. Taylor stated that recent surveys show that our data has changed and agreed that it is time to update those plans. He stated that in some areas we may not have a fifty year capacity, but we will have a reasonable amount of time before we will have to offload a site.

Commissioner Williams stated that he is involved with the Fernandina Marina and the marina has been investigating injection dredging.

Treasurer Chappell stated that these two counties are in need of a major review. He asked if we are in need of a similar review for each of the other District Counties and if so how do we plan to budget for this work. Mr. Roach stated that we will complete these two counties as a pilot project to work out the bugs. He stated that we will prepare a budget for the remainder counties which will probably be budgeted next year.

Commissioner Sansom asked when we think this project will be completed and on the District's web site. Mr. Adams answered approximately 12 to 24 months from now.

Dr. Taylor stated that upon receipt of the survey data, it will take his firm two to three months to prepare the report, the District staff will review the material, and then it will be brought to the Board for approval.

Commissioner Bowman made a motion to approve the scope of services and fee quote in the amount of \$108,568.00 from Taylor Engineering for an update to the Dredge Material Management Plans for Nassau and Duval Counties. The motion was seconded by Commissioner Dritenbas. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 13. Brevard County Seagrass Mitigation Area Identification Study.

Mr. Roach stated that at the last meeting, the Board approved the Seagrass Mitigation Area Identification Study for Martin County. He stated that staff solicited a scope of services and cost quote for a similar study in Brevard County.

Mr. Roach stated that as we continue to maintenance dredge the Intracoastal Waterway we are seeing seagrass growing in our channel and adjacent to the channel. He stated that the permitting agencies are now asking us to provide a conceptual mitigation plan during permitting. He stated that currently, some of the areas that would be available to us to perform seagrass mitigation are being looked at by other agencies who are being asked during permitting to provide the same plan. He stated that staff would like to analyze the inventory of lands that the District currently has property rights to, so that other people do not use these sites that we may need for future seagrass mitigation.

Commissioner Sansom asked why we are completing this one county at a time. Mr. Roach stated that from staff's perspective, it is about managing our work load. Commissioner Sansom suggested that we add Indian River County to this because the

Sebastian Inlet area splits Brevard and Indian River Counties. Mr. Roach stated that this is a real estate analysis not so much an impact analysis. Commissioner Sansom stated that he would like these two counties completed as one project.

Commissioner Isiminger stated that he agrees and supports completing these projects together. He stated that he feels that the District should be pro-active, intentional, and develop a policy on how we will handle this mitigation plan. Mr. Roach stated that we put language in the Martin study that directed staff and the Corps to use the plan anytime there was a seagrass mitigation request for one of the District's sites.

Commissioner Isiminger inquired about the District being in the mitigation bank business. Commissioner Sansom stated that the issue has been previously discussed by the Board and we determined not to do that.

Commissioner Dritenbas stated that we plan to identify and qualify areas for a seagrass mitigation plan and asked if we are qualifying only areas that will support seagrass growth. Mr. Roach stated that as part of this analysis, we will look at the area to determine if there was or is seagrass in the vicinity of these properties.

Dr. Taylor stated that this is a desktop project that is based on published data and identification of those properties that the District owns that have characteristics that would suggest seagrass establishment.

Commissioner Sansom noted that spoil islands that have been identified as public recreation areas could impact our ability to use them for seagrass mitigation areas.

Commissioner Bowman made a motion to approve the scope of services and fee quote for Brevard County in the amount of \$26,563.00 and an amount not to exceed \$30,000.00 for Indian River County from Taylor Engineering for the Brevard County and

Indian River Seagrass Mitigation Area Identification Study. The motion was seconded by Secretary Blow. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 14. FY 2013-14 Assistance Program Applications.

Ms. Zimmerman stated that the FY 2013-14 assistance applications were received on April 1st and 81 Waterways Assistance Program applications were submitted requesting a total of \$17.9 million. She stated that St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, and Palm Beach Counties have requested funding greater than their funding allocation. She stated that technical sufficiency letters were mailed out yesterday.

Mr. Crosley noted that 81 applications is the largest amount we have ever received.

Ms. Zimmerman stated that there is one FY 2013-14 Cooperative Assistance Program application from the FDEP for the Hugh Taylor Birch State Park Boat Dock, which is a Phase I application in the amount of \$75,000.

Secretary Blow stated that last year's grant budget was \$12 million and he inquired about this year's budget. Mr. Crosley stated that staff will probably recommend a budget similar to what was approved last year.

Commissioner Sansom asked the amount of the previous year's budget for the Cooperative Assistance Program. Mr. Roach stated approximately \$800,000.00. Commissioner Sansom asked if that funding could be moved to the Waterways Assistance Program. Mr. Roach stated that the way the District determines budget is we

fund all capital and operations needs of the District first and whatever is left is over used for the assistance programs.

ITEM 15. Washington DC Status Report.

Mr. Crosley stated that the District's Washington representative was successful in getting nine members of Congress to sign a letter, on behalf of the District, to the Secretary of the Army for Civil Works to request that funding be included in the Corps of Engineers FY 2013 Work Plan for maintenance dredging of the IWW and AIWW.

Commissioner Sansom noted that the members supporting this letter were many of the members we visited in Washington.

Secretary Blow stated that he has found that members of Congress from both parties support the District and our work. He stated that this was demonstrated again during our recent Washington visit.

ITEM 16. Tallahassee Report.

Mr. Roach stated that commissioners who were appointed last year were confirmed by the Senate. He stated that there is a push to confirm the newly appointed commissioners. He stated that staff will be working with the Senate Ethics Committee next week to hopefully move that forward.

Mr. Crosley asked new commissioners to get their Senate Confirmation Questionnaire and Oath of Office paperwork turned into the Secretary of State's office.

Commissioner Sansom stated that this commissioner confirmation is time critical. He stated that the Secretary of State will not send the package over until the paperwork for all newly appointed or re-appointed commissioners has been received. He stated that

if the paperwork has not been processed by the end of this session, unconfirmed appointments will have to be re-appointed again.

Mr. Roach stated that Senate Bill 538 by Senator Ring probably will not make it through the Senate. He stated that HB 999 by Patronis is moving forward.

ITEM 17. Finance and Budget Committee Report.

Treasurer Chappell stated that the Finance and Budget Committee met earlier today and the committee reviewed and recommends approval of the February 2013 financial statements, delegation of authority, and expenditure and project status report.

Treasurer Chappell made a motion to approve the recommendations of the District's Finance and Budget Committee. The motion was seconded by Commissioner Sansom. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 18A. Additional Staff Comments and Additional Agenda Items.

Mr. Roach stated that the annual election of officers will be held at the May meeting. He stated that commissioners who are interested in serving as an officer next year should contact staff who will pass along your name to the Nomination Committee.

ITEM 18B. Temporary Lease of MSA 617C, Palm Beach County.

Commissioner Isiminger declared a conflict of interest for this item and stated that Mr. Vecillio is a client.

Mr. Roach stated that Coston Marine Services has requested a temporary three month lease of MSA 617C to offload and manage dredged materials from the maintenance dredging of Cut P-38 of the Intracoastal Waterway. He stated that this dredging is being paid for by Leo Vecillio to facilitate the access of his mega-yacht into

dockage in downtown West Palm Beach. He stated that staff assisted in obtaining the permits for this effort.

Mr. Roach stated that the standard site lease has been prepared. He stated that staff is recommending that the lease fees be waived because of the benefit of the project to the Intracoastal Waterway and the District. He stated that Coston has leased the site before and understands the lease provisions.

Secretary Blow made a motion to approve a Temporary Lease with Coston Marine Services for the use of MSA 617C. The motion was seconded by Commissioner Dritenbas. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed. Commissioner Isiminger abstained from voting.

ITEM 18C. Bathymetric Survey of Cuts P-1 through P-7, Palm Beach County.

Mr. Roach stated that Cuts P-1 through P-7 are located adjacent to the Jupiter Inlet which is one of our highest shoaling areas of the waterway requiring dredging every three to four years. He stated that it was last dredged early in early 2011 and it is time to check its condition. He stated that staff requested a fee quote from our approved southern surveyor for this survey.

Mr. Roach stated that the Jupiter Inlet District dredges the inlet every year and we may piggyback our project onto their project.

Commissioner Dritenbas made a motion to approve the fee quote in the amount of \$12,550.00 from Morgan & Eklund for a survey of Intracoastal Waterway Cuts P-1 through P-7. The motion was seconded by Commissioner Cuozzo. Vice-Chair Kavanagh asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 19. Additional Commissioners Comments.

Vice-Chair Kavanagh asked if there were any additional commissioner comments.

Commissioner Dritenbas thanked staff for their assistance with the paperwork and support after being appointed by the Governor.

Commissioner Sansom stated that he will not be in attendance at the May meeting. He asked about the possibility of a tele-conference.

Commissioner Isiminger thanked his fellow commissioners and staff for being so welcoming.

ITEM 20. Adjournment.

Vice-Chair Kavanagh stated that hearing no further business the meeting was adjourned at 11:24 a.m.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Isiminger - Charles - Curry</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Board of Commissioners Florida Inland Navigation District</i>	
MAILING ADDRESS <i>717 Kittyhawk Way</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>North Palm Beach</i>	COUNTY <i>Palm Beach</i>	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>4-13-13</i>		NAME OF POLITICAL SUBDIVISION: <i>Florida Inland Navigation District</i>	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband; wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Charles C. Isiminger, hereby disclose that on April 13, 20 13:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of Leo Vecellio, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Agenda Item 18 B. Temporary Lease of MSA 617 E, Palm Beach County.

I represent Leo Vecellio as a professional engineer on the project for which this was proposed

4-13-13
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



MIAMI-DADE COUNTY PROJECT STATUS UPDATE

May 2013

Dredged Material Management Plan.

Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway in Miami-Dade County was completed in 2003. Phase II of the DMMP was completed in 2005 and all major land acquisition was completed in 2007.

The 50 year dredging projection for the 48 miles of channel in Miami-Dade County is 574,292 cyds., and the storage projection is 1.2 million cyds. Dredging of Reach II in the vicinity of Bakers Haulover Inlet was completed in 2011. A survey of the AIWW in the vicinity of Bakers Haulover Inlet was recently completed. Plans call for the USACE to dredge this section of the waterway in late 2013. Please see attached location maps.

Waterways Economic Study

The Miami-Dade County Waterways Economic Study was completed in 2007 and updated in 2011. The study identified approximately 901 recreational waterway related businesses in the county (see map) employing 7,094 people, with salaries of \$294.3 million, a total economic impact of \$1.2 billion, and generated \$54 million in tax revenue. Property values were determined to be increased by \$4.1 billion by the presence of the ICW channel. There are currently approximately 56,000 registered vessels in the county. The past recession was estimated to have caused a reduction of \$1 billion in marine related economy, the loss of 5,835 jobs, and a decrease of \$42.5 million in tax revenue.

Waterways Assistance Program

Since 1986, the District has provided \$41.2 million in Waterways Assistance Program funding to 147 projects in the County having a total constructed value of \$132.7 million. The County and nine cities have participated in the program. See attached map and project listing.

Notable projects funded include: several Spoil Island Management Projects, Marjorie Stoneman Douglas Biscayne Nature Center, Bicentennial Park Improvements, Repair of County marinas after Hurricane Andrew, Haulover Marina reconstruction, and the South Pointe Pier project.

FIND



MIAMI-DADE COUNTY PROJECT STATUS UPDATE

May 2013

Cooperative Assistance Program

The District's Cooperative Assistance Program has providing funding assistance for the following projects with elements in Miami-Dade County: Blue Marlin Construction at Oleta River State Park; Non Name Harbor Boater's Access; Bill Baggs Shoreline and Fishing Platform Project; Florida Marina Patrol Office Building; Florida Marine Patrol Officer Funding; Miami River Dredging; and the Manatee Acoustic Study. The District's funding assistance for the Miami-Dade County portion of these projects was approximately \$3.5 million.

Interlocal Agreement Program

The District's Interlocal Agreement Program (which is a sub-set of the WAP and CAP programs) has providing funding assistance for the following projects with elements in Miami-Dade County: Miami River Dredging; Clean Marina Program; Clean Vessel Act Program, and; the Miami Circle Shoreline Rehabilitation Project. The District's funding assistance for the Miami-Dade County portion of these projects was approximately \$3.3 million.

Public Information Program

The District currently prints and distributes the following brochures with specific information about Miami-Dade County Waterways: the Economic Impact of Miami-Dade County Waterways, Miami-Dade County Boating Safety and Manatee Protection Zone Brochure, Movable Bridge Guide, and the ICW Channel Conditions Brochure.

FIND



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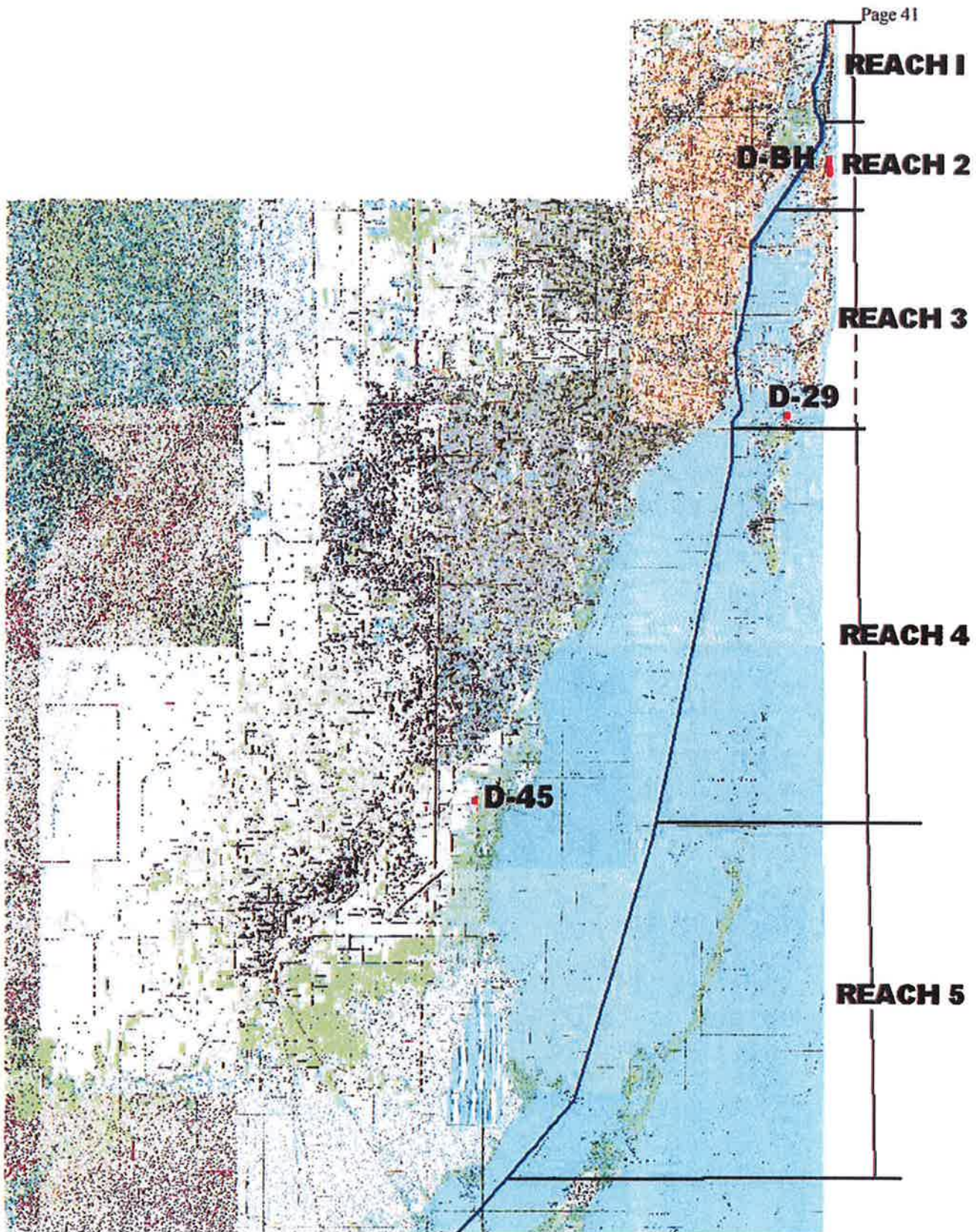
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FIND



Channel

DMMA

Miami-Dade County
Intracoastal Waterway
Dredged Material Management Plan



ECONOMIC BENEFITS OF THE DISTRICT'S WATERWAYS



Purpose

To update economic benefits in Miami-Dade County of marine-related activities on the District Waterways, as previously estimated in *An Economic Analysis of the District's Waterways in Miami-Dade County, April 2007*, and to provide the general public and Federal, State, and local officials with a clear understanding of the importance of maintaining the waterways.

Scenarios Evaluated

1. Current Existing Conditions
2. Cessation of Waterways Maintenance
3. Increase in Waterways Maintenance
4. Estimated impact of the 2007-2009 U.S. economic recession



ECONOMIC IMPACTS

Current Existing Impacts

- \$1.209 billion in business volume
- \$294.3 million in personal income
- 7,094 jobs
- \$54.0 million in tax revenue

Impacts of Cessation of Waterways Maintenance

- Decrease of \$661.2 million in business volume
- Decrease of \$157.7 million in personal income
- Decrease of 3,818 jobs
- Decrease of \$28.2 million in tax revenue

Impacts of an Increase in Waterways Maintenance

- Increase of \$152.8 million in business volume
- Increase of \$40.9 million in personal income
- Increase of 1,006 jobs
- Increase of \$7.1 million in tax revenue

Impact of the 2007-2009 U.S. Economic Recession

- Decrease of \$976.2 million in business volume
- Decrease of \$242.0 million in personal income
- Decrease of 5,835 jobs
- Decrease of \$42.8 million in tax revenue

Economic Benefits as of April 2011

MIAMI-DADE COUNTY



ECONOMIC BENEFITS OF THE DISTRICT'S WATERWAYS

MIAMI-DADE COUNTY

The Intracoastal Waterway

The Atlantic Intracoastal Waterway (AICW) is a 1,391-mile channel between Trenton, New Jersey, and Miami, Florida. The Waterway along Florida's eastern seaboard is 406 miles long and follows coastal rivers and lagoons past numerous tourism-oriented communities. The channel is authorized to a depth of 12 feet from Nassau County to Fort Pierce, and a 10 foot depth south through Miami-Dade County. Boating activities on the waterways contribute to the existence of numerous marine-related businesses such as marinas and boatyards and have stimulated development of residential properties on the Waterways.

The Navigation District

The Florida Inland Navigation District, created in 1927, is the local sponsor for the AICW in Florida. In cooperation with the Jacksonville District of the U.S. Army Corps of Engineers, the Navigation District is responsible for maintenance of the AICW in Florida. To maintain navigation, the waterways need to be periodically dredged due to shoaling from currents, upland soil erosion, and the movement of offshore sands through the ocean inlets. Maintenance dredging is projected to cost approximately \$12 to \$16 million annually during the next 50 years, of which 50 percent of the costs are expected to be borne by property owners within the Navigation District's jurisdiction.

The Navigation District also partners with other governments to provide waterway access and improvement facilities for our mutual constituents. These projects include public boat ramps, marinas, side channels, parks, fishing piers, boardwalks, navigation aids, derelict vessel removal, shoreline stabilization, and waterway cleanups.

Source of Data Used in This Analysis

The economic benefits of the Waterways were estimated in April 2007 in *An Economic Analysis of the District's Waterways in Miami-Dade County*.

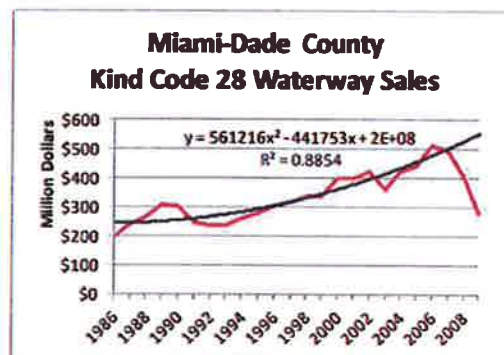
Updating of Previously Estimated Benefits

The benefits presented in this analysis were estimated by updating the direct marine-business

impacts in the original analysis to current values using the change in gross sales reported by boat dealers to the Florida Department of Revenue (FDOR). The updated direct impacts were used in conjunction with an IMPLAN input/output model to estimate total economic benefits.

Estimating the Impact of the Recession

The impact of the recession was estimated by determining the trend in gross sales of boat dealers over the 20-year period prior to the onset of the recession. This trend was used to estimate the theoretical gross sales if sales had continued to increase at the rates previously experienced. The red line in the figure below illustrates reported actual gross sales of boat dealers and the black line illustrates the trend of those sales. From 2007 to 2009 gross boat dealer sales in Miami-Dade County decreased by 44 percent; if the recession had not occurred, it is estimated that gross sales from 2007 to 2009 would have increased by four percent.



Annual Boater Spending on Gas, Food, and Drinks at Non-Marine-Related Establishments

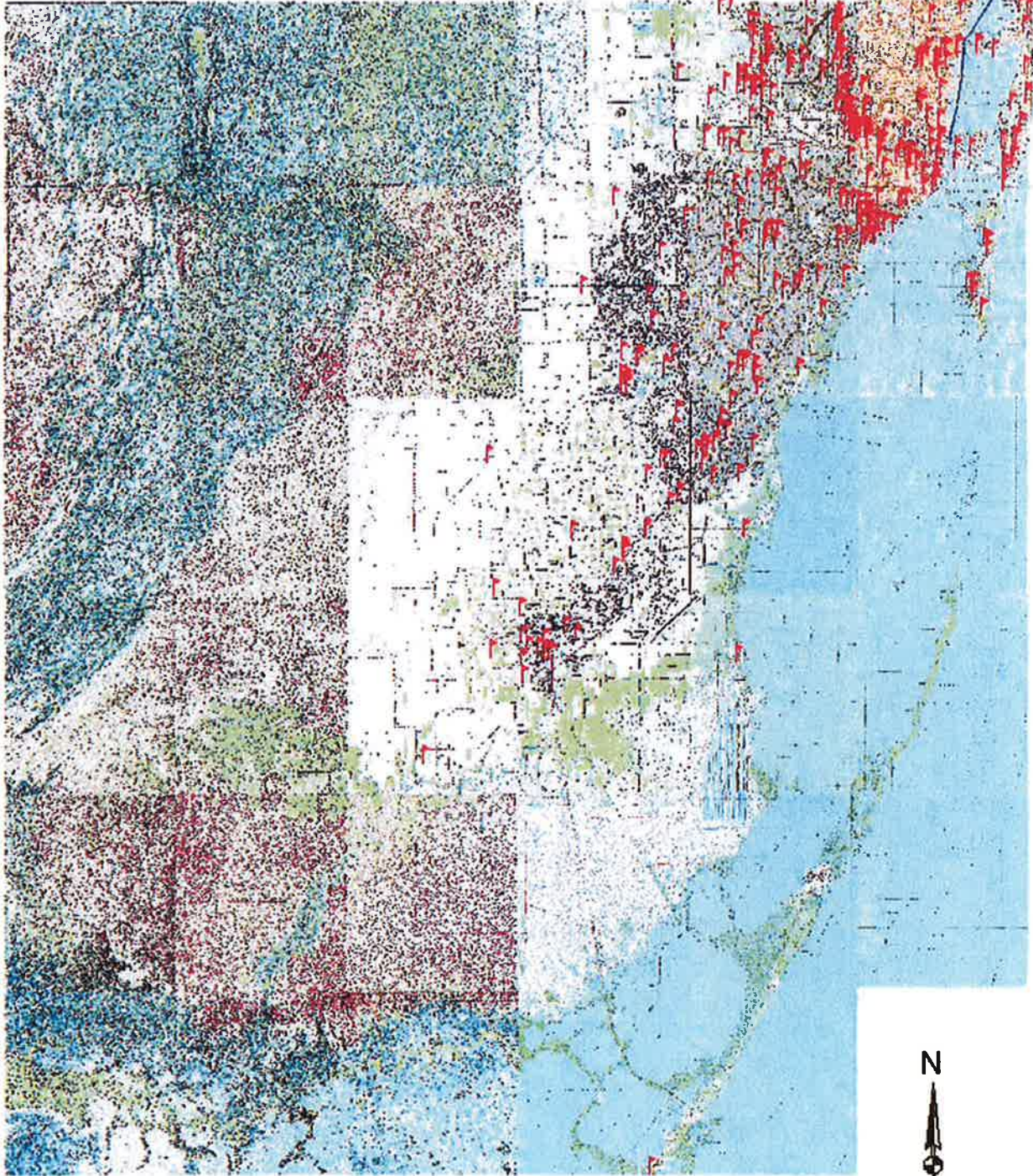
- Current existing conditions: \$55.0 million
- Cessation of maintenance: \$32.4 million
- Increased maintenance: \$55.0 million
- Assuming no recession: \$72.8 million

Vessel Draft Restrictions Assumed for Each Scenario

- Current existing conditions: 6.5 feet MLW
- Cessation of maintenance: 3 feet MLW
- Increased maintenance: 10 feet MLW
- Assuming no recession: 6.5 feet MLW

Location Map
Miami-Dade County
Marine Related Businesses

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WATERWAYS ASSISTANCE PROGRAM PROJECTS
MIAMI-DADE COUNTY
1986-2012

Project Name	Project Number	Project Sponsor	Grant Amount	Total Cost
Flagler Memorial Island Enhancements - Phase I I	DA-00-61	i - Dade County	\$42,500.00	\$102,500.00
Haulover Boat Ramp Fish Cleaning Station (Withdrawn)	DA-00-62	i - Dade County	\$20,000.00	\$40,000.00
Crandon Park Marina Pier Renovations - Phase I I	DA-01-66	Miami- Dade County	\$403,129.00	\$878,271.00
Haulover Park Marina Renovations	DA-01-67	Miami- Dade County	\$1,400,000.00	\$2,800,000.00
Spoil Island #3 Enhancement Project	DA-01-68	Miami- Dade County	\$105,000.00	\$210,000.00
Miami River Dredging Project - Stage I I	DA-02-72	Miami- Dade County	\$300,000.00	\$6,000,000.00
Black Point & Homestead Bayfront Marinas Piling Repl.	DA-02-73	Miami- Dade County	\$125,000.00	\$250,000.00
Crandon Park Marina Dockmaster's Complex - Phase I	DA-02-74	Miami- Dade County	\$75,000.00	\$150,000.00
Homestead Bayfront Marina Navigational Impr. - Phase I	DA-02-75	Miami- Dade County	\$50,000.00	\$100,000.00
Pelican Harbor Fishing Pier Repl. - P H I (Withdrawn)	DA-02-76	Miami- Dade County	\$18,000.00	\$36,000.00
Pelican Harbor Marina Mooring Field-ph I (Withdrawn)	DA-02-77	Miami- Dade County	\$25,000.00	\$50,000.00
Haulover Marina Dockmaster Complex- P H I (Withdrawn)	DA-03-81	Miami- Dade County	\$87,000.00	\$174,000.00
Spring Garden Point Park Shoreline Enhancement	DA-03-82	Miami- Dade County	\$138,000.00	\$370,000.00
Haulover Marina Breakwater Completion	DA-04-86	Miami- Dade County	\$1,134,243.00	\$4,112,392.00
Haulover Marina Dredging, Seawall, Dock & Wetslips	DA-05-91	Miami- Dade County	\$1,135,000.00	\$4,882,000.00
Homestead Bayfront Channel Markers Relocation	DA-05-92	Miami- Dade County	\$56,150.00	\$112,300.00
Homestead Bayfront Marina Complex - Phase I (Expired)	DA-06-96	Miami- Dade County	\$130,000.00	\$260,000.00
Parcel B Public Shoreline Stabilization	DA-06-97	Miami- Dade County	\$178,596.00	\$372,075.00
Pelican Harbor Marina Boaters' Complex - Phase I I	DA-06-98	Miami- Dade County	\$111,000.00	\$222,000.00
Parcel B Public Shoreline Stabilization - Stage 2	DA-07-102	Miami- Dade County	\$2,000,000.00	\$4,200,000.00
Pelican Harbor Marina Restrooms & Boater Amenities	DA-08-106	Miami- Dade County	\$493,716.00	\$987,433.00
Crandon Marina Seawall Restoration	DA-09-114	Miami- Dade County	\$597,633.00	\$1,195,266.00
Fire Rescue Floating Dock & Boat Lift	DA-09-115	Miami- Dade County	\$111,150.00	\$273,882.50
R. Hardy Matheson Preserve Shoreline Stabilization	DA-09-116	Miami- Dade County	\$550,000.00	\$1,100,000.00
Pelican Harbor Marina	DA-1	Miami - Dade County	\$400,000.00	\$4,075,000.00
Crandon Marina Seawall #2 Replacement	DA-10-121	Miami- Dade County	\$1,342,932.00	\$2,685,865.00
Pelican Harbor Marina Elec., Water & Fire Systems- Ph I	DA-10-122	Miami- Dade County	\$56,000.00	\$112,000.00
Dinner Key Spoil Islands B & C Shoreline Stabilization	DA-11-132	Miami- Dade County	\$300,000.00	\$600,000.00
Miami Marine Stadium Park Shoreline Stabilization	DA-11-133	Miami- Dade County	\$400,000.00	\$800,000.00
Vizcaya Public Shoreline Stabilization - Phase I	DA-11-134	Miami- Dade County	\$41,000.00	\$84,500.00
Miami River Greenways Riverwalk	DA-12-143	Miami- Dade County	\$500,000.00	\$1,134,297.00
Pelican Harbor Marina Improvements	DA-12-144	Miami- Dade County	\$1,200,000.00	\$2,400,000.00
Vizcaya Public Shoreline Stabilization N.E. Garden Area	DA-12-145	Miami- Dade County	\$134,000.00	\$268,000.00
Pelican Harbor Marina	DA-87-3	Miami - Dade County	\$750,000.00	\$3,300,000.00
Biscayne Bay Restoration	DA-87-4	Miami - Dade County	\$160,310.00	\$500,000.00
Spoil Island Enhancement	DA-87-5	Miami - Dade County	\$86,000.00	\$300,000.00
Biscayne Bay Restoration	DA-88-7	Miami - Dade County	\$75,000.00	\$222,500.00
Venetian Causeway Repairs	DA-88-8	Miami - Dade County	\$157,500.00	\$315,000.00
Venetian Causeway Design	DA-88-9	Miami - Dade County	\$250,000.00	\$500,000.00

WATERWAYS ASSISTANCE PROGRAM PROJECTS
MIAMI-DADE COUNTY
1986-2012

Project Name	Project Number	Project Sponsor	Grant Amount	Total Cost
Pelican Harbor Marina	DA-89-10	Miami - Dade County	\$500,000.00	\$4,975,000.00
Biscayne Bay Restoration & Enhancement Project	DA-89-11	Miami - Dade County	\$98,000.00	\$216,300.00
Spoil Island Restoration	DA-89-12	Miami - Dade County	\$96,875.00	\$193,750.00
Restoration of Dredge Areas	DA-90-13	Miami - Dade County	\$97,755.00	\$195,570.00
Spoil Island Enhancement	DA-90-14	Miami - Dade County	\$40,000.00	\$80,000.00
Pelican Harbor Spoil Island	DA-90-15	Miami - Dade County	\$320,000.00	\$640,000.00
Hurricane Preparedness Manual For Vessels	DA-91-16	Miami - Dade County	\$35,000.00	\$70,000.00
Restoration of Dredged Areas	DA-91-17	Miami - Dade County	\$180,000.00	\$365,950.00
Haulover Inlet Spoil Island Enhancement Project	DA-91-18	Miami - Dade County	\$200,000.00	\$714,448.00
Deering Environmental Education Facilities	DA-91-19	Miami - Dade County	\$650,000.00	\$4,400,000.00
North Miami Spoil Island Enhancement Project	DA-92-23	Miami - Dade County	\$196,030.00	\$412,060.00
Pelican Harbor Marina Facilities	DA-92-24	Miami - Dade County	\$500,000.00	\$740,000.00
Marjory Stoneman Douglas Biscayne Nature Center Design	DA-92-25	Miami - Dade County	\$187,500.00	\$375,000.00
Hurricane Andrew Marina Improvement - Phase I	DA-92-26	Miami - Dade County	\$463,670.00	\$463,670.00
Flagler Memorial Island Enhancement	DA-93-27	Miami - Dade County	\$175,000.00	\$300,800.52
Hurricane Andrew Marina Improvement - Phase II	DA-93-28	Miami - Dade County	\$850,000.00	\$1,800,000.00
Cape Florida Shoreline Stabilization	DA-93-30	Miami - Dade County	\$340,000.00	\$739,700.98
Crandon Park Marina Renovations	DA-94-31	Miami - Dade County	\$900,000.00	\$1,800,000.00
Venetian Causeway Shoreline Stabilization Project	DA-94-32	Miami - Dade County	\$101,200.00	\$240,311.72
Haulover Park Marina Renovation Designs	DA-95-33	Miami - Dade County	\$60,000.00	\$120,000.00
Matheson Hammock Marina Boat Ramp Renovation	DA-95-34	Miami - Dade County	\$116,200.00	\$232,400.00
Crandon Marina Boat Ramp Renovation	DA-95-35	Miami - Dade County	\$174,400.00	\$348,800.00
Crandon Park Marina Renovations II	DA-95-36	Miami - Dade County	\$300,000.00	\$600,000.00
Biscayne Bay Spoil Island #2 Enhancement Project	DA-95-37	Miami - Dade County	\$180,262.00	\$360,525.00
Derelict Vessel Removal Project	DA-95-38	Miami - Dade County	\$102,577.00	\$205,155.00
Biscayne Bay Spoil Island (#14) Enhancement Project	DA-96-40	Miami - Dade County	\$105,000.00	\$210,000.00
Homestead Bayfront Park Shoreline Stabilization	DA-96-41	Miami - Dade County	\$50,000.00	\$100,000.00
Manatee Halfway House (Project Expired)	DA-96-42	Miami - Dade County	\$25,000.00	\$100,000.00
M.S.D. Biscayne Nature Center	DA-96-43	Miami - Dade County	\$800,000.00	\$3,530,000.00
Crandon Park Marina Pier Renovation - Phase I I	DA-97-45	Miami - Dade County	\$920,000.00	\$1,840,000.00
Biscayne Bay Spoil Island #1 Enhancement	DA-97-46	Miami - Dade County	\$115,000.00	\$230,000.00
Haulover Park Marina Renovations (Project Expired)	DA-98-48	Miami - Dade County	\$1,400,000.00	\$2,800,000.00
Biscayne Bay Spoil Island #6 Enhancements	DA-98-49	Miami - Dade County	\$112,500.00	\$225,000.00
Haulover Marina Expansion Designs	DA-99-52	Miami - Dade County	\$148,250.00	\$296,500.00
Haulover Marina Boat Ramp Renovations	DA-99-53	Miami - Dade County	\$183,750.00	\$367,500.00
Spoil Islands #9 & #10 Enhancements	DA-99-54	Miami - Dade County	\$135,000.00	\$316,265.00
Sand Bypass At Bakers Haulover Inlet - Phase I	DA-BH-12-135	Bal Harbour Village	\$50,000.00	\$400,000.00

WATERWAYS ASSISTANCE PROGRAM PROJECTS
MIAMI-DADE COUNTY
1986-2012

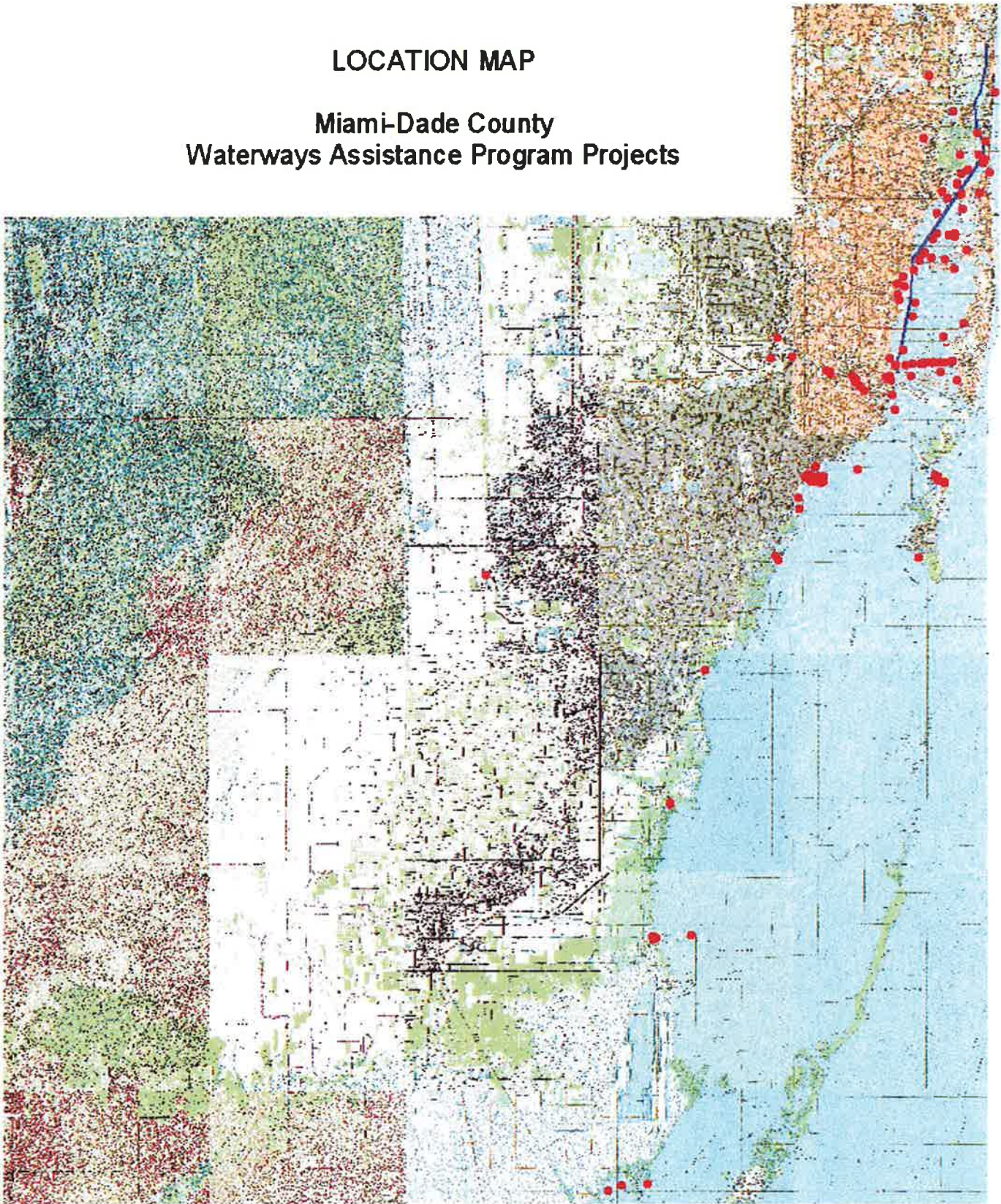
Project Name	Project Number	Project Sponsor	Grant Amount	Total Cost
Jetty and Groin Repairs	DA-BH-2	Bal Harbour Village	\$200,000.00	\$400,000.00
Public Works Compound Seawall	DA-BH-88-6	Bal Harbour Village	\$29,265.00	\$58,530.00
Waterfront Park	DA-BHI-05-87	Town Of Bay Harbor Islands	\$92,000.00	\$184,000.00
The Strand Park Boat Dock	DA-GB-11-124	Town Of Golden Beach	\$29,735.00	\$78,664.00
Marine Patrol Vessel	DA-ICV-01-64	Indian Creek Village	\$18,880.00	\$37,760.00
Citywide Seawalls - Phase I	DA-MB-02-71	City Of Miami Beach	\$135,000.00	\$270,720.00
Shoreline Stab. Of Monument Island - Ph. I (Withdrawn)	DA-MB-03-80	City Of Miami Beach	\$50,000.00	\$100,000.00
Citywide Seawalls Project - Phase I I	DA-MB-04-85	City Of Miami Beach	\$293,562.00	\$636,626.00
South Pointe Park Pier Renovation & Expansion - Phase I	DA-MB-08-105	City Of Miami Beach	\$323,075.00	\$969,230.00
Pine Tree Park Shoreline Improvements	DA-MB-09-113	City Of Miami Beach	\$74,766.00	\$248,090.00
Biscayne Bay 10th Street-end Park & Seawall	DA-MB-11-131	City Of Miami Beach	\$472,820.00	\$945,640.00
South Pointe Pier Construction - Phase I I	DA-MB-12-142	City Of Miami Beach	\$986,000.00	\$4,098,381.00
Miami Beach Marina Shoreline Stabilization	DA-MB-92-22	City Of Miami Beach	\$200,000.00	\$454,675.00
Marine Law Enforcement & Safety Project	DA-MB-93-29	City Of Miami	\$35,000.00	\$35,000.00
Watson Island Boat Ramp Replacement	DA-MI-00-59	City Of Miami	\$150,000.00	\$300,000.00
Derelict Vessel Removal	DA-MI-00-60	City Of Miami	\$34,137.00	\$68,275.00
Legion Park Waterfront Enhancement Project	DA-MI-01-65	City Of Miami	\$90,000.00	\$180,000.00
Int. Watersports Center - Public Baywalk Overlook	DA-MI-02-70	City Of Miami	\$200,371.00	\$486,500.00
Bicentennial Park Shoreline Stabilization - Stage I	DA-MI-03-78	City Of Miami	\$700,000.00	\$1,400,000.00
Dinner Key Mooring & Anchorage Field Project - Phase I	DA-MI-03-79	City Of Miami	\$32,500.00	\$100,000.00
Bicentennial Park Shoreline Stabilization - Phase I I	DA-MI-04-83	City Of Miami	\$419,670.00	\$2,398,000.00
Derelict Vessel Removal	DA-MI-04-84	City Of Miami	\$50,000.00	\$100,000.00
Bicentennial Park Shoreline Stabilization - Phase I I I	DA-MI-05-88	City Of Miami	\$1,000,000.00	\$2,000,000.00
Dinner Key Spoil Island Enhancement	DA-MI-05-89	City Of Miami	\$425,000.00	\$850,000.00
Seminole Public Dinghy Dock Replacement	DA-MI-05-90	City Of Miami	\$28,350.00	\$62,700.00
Bicentennial Park Shoreline Stab. - Phase I I I - C	DA-MI-06-93	City Of Miami	\$1,000,000.00	\$2,000,000.00
Dinner Key Mooring Field Project - Phase I I	DA-MI-06-94	City Of Miami	\$424,745.00	\$841,500.00
Sewell Park Kayak Launch - Phase I	DA-MI-06-95	City Of Miami	\$8,500.00	\$17,000.00
Dinner Key Mooring Field Dredging - Phase I I	DA-MI-07-100	City Of Miami	\$390,000.00	\$800,000.00
Construction Of Sewell Park Kayak Launch - Phase I I	DA-MI-07-101	City Of Miami	\$37,625.00	\$75,250.00
Bicentennial Park Mooring Bollards Design - Phase I	DA-MI-08-103	City Of Miami	\$42,450.00	\$84,900.00
Miamarina Seawall Replacement - Phase I	DA-MI-08-104	City Of Miami	\$40,000.00	\$80,000.00
Bicentennial Park Mooring Bollards Construction	DA-MI-09-107	City Of Miami	\$513,255.00	\$1,026,510.00
Coconut Grove Public Piers - Phase I (Withdrawn)	DA-MI-09-108	City Of Miami	\$144,000.00	\$288,000.00
James L. Knight Center Riverwalk - Ph I I (Withdrawn)	DA-MI-09-109	City Of Miami	\$30,000.00	\$60,000.00
Kennedy Park Floating Dock - Phase I	DA-MI-09-110	City Of Miami	\$17,500.00	\$35,000.00
Kennedy Park Shoreline Stabilization - Phase I	DA-MI-09-111	City Of Miami	\$40,000.00	\$80,000.00

WATERWAYS ASSISTANCE PROGRAM PROJECTS
MIAMI-DADE COUNTY
1986-2012

Project Name	Project Number	Project Sponsor	Grant Amount	Total Cost
Marine Stadium Marina Seawall Replacement - Phase I	DA-MI-09-112	City Of Miami	\$17,500.00	\$35,000.00
Citywide Derelict Vessel Removal	DA-MI-10-117	City Of Miami	\$20,000.00	\$45,000.00
Miami Marine Stadium Restoration - Phase I	DA-MI-10-118	City Of Miami	\$175,000.00	\$350,000.00
Miami Woman's Club Baywalk - Phase I	DA-MI-10-119	City Of Miami	\$46,500.00	\$93,000.00
Spoil Island E Restoration & Floating Dock - Phase I	DA-MI-10-120	City Of Miami	\$15,000.00	\$30,000.00
Baywalk At Bicentennial Park	DA-MI-11-125	City Of Miami	\$1,143,000.00	\$2,286,000.00
Kennedy Park Floating Dock Construction & Restoration	DA-MI-11-126	City Of Miami	\$60,000.00	\$120,000.00
Kennedy Park Shoreline Stabilization & Restoration	DA-MI-11-127	City Of Miami	\$75,000.00	\$150,000.00
Little River Waterfront Park	DA-MI-11-128	City Of Miami	\$117,500.00	\$470,000.00
Marine Stadium Marina At Virginia Key - Phase I	DA-MI-11-129	City Of Miami	\$800,000.00	\$1,600,000.00
Seybold Canal & Wagner Creek Dredging & Env. Clean Up	DA-MI-11-130	City Of Miami	\$1,000,000.00	\$22,000,000.00
Little River Waterfront Acquisition - Phase B	DA-MI-12-136	City Of Miami	\$183,750.00	\$735,000.00
Manatee Bend Park Seawall Improv. & Kayak LncH - Ph I	DA-MI-12-137	City Of Miami	\$38,500.00	\$77,000.00
Marine Stadium Marina Seawall Replacement - Phase I I	DA-MI-12-138	City Of Miami	\$785,000.00	\$1,570,000.00
Pallot Park Shoreline Stabilization - Phase I	DA-MI-12-139	City Of Miami	\$30,000.00	\$60,000.00
Seybold Canal & Wagner Creek Dredging - Phase B	DA-MI-12-140	City Of Miami	\$700,000.00	\$1,400,000.00
Spoil Island E Floating Dock Restoration - Phase I I	DA-MI-12-141	City Of Miami	\$57,500.00	\$115,000.00
Baywood Park Shoreline Enhancement Project	DA-MI-95-39	City Of Miami	\$75,590.00	\$199,971.72
Morningside Seawall Improvements	DA-MI-96-44	City Of Miami	\$34,250.00	\$68,500.00
Peacock Park Shoreline Educational Enhancement	DA-MI-97-47	City Of Miami	\$100,000.00	\$200,000.00
Watson Island Boat Ramp Repairs	DA-MI-98-51	City Of Miami	\$142,000.00	\$357,687.00
Margaret Pace Park Public Waterfront Enhancement	DA-MI-99-56	City Of Miami	\$196,085.00	\$392,170.00
Kenneth Myers Park/ Seminole Boat Ramp	DA-MI-99-57	City Of Miami	\$180,000.00	\$488,333.00
Marine Patrol Boat	DA-NBV-00-63	City Of North Bay Village	\$50,406.00	\$67,208.00
Navigational Buoys (Expired)	DA-NBV-01-69	City Of North Bay Village	\$6,250.00	\$15,000.00
Paul Vogel Community Park Seawall & Dock Repl. - Ph I	DA-NBV-10-123	City Of North Bay Village	\$55,000.00	\$110,000.00
Baywalk Plaza Area - Phase I	DA-NBV-12-146	City Of North Bay Village	\$50,250.00	\$100,500.00
Vogel Park Improvements	DA-NBV-12-147	City Of North Bay Village	\$110,167.00	\$220,335.00
William Lehman Park Fishing & Viewing Piers - Phase I	DA-NM-98-50	City Of North Miami	\$15,734.00	\$31,469.00
William Lehman Park Fishing & Viewing Piers - Phase I I	DA-NM-99-55	City Of North Miami	\$33,475.00	\$66,950.00
Maule Lake Derelict Vessel Removal	DA-NMB-06-99	City Of North Miami Beach	\$40,000.00	\$85,000.00
Waterway Signage Video Program	DA-NMB-91-20	City of North Miami Beach	\$16,000.00	\$45,300.00
Law Enforcement/Rescue Boat & Equipment	DA-NMB-91-21	City of North Miami Beach	\$25,000.00	\$62,455.00
Boating Safety & Environmental Education Program	DA-SI-99-58	Sunny Isles Beach	\$45,603.06	\$60,804.08
TOTALS			\$41,246,094.06	\$132,738,621.52

LOCATION MAP

Miami-Dade County Waterways Assistance Program Projects



Wapinto
Channel





May 3, 2013

Mr. David Roach, Executive Director
Florida Inland Navigation District
1314 Marcinski Road
Jupiter, Florida 33477-9498

Dear Mr. Roach,

The Summer Haven River has historic, environmental, economic and recreational value to the citizens of, and visitors to, St. Johns County. The ocean dune system adjacent to the river provided protection for A1A, an Evacuation Route. The dramatic shoaling in Matanzas Inlet has been linked to the closure of the Summer Haven River.

The St. Augustine Port, Waterway and Beach District together with the Friends of the Summer Haven River, a non profit organization, have applied for a Joint Coastal Permit from the FDEP and USACE to restore the Summer Haven River. The attached narrative describes the proposed restoration project.

The FDEP is ready to declare the permit application complete and issue the permit except for a Florida Fish and Wildlife Conservation Commission (FWC) concern about the Least Tern Colony that has used the riverbed habitat for the last few years. After the breach, least terns began using the barren sand deposited in the river as nesting habitat. The FWC determined that by removing the newly deposited nesting habitat, the restoration project would result in a "take" of least terns. FWC requires an incidental take permit to allow the project and requires least tern habitat creation as mitigation for the permit.

In response to the FWC, we revised the restoration plan to provide 3 acres of tern habitat on the beach within the Summer Haven breach area and immediately south (R-200 to R-202.5), but FWC requested additional habitat creation. The FWC, FDEP, and NERR staff identified a spoil island for tern nesting habitat on the MSA 233 easement held by the USACE. The attached figures show the island location and potential mitigation area. While the island appears suitable for creation of tern nesting habitat, it is under perpetual easement to the USACE for the purpose of maintenance dredge material deposits. If the USACE and state would allow use of the island for tern habitat mitigation, the Summer Haven River Restoration Project would create approximately five acres of tern nesting area on the north half of the island. The mitigation area would be graded and sloped for tern habitat and an electric fence for predator control installed.

We are writing to ask that we be placed on the May 18th FIND agenda so that we may speak to the Board about requesting authorization from the USACE for use of the island for Least Tern mitigation habitat for the Summer Haven River Restoration Project.

Sincerely,

Linda P. Ginn
Friends of the Summer Haven River, Inc.

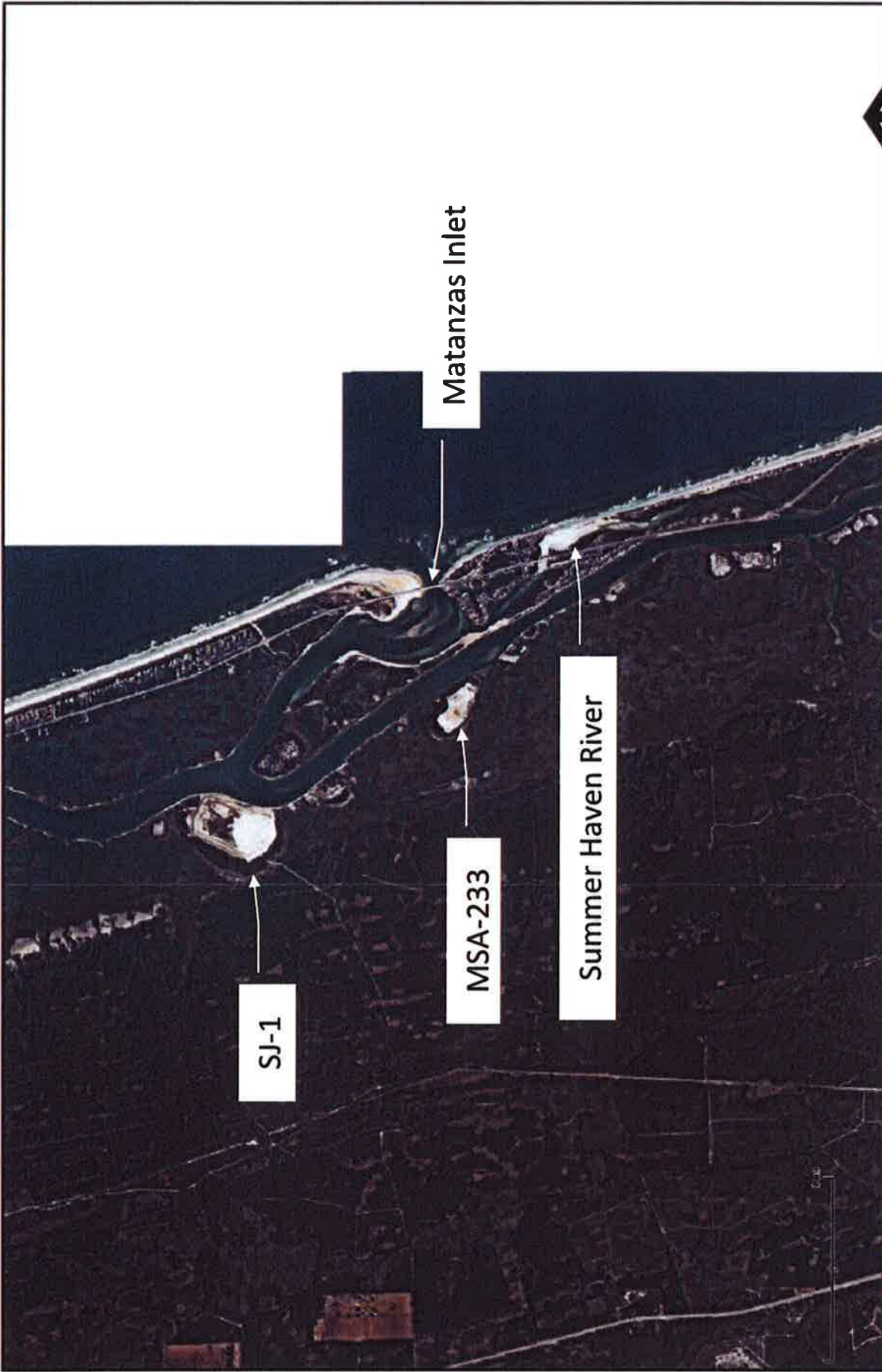


Project Objectives

The Summer Haven River is a tidal river situated on the landward side of the barrier island just south of Matanzas Inlet. The river has existed at that location at least since records concerning the area have been kept. In 2008, a storm caused Atlantic Ocean waters to breach the barrier island. The river adjacent to the breach filled with sand. The infilling sand destroyed marsh, oyster, and estuarine habitat in the river and completely blocked tidal circulation through the river. The breach closed over the next two years, but the river remains plugged with sand and the natural resources have not recovered.

The Summer Haven River's salt marsh, oyster, and estuarine resources have historically provided recreational and commercial benefits to generations of area residents and visitors. The river provided a high quality natural environment supporting oyster leases and a variety of aquatic wildlife; boating, fishing, and swimming opportunities; and access to Matanzas Inlet. The sand-choked river has lost these resources. Salt marsh and oyster beds have been buried. The lack of tidal circulation has resulting in stagnant conditions in some of the remaining aquatic habitat. The re-establishment of river depth and circulation will restore water quality and natural resources, return the historic water access and provide high quality recreation (fishing, swimming and boating) lost in the now filled and stagnant portions of the river. Restoration of the barrier island beach and dune system will provide habitat lost due to the breach and minimize the likelihood of future breaches.

Historic and recent bathymetric surveys and field observation provide the data needed to set the river restoration template. The proposed restoration project will remove about 216,000 cubic yards (165,144 cubic meters) of sand from the river to re-establish river depths to a pre-breach condition, restore tidal circulation, and allow the recovery of the natural resources. The restoration will recreate about 32 acres of open water and shallow water estuarine habitat. The sand removed from the river will be placed on the dune and beach system from FDEP range monument R-200 — R-208.



Summer Haven



DISCLAIMER: This map is for reference use only. Data provided are derived from multiple sources with varying degrees of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown hereon.



Summer Haven
River

MSA-233

MSA 233



DISCLAIMER: This map is for reference use only. Data provided are derived from multiple sources with varying levels of accuracy. The St. Johns County GIS Division disclaims all responsibility for the accuracy or completeness of the data shown herein.

Tern Nesting Habitat Creation Area



DISCLAIMER: This map is for informational use only. Data provided are derived from multiple sources with varying degrees of accuracy. The user assumes all responsibility for the accuracy or completeness of the data shown herein.



MSA 233 Mitigation Area

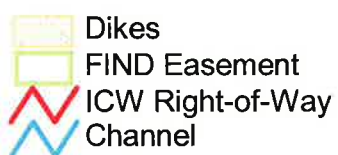
Map Printed: 5/2/2013

LOCATION MAP

MSA 233

MATANZAS
INLET

SJ-1



MSA 233

Easement Release Data Form

MSA No. 233 County St. Johns City NA
 Date Acquired 4/1933 Price Paid 0 Adjusted to Today's Dollars 0
 Current Fee Simple Owner State of Florida
 Total Size 125 acres Uplands 26 ac. Wetlands/Submerged 99 ac.
 Zoning Designation ? Comp Plan Designation ?
 Access None

 Easement Type Permenant for dredged material placement
 Reverter Language No

Easement Uses Allowed Dredged material placement

Site Usage History Prior to 1978 tential for Other Uses Yes by permit

Dredged Material Management Plan Comments

"Existing spoil disposal site west of Matanzas Inlet, no road access for site operation, need to raise dikes for any additional capacity, potential for 178,000 cyds., no possibility of expansion, ...Therefore the reconstruction and continued use of this former disposal area does not appear to serve the program objectives of long-term dredged material management."...

Dredging Reach Capacity Status

This dredging reach has upland and beach capacity, so capacity is good. Fifty year dredging requirement is almost 8 million cyds. so an additional 178,000 cyds. of capacity is negligible.

Potential for Further Dredged Material or Easement Allowed Uses

Could be used for mitigation if permits were received, even without easement in place.

 Easement Maintenance and Carrying Cost History none

Easement Release Value Per Easement Release Policy none

Other pertinent information about the easement none

PERMANENT GRANT FOR DEPOSIT OF SPOIL

Jacksonville-Miami Intracoastal Waterway

M/S/A 232
233
233-A

COPY

STATE OF FLORIDA)
:
COUNTY OF ST. JOHNS)

April 1 A.D. 1933.

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, in the river and harbor Acts of Congress, approved January 21, 1927 and July 3, 1930, provision was made for the construction of an Intracoastal Waterway from Jacksonville to Miami, Florida, in accordance with the reports submitted in House Document No. 586, Sixty-ninth Congress, second session, and Senate Document No. 71, Seventy-first Congress, second session, subject to the condition, among others, that local interests shall, without cost to the United States, furnish suitable areas for the deposit of dredged material in connection with the work and its subsequent maintenance, and

WHEREAS, the undersigned Grantors are the true and lawful owners of the certain tracts or parcels of land situated in St. Johns County, State of Florida, and more particularly designated as follows:

D. O. INDEX No. 848

M/S/A 232, Being all those portions of the unsurveyed marsh and overflow lands situated within Sections Thirteen (13), Fourteen (14) and Twenty-four (24), in Township Nine (9) South, Range Thirty (30) East, lying West of the Westerly margin of the Matanzas River and included between said Westerly margin and the Easterly boundary of the Five Hundred (500) foot right-of-way of the Intracoastal Waterway as that right-of-way is shown on a map recorded in the Current Public Records of St. Johns County, Florida, in Plat Book 4 at pages 75 and 76.

D. O. INDEX No. 849

M/S/A 233, Being all those portions of the unsurveyed marsh and overflow lands situated in the Southern half of Section Twenty-four (24) and the Northern half of Section Twenty-five (25) in Township Nine (9) South, Range Thirty (30) East, lying West of the Westerly boundary of the Five Hundred (500) foot right-of-way of the Intracoastal Waterway and East of a line parallel to and One Thousand (1000) feet distant Southwesterly from (when measured at right angles to) the Westerly boundary of the Five Hundred (500) foot right-of-way of the Intracoastal Waterway as that right-of-way is shown on a map recorded in the Current Public Records of St. Johns County, Florida, in Plat Book 4 at pages 76 and 77.

D. O. INDEX No. 850

M/S/A 233-A, Being all that portion of the unsurveyed marsh and overflow lands situated in Section Twenty-five (25), Township Nine (9) South, Range Thirty (30) East and lying East of the Easterly boundary of the Five Hundred (500) foot right-of-way of the Intracoastal Waterway as that right-of-way is shown on a map recorded in the Current Public Records of St. Johns County, Florida, in Plat Book 4 at page 76.

The aforesaid tracts are shown by the printed map marked "Intracoastal Waterway (East Coast Canal) Florida-Grant for Deposit of dredged material on the lands of Trustees of Internal Improvement Fund of the State of Florida, Grantors, in the unsurveyed portions of Sections Thirteen (13), Fourteen (14), Twenty-four (24), Twenty-five (25) Township Nine (9) South, Range Thirty (30) East, Feb. 8th, 1933, and the said map is hereto attached and by this reference made a part hereof, and

PAGE 104 92 105-108

WHEREAS, the Grantors have the right and power to execute this covenant and release:

NOW, THEREFORE, In consideration of the benefits to accrue to the Grantors in the added convenience for the use of said waterway and the enhanced value that will result to the lands of the Grantors as the result of the construction and maintenance thereof, and in order to facilitate the United States in the construction of the said waterway, the Grantors hereby grant and convey to the United States the perpetual right and easement to deposit upon the aforesaid tract of land material that may at any time be dredged in the construction and maintenance of the said waterway.

Reserving, however, to the Grantors; their successors or assigns, all such rights and privileges in said ~~tract or parcel of~~ land as may be used and enjoyed without interfering with or abridging the right and easement hereby conveyed to the United States.

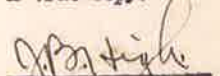
The said Grantors do hereby waive and release the United States of America, its officers, agents, servants and contractors from liabilities for any and all damages which may result to the lands and premises hereinabove described by reason of the construction and maintenance of said waterway and the deposit of such material; this waiver and release of damages being intended as a continuing covenant which shall run with the land and be binding on the Grantors and their successors in ownership of said land.

Provided, however, that this conveyance shall not be construed as authorizing the deposit of dredged material on any parcel of the afore-described lands which in pursuance of the statutes of the State of Florida are at this date under lease for the cultivation of oysters, without the consent of the lessee or lessees of such parcel, until the rights of such lessee or lessees have been terminated or cancelled in accordance with the provisions of said statutes.

IN WITNESS WHEREOF, the parties of the first part as Trustees of Internal Improvement Fund of the State of Florida have hereunto set their respective hands and have caused the Seal of "THE DEPARTMENT OF AGRICULTURE OF THE STATE OF FLORIDA" to be hereunto affixed at the Capitol in the City of Tallahassee, State of Florida, the day and year first above written.

(Official Seal of
Department of Agriculture of
the State of Florida)

A true copy.


Resident Engineer.

(Signed) David Sholts
Governor

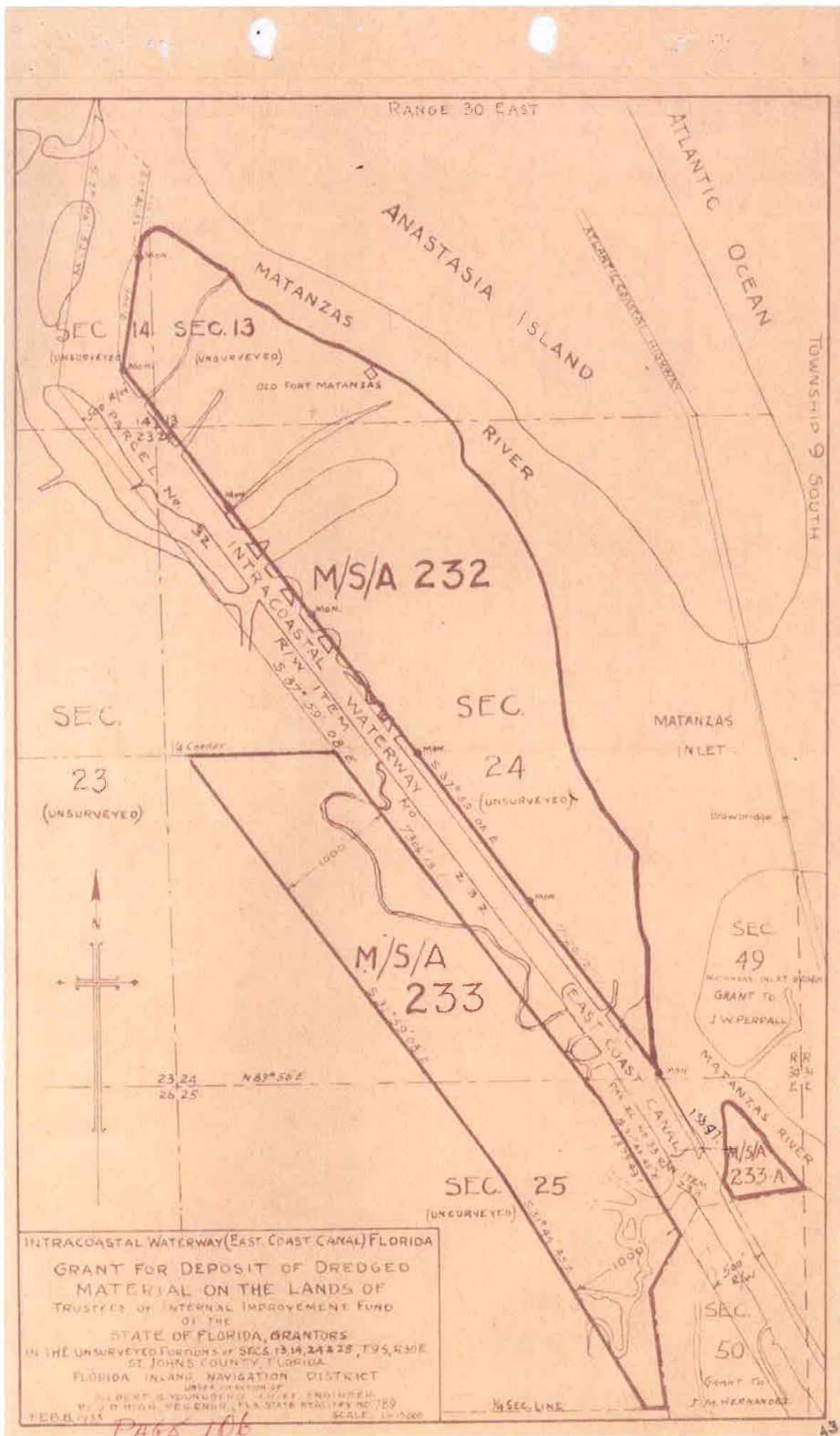
(Signed) J.M. Lee
Comptroller

(Signed) W.V. Knott
Treasurer

(Signed) Cary D Landis
Attorney General

(Signed) Nathan Mayo
Commissioner of Agriculture

PAGE 105



ICWW MAINTENANCE DREDGING PROJECT
IN THE VICINITY OF PONCE INLET

ENGINEERS ESTIMATE AND BID SCHEDULE

BID ITEMS	ENGINEERS ESTIMATE	Cottrell Contracting	Manson Construction	Southwind Construction	Orion Marine	Cashman Dredging	Cavache Inc
Insurance	\$17,280.00	\$26,000.00	\$1,000.00	\$1,148.15	110,695.74	25,000.00	\$9,000.00
Mobilization/Demobilization	\$1,215,000.00	\$1,104,090.00	\$1,400,000.00	\$600,439.48	1,075,116.42	1,300,000.00	\$576,782.49
Env. Protection and Erosion Control	\$21,600.00	\$34,975.00	\$15,000.00	\$4,273.20	45,329.46	50,000.00	\$47,000.00
Hydraulic Dredging & Material Transfer	\$2,700,000.00	\$2,125,505.00	\$3,369,600.00	\$1,954,800.00	1,499,040.00	3,888,000.00	\$1,488,240.00
TOTALS	\$3,953,880.00	\$3,290,570.00	\$4,785,600.00	\$2,560,660.83	\$2,730,181.62	\$5,263,000.00	\$2,121,022.49

Note: Cottrell Contracting's individual numbers did not total their actual bid of \$3,290,505.00.



May 3, 2013

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

Re: Contractor Recommendation Letter
Intracoastal Waterway Maintenance Dredging in vicinity of Ponce de Leon Inlet, Volusia County,
Florida

Dear Mr. Roach:

On April 25, 2013, the Florida Inland Navigation District (FIND) received bid packages for the Intracoastal Waterway (ICWW) Maintenance Dredging in vicinity of Ponce de Leon Inlet project. Cavache, Inc., the low bidder based in Pompano Beach, Florida, submitted an all-inclusive bid of \$2,121,022.49. Due to an inability to meet one of the equipment specification requirements, Cavache was deemed non-qualified, see attached Memorandum. The next lowest and qualified bidder, Southwind Construction Corporation, submitted an all-inclusive bid of \$2,560,660.83.

We have reviewed Southwind Construction Corporation's bid package and confirmed that they properly filled out and submitted all required forms (i.e., Bid Form, Bid Schedule, Bid Bond, and Public Entity Crime Statement). The Affidavit for Surety Company was not included with the original bid package. FIND Executive Director informed Southwind that this document was missing in their bid package. Southwind immediately submitted the missing document. This document is dated April 25, 2013, the date of the bid opening. Therefore, we recommend FIND waive the missing of the Surety document in the original bid package as a minor irregularity.

In addition to submitting three similar projects for evaluation (Jupiter Inlet District Sand Trap Dredging, USACE New England District - Hampton Harbor and Seabrook Harbor, and USACE Wilmington District - AIWW Maintenance Dredging), Southwind Construction Corporation was responsible for submitting an equipment list that complied with the minimum required specifications.

Table 1. Equipment Requirements vs. Southwind Construction Corporation's Submittal

ITEM NO.	EQUIPMENT SPECIFICATIONS	SOUTHWIND CONSTRUCTION CORPORATION EQUIPMENT LIST
1	Plant weight (minimum 200,000 lbs)	No specific weight provided; however, listed equipment (i.e., 890 Ellicott) requirement met. Confirmed with Ellicott dredge manufacturer.
2	Horsepower continuous to pump (minimum 1,000 hp)	Wilco, 1,170 HP confirmed with Ellicott and Marine Surveyor's Report.
3	Dredge size (must range between 14 and 18 inches as measured at the neck of the pump)	18 inches.
4	Booster capability and noise suppressant equipment, as applicable	Two 18" boosters (2100HP & 1200HP) listed.
5	Dredge dimensions including draft and freeboards	Included within Marine Surveyor's Report and is acceptable.

Mr. David Roach
May 3, 2013
Page 2 of 2

ITEM NO.	EQUIPMENT SPECIFICATIONS	SOUTHWIND CONSTRUCTION CORPORATION EQUIPMENT LIST
6	Production rate of dredge in similar material and disposal distance	Stated that they would be able to dredge ±35,000 CY weekly and finish the dredging in less than 60 days.
7	Marine surveyor's inspection certificate that includes a statement that the dredge can safely operate in the waters associated with this Contract	Provided.

Lastly, our review included telephone interviews with two of the three references provided by the contractor. One reference, USACE Jacksonville District, stated they were unable to comment on any Contractor's performance. As shown in Attachment B, the remaining two references offered no negative comments concerning their previous experience with Southwind Construction Corporation.

Based on our review, we recommend that the FIND disqualify Cavache, Inc. We further recommend that FIND waive the late submittal of the Affidavit for Surety Company as a minor irregularity and award the Intracoastal Waterway Maintenance Dredging in vicinity of Ponce de Leon Inlet contract to Southwind Construction Corporation. Please contact me at (904) 731-7040 with any questions or concerns.

Sincerely,



John Adams, P.E.
Senior Advisor

Attachments (2)

**INTRACOASTAL WATERWAY MAINTENANCE DREDGING
IN VICINITY OF PONCE INLET
SOUTHWIND CONSTRUCTION CORPORATION**

**ATTACHMENT A
Memorandum**



May 3, 2013

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

MEMO: Cavache Bid Review — Intracoastal Waterway Maintenance Dredging in vicinity of
Ponce de Leon Inlet, Volusia County, Florida

Dear Mr. Roach:

Taylor Engineering received bids for the ICWW Maintenance Dredging Project near Ponce Inlet on April 25, 2013. Cavache, Inc. was the low bidder with a total amount of \$2,121,022.49 (see attached Bid Schedule).

All bid documents from Cavache are in order. Taylor Engineering checked the firm's references, which are determined to be excellent. The received comments indicated that Cavache was very efficient, knowledgeable, and cooperative and accomplished each reference project under a tight time frame, was responsive, and maintained a key person on site. The overall bid package and Bidders Plan were excellent.

As part of the bid package bidders must meet minimum requirements for the size of dredge. These items include the dredge weight (minimum 200,000 lbs), horsepower continuous to pump (minimum 1,000 hp), and dredge size (range between 14 and 18 inches). Cavache plans to use an Ellicott 1170 dredge, the 2010 Maya Caelyn. In its bid package, Cavache provided the dredge Technical Data and Specifications, which in part lists this dredge as 209,000 lbs dry weight, pump continuous rating of 850 hp for a CATC32 pump, and dredge size 16 inches. In its write up under Dredging Operations, the firm states that the dredge has 1390 continuous horsepower.

Whether the pump size rating of 850 hp meets the specifications for this project has become an issue. Taylor Engineering has gone back to Cavache several times to ask questions about the dredge pump size. Cavache provided information from Ellicott (dredge manufacturer) and Caterpillar (pump manufacturer). The statement from Caterpillar "This letter is to inform you that this C32 unit will run continuously at 1000HP with no problem at factory specs." Taylor Engineering independently went to Ellicott to determine whether the C32 pump satisfied the specification. Based on our understanding of statements from Ellicott and Cavache, the C32 pump can run at an rpm rating that will produce 1,000 hp. However, this would not be an efficient operation of the pump. As noted in the Technical Data and Specifications provided by Cavache and on the Ellicott web site, the rated continuous horsepower for the pump on the Ellicott 1170 dredge is 850 hp.

On May 2, 2013, Cavache provided additional information attempting to clarify that its dredge is capable of running continuously at 1,000hp. Cavache also provided a letter from Caterpillar which states in part: "These engines (C32) have the ability to be rated at either 850HP or 1000HP." This information does not change our previous statements concerning the pump power.

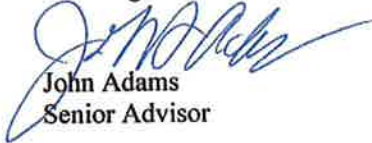
The next issue to address on the pump size is whether the pump power can be more than one pump in combination. Cavache's Technical Data and Specifications list the combined dredge power as 1,200 hp. Ellicott provided a statement that the combined power equals 1,125 hp. The FIND specification for this contract reads "horsepower continuous to pump (minimum 1,000 hp)." The intent of this

Mr. David Roach
May 3, 2013
Page 2 of 2

specification is to ensure the selected contractor has a dredge of sufficient size to efficiently dredge the Intracoastal Waterway (ICWW). The minimum pump size requirement demands that the main engine driving the pump would have a minimum of 1,000 hp — not a combination of the main engine and an auxiliary engine horsepower.

Taylor Engineering believes that the Caterpillar C32 engine on the dredge 2010 Maya Caelyn proposed by Cavache does not meet the minimum requirements of horsepower continuous to pump as outlined in the FIND contract specifications. Therefore, Taylor Engineering must disqualify Cavache's bid.

Best Regards,



John Adams
Senior Advisor

**INTRACOASTAL WATERWAY MAINTENANCE DREDGING
IN VICINITY OF PONCE INLET
SOUTHWIND CONSTRUCTION CORPORATION**

ATTACHMENT B
Reference Call Summary

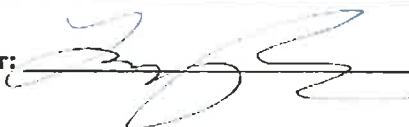
ICWW MAINTENANCE DREDGING IN VICINITY OF PONCE DE LEON INLET

REFERENCE CALLS FOR SOUTHWIND CONSTRUCTION CORP

MAY 2013

CONTACT NAME: Denny Kissam
COMPANY/ORGANIZATION: USACE – Wilmington District
PHONE NUMBER: 910-251-4424

Rating Criteria		Excellent	Very Good	Good	Poor	Comments
Reference Call Information	1	How would you rate their overall quality of work performed?	X			Outstanding. Have known them for 6 years.
	2	How would you rate the timeliness of their work and ability to meet the deadlines on the schedule?	X			Great
	3	Did the project require submittals? If so, rate the quality of their submittals.	X			Excellent
	4	How would you rate their overall project management?	X			Excellent
	5	Were there any conflicts? If so, rate their cooperation in resolving the conflicts.	X			None
	6	Were there any consistent equipment problems? If so, rate their ability to quickly fix the problem and restart the job.	X			No problems
	7	Were there any environmental compliance issues? If so, rate their ability to resolve any compliance issues.	X			No issues
	8	Did they need to apply for and monitor an NPDES permit? If so, rate their ability to handle any issues?	X			
	9	Would you hire them to do work for you on future projects? *If <u>yes</u> , provide an "Excellent" rating. If <u>no</u> , provide a "Poor" rating.	X			Immediately
Other	10	Where was dredging located?	--	--	--	AIWW

Signature of Evaluator: 

Date: 05/07/2013

**ICWW MAINTENANCE DREDGING IN VICINITY OF PONCE DE LEON INLET
REFERENCE CALLS FOR SOUTHWIND CONSTRUCTION CORP
MAY 2013**

CONTACT NAME: Joseph Chaison
COMPANY/ORGANIZATION: Taylor Engineering (PM for Jupiter Inlet District)
PHONE NUMBER: 561-640-7310

Rating Criteria			Excellent	Very Good	Good	Poor	Comments
Reference Call Information	1	How would you rate their overall quality of work performed?	X				Great job. Zero high areas and very few exceedences in the dredge template.
	2	How would you rate the timeliness of their work and ability to meet the deadlines on the schedule?	X				Met baseline schedule.
	3	Did the project require submittals? If so, rate the quality of their submittals.	X				
	4	How would you rate their overall project management?		X			Some chain of command issues. Some back and forth between personnel on the job.
	5	Were there any conflicts? If so, rate their cooperation in resolving the conflicts.		X			Worked with Engineer to resolve beach placement issues.
	6	Were there any consistent equipment problems? If so, rate their ability to quickly fix the problem and restart the job.	X				No major issues
	7	Were there any environmental compliance issues? If so, rate their ability to resolve any compliance issues.	X				Submittal requirement for dredge location control above and beyond. Timely submittal of all compliance reports.
	8	Did they need to apply for and monitor an NPDES permit? If so, rate their ability to handle any issues?	--	--	--	--	Not Applicable
	9	Would you hire them to do work for you on future projects? *If yes, provide an "Excellent" rating. If no, provide a "Poor" rating.	X				Yes.
Other	10	Where was dredging located?	--	--	--	--	JID Sandtrap

Signature of Evaluator: 

Date: 05/02/2013

CROSSROADS MAINTENANCE DREDGING PROJECT

ENGINEERS ESTIMATE AND BID SCHEDULE

BID ITEMS	ENGINEERS ESTIMATE	Southwind Construction	Cottrell Contracting	Orion Marine	Cavache Inc
Insurance	\$3,162.00	\$325.00	\$10,000.00	\$97,180.53	9,000.00
Mobilization & Demobilization	\$711,504.00	\$727,166.22	\$1,590,000.00	\$806,403.68	462,827.00
Env. Protection and Erosion Control	\$74,115.00	\$1,391.00	\$10,000.00	\$62,674.75	18,500.00
Hydraulic Dredging and Material Transfer	\$494,100.00	\$244,800.00	\$582,600.00	\$185,100.00	546,900.00
TOTALS	\$1,282,881.00	\$973,682.22	\$2,192,600.00	\$1,151,358.96	\$1,037,227.00

[illegible]



May 3, 2013

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

Re: Contractor Recommendation Letter
Crossroads Maintenance Dredging; Martin County, Florida

Dear Mr. Roach:

On April 29, 2013, the Florida Inland Navigation District (FIND) received bid packages for the Crossroads Maintenance Dredging project. Southwind Construction Corporation, the qualified low bidder based in Evansville, Indiana, submitted an all-inclusive bid of \$973,682.22.

We have reviewed the bid package and confirmed that Southwind Construction Corporation properly filled out and submitted all required forms (i.e., Bid Form, Bid Schedule, Bid Bond, Public Entity Crime Statement, and the Affidavit for Surety Company).

In addition to submitting three similar projects for evaluation (Jupiter Inlet District Sand Trap Dredging, USACE New England District – Hampton Harbor and Seabrook Harbor, and USACE Wilmington District – AIWW Maintenance Dredging), Southwind Construction Corporation was responsible for submitting an equipment list that complied with the minimum required specifications.

Table 1. Equipment Requirements vs. Southwind Construction Corporation's Submittal

ITEM NO.	EQUIPMENT SPECIFICATIONS	SOUTHWIND CONSTRUCTION CORPORATION EQUIPMENT LIST
1	Plant weight (minimum 200,000 lbs)	No specific weight provided; however, listed equipment (i.e., 890 Ellicott) requirement met. Confirmed with Ellicott dredge manufacturer.
2	Horsepower continuous to pump (minimum 1,000 hp)	Wilco, 1,170 HP confirmed with Ellicott and Marine Surveyor's Report.
3	Dredge size (must range between 14 and 18 inches as measured at the neck of the pump)	18 inches.
4	Booster capability and noise suppressant equipment, as applicable	No boosters listed. Confirmed with Southwind and they indicated that they anticipate being able to perform the work with no booster pumps.
5	Dredge dimensions including draft and freeboards	Included within Marine Surveyor's Report and is acceptable.
6	Production rate of dredge in similar material and disposal distance	Stated that they would be able to dredge $\pm 30,000$ CY over a 21-day period.
7	Marine surveyor's inspection certificate that includes a statement that the dredge can safely operate in the waters associated with this Contract	Provided.

Lastly, our review included telephone interviews with two of the three references provided by the contractor. One reference, USACE Jacksonville District, stated they were unable to comment on any Contractor's performance. As shown in Attachment A, the remaining two references offered very good to excellent comments concerning their previous experience with Southwind Construction Corporation. Therefore, based on our review, we recommend that the FIND award the Crossroads Maintenance

Mr. David Roach
May 3, 2013
Page 2 of 2

Dredging contract to Southwind Construction Corporation. Please contact me at (904) 731-7040 with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Adams", is written over the typed name.

John Adams, P.E.
Senior Advisor

Attachments (1)

**CROSSROADS MAINTENANCE DREDGING
SOUTHWIND CONSTRUCTION CORPORATION**

ATTACHMENT A
Reference Call Summary

CROSSROADS MAINTENANCE DREDGING
REFERENCE CALLS FOR SOUTHWIND CONSTRUCTION CORP
MAY 2013

CONTACT NAME: Denny Kissam
COMPANY/ORGANIZATION: USACE – Wilmington District
PHONE NUMBER: 910-251-4424

Rating Criteria			Excellent	Very Good	Good	Poor	Comments
Reference Call Information	1	How would you rate their overall quality of work performed?	X				Outstanding. Have known them for 6 years.
	2	How would you rate the timeliness of their work and ability to meet the deadlines on the schedule?	X				Great
	3	Did the project require submittals? If so, rate the quality of their submittals.	X				Excellent
	4	How would you rate their overall project management?	X				Excellent
	5	Were there any conflicts? If so, rate their cooperation in resolving the conflicts.	X				None
	6	Were there any consistent equipment problems? If so, rate their ability to quickly fix the problem and restart the job.	X				No problems
	7	Were there any environmental compliance issues? If so, rate their ability to resolve any compliance issues.	X				No issues
	8	Did they need to apply for and monitor an NPDES permit? If so, rate their ability to handle any issues?	X				
	9	Would you hire them to do work for you on future projects? If <u>yes</u> , provide an "Excellent" rating. If <u>no</u> , provide a "Poor" rating.	X				Immediately
Other	10	Where was dredging located?	--	--	--	--	AIWW

Signature of Evaluator: 

Date: 05/02/2013

CROSSROADS MAINTENANCE DREDGING
REFERENCE CALLS FOR SOUTHWIND CONSTRUCTION CORP
MAY 2013

CONTACT NAME: Joseph Chaison
COMPANY/ORGANIZATION: Taylor Engineering (PM for Jupiter Inlet District)
PHONE NUMBER: 561-640-7310

Rating Criteria			Excellent	Very Good	Good	Poor	Comments
Reference Call Information	1	How would you rate their overall quality of work performed?	X				Great job. Zero high areas and very few exceedences in the dredge template.
	2	How would you rate the timeliness of their work and ability to meet the deadlines on the schedule?	X				Met baseline schedule.
	3	Did the project require submittals? If so, rate the quality of their submittals.	X				
	4	How would you rate their overall project management?		X			Some chain of command issues. Some back and forth between personnel on the job.
	5	Were there any conflicts? If so, rate their cooperation in resolving the conflicts.		X			Worked with Engineer to resolve beach placement issues.
	6	Were there any consistent equipment problems? If so, rate their ability to quickly fix the problem and restart the job.	X				No major issues
	7	Were there any environmental compliance issues? If so, rate their ability to resolve any compliance issues.	X				Submittal requirement for dredge location control above and beyond. Timely submittal of all compliance reports.
	8	Did they need to apply for and monitor an NPDES permit? If so, rate their ability to handle any issues?	--	--	--	--	Not Applicable
	9	Would you hire them to do work for you on future projects? *If yes, provide an "Excellent" rating. If no, provide a "Poor" rating.	X				Yes.
Other	10	Where was dredging located?	--	--	--	--	JID Sandtrap

Signature of Evaluator: _____

Date: 05-22-2013

IN THE CIRCUIT COURT OF THE SEVENTH
JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS,
COUNTY FLORIDA

FLORIDA INLAND NAVIGATION
DISTRICT, and independent special
taxing district of the State of Florida,

CASE NO. CA08-2620

Plaintiff,

Vs.

DREDGE ENTERPRISE, LLC, a
South Carolina limited liability company,

Defendant.

DEFENDANT'S DEMAND FOR JUDGMENT/PROPOSAL FOR SETTLEMENT TO
PLAINTIFF

Defendant, Dredge Enterprise, LLC ("Dredge Enterprise") by and through its undersigned counsel, states that at least 90 days have passed since the commencement of this action, and there are at least 45 days remaining before the date set for trial or the first day of the docket on which this case is set for trial, whichever is earlier.

THEREFORE, Defendant, Dredge Enterprise, hereby severs this Demand for Judgment/Proposal for Settlement ("Proposal") pursuant to Florida Rules of Civil Procedure 1.442 and F.S. 768.79. This Proposal must be accepted in writing, within thirty (30) days or it shall be deemed rejected. The Proposal is as follows:

1. PARTY MAKING PROPOSAL: Defendant, Dredge Enterprise
2. PARTY TO WHOM THE PROPOSAL IS BEING MADE: Plaintiff, Florida Inland Navigation District ("FIND").

3. CLAIMS THE PROPOSAL ATTEMPTS TO RESOLVE: All issues and claims for damages asserted against Dredge Enterprise.
4. TOTAL AMOUNT OF PROPOSAL: Dredge Enterprise proposes to resolve all claims for damages against Dredge Enterprise for the sum of One Million Fifty Thousand and no/100 Dollars (\$1,050,000.00) being made on behalf of FIND.

A. NONMONETARY TERMS OF PROPOSAL, IF ANY:

1. FIND and Dredge Enterprise shall sign and exchange fully executed mutual General Releases of all claims in connection with this matter (in the form attached hereto as Exhibit "A"), within thirty (30) days of the date of the acceptance of this Proposal by Dredge Enterprise with such releases to be held by their respective counsel in trust pending delivery of the settlement funds to FIND;

2. Filing a Joint Stipulation for Dismissal with Prejudice with the Court as to any and all claims raised (or which could have been raised) by FIND and Dredge Enterprise against each other with each party to bear their own fees and costs (in the form attached hereto as Exhibit "B") within thirty (30) days of the date of the acceptance of the Proposal for Settlement by Dredge Enterprise.

- B. AMOUNT PROPOSED TO SETTLE CLAIM FOR PUNITIVE DAMAGES, IF ANY: FIND's suit contains no claims for punitive damages, and therefore none.

C. ARE ATTORNEY FEES PART OF THE PLAINTIFF'S LEGAL CLAIM? FIND's

suit contains no claims for punitive damages, and therefore none.

D. AMOUNT PROPOSED TO SETTLE CLAIM FOR ATTORNEY FEES, IF ANY:

FIND's suit contains no claims for attorney fees, and therefore the

total amount of Proposal is inclusive of all attorney fees and costs.

5. SERVICE AND FILING: This Proposal shall be served on the party to whom it is made through counsel, but shall not be filed unless necessary to enforce the provisions of Rule 1.442.
6. WITHDRAWAL: This Proposal may be withdrawn in writing provided the written withdrawal is delivered before a written acceptance is delivered. Once withdrawn, this Proposal is void.
7. ACCEPTANCE AND REJECTION: This proposal shall be deemed by Dredge Enterprise to be rejected unless accepted by delivery of a written notice of acceptance within thirty (30) days after service of the Proposal. The provisions of Florida Rules of Civil Procedure 1.090 (e) do not apply to this Proposal. No oral communications shall constitute an acceptance, rejection or counteroffer of this proposal.
8. CONSEQUENCES OF REJECTION: In the event this proposal is rejected, FIND is subject to sanctions, including but not limited to, those as outlined in Rules 1.442(g) and (h) of the Florida Rules of Civil Procedure, Fla. Stat. 768.79 and any other relief Dredge Enterprise is entitled to as a matter of law and which the Court deems just and proper.

9. GOOD FAITH: This Proposal is being submitted with the knowledge, understanding, and consent of Dredge Enterprise.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Proposal for Settlement was served to Plaintiff's attorney Peter L. Breton, Breton, Lynch, Eubanks & Suarez-Murias, P.A., 1209 North Olive Avenue, West Palm Beach, Florida 33401, by email on this April 26, 2013, and by certified mail, return receipt requested on 27th day of April 2013.

By: /s/ Christian D.Keedy
Christian D. Keedy
7931 SW 59th Avenue
South Miami, Florida 33143-5513
Tel: 786-361-6051
Fax: 305-667-9980
Fla. Bar: 151619
Attorney for Defendant/Dredge
Enterprise LLC

EXHIBIT "A"

MUTUAL GENERAL RELEASE

KNOW ALL MEN BY THESE PRESENTS:

That **FLORIDA INLAND NAVIGATION DISTRICT, an independent special taxing district of the State of Florida ("first party")**, and **DREDGE ENTERPRISE, LLC, a South Carolina limited liability company, ("second party")**, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), or other valuable considerations, the receipt and adequacy of which are hereby acknowledged by both the first party and the second party.

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives and assigns)

HEREBY remise, release, acquit, satisfy, and forever discharge each other, of and from all, and all manner of action and actions, cause and causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims and demands whatsoever, in law or in equity, said first party or second party ever had, now has, or which any personal representative, successor, heir or assign of said party, hereafter can, shall or may have, against the other party, and which for, upon or by reason of any matter, cause or thing whatsoever, from the beginning of the world to the day of these presents, regarding all matters raised or which could have been raised in the action styled Florida Inland Navigation District v. Dredge Enterprise, LLC, Case No. CA08-2620, in the Circuit Court of the Seventh Judicial Circuit in and for St. Johns County, Florida.

This mutual general release is governed by the laws of the State of Florida.

This mutual general release shall be executed in duplicate so that both the first party and the second party will have an original for their records.

This mutual general release is void and of no binding or legal effect unless fully executed by both the first and second party.

[SIGNATURE PAGES TO FOLLOW]

Signed, sealed and delivered
in the presence of:

Witness: [Signature]
Witness: [Signature]

FLORIDA INLAND NAVIGATION DISTRICT

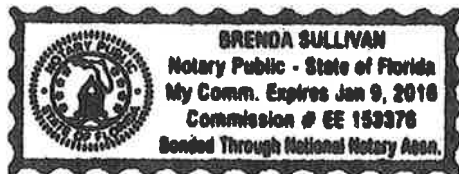
By: Gail Kavanagh
Name: Gail Kavanagh
Title: Vice Chair
Dated: May 2, 2013

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was sworn to and acknowledged before me
this 2nd day of May, 2013, by Gail Kavanagh, as Vice Chair
of FLORIDA INLAND NAVIGATION DISTRICT, an independent special taxing
district of the State of Florida, who is, X, personally known to me,
OR has produced _____ as identification.

(NOTARY SEAL)



Brenda Sullivan
Notary Name: Brenda Sullivan
My commission expires: 1-9-2016

Signed, sealed and delivered
in the presence of:

DREDGE ENTERPRISE, LLC, a South
Carolina limited liability company

Witness: _____

By: _____

Its: _____

Witness: _____

Dated: _____, 2013

STATE OF _____

COUNTY OF _____

The foregoing instrument was sworn to and acknowledged before me
this ____ day of _____, 2013, by _____, as
_____ of DREDGE ENTERPRISE, LLC, a South Carolina limited liability
company., an independent special taxing district of the State of Florida, who is,
_____, personally known to me, **OR** has produced _____
as identification.

(NOTARY SEAL)

Notary Name: _____

My commission expires: _____

EXHIBIT "B"

IN THE CIRCUIT COURT OF THE SEVENTH
JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS,
COUNTY FLORIDA

FLORIDA INLAND NAVIGATION
DISTRICT, and independent special
taxing district of the State of Florida,

CASE NO. CA08-2620

Plaintiff,

Vs.

NOTICE OF UNAVAILABILITY

DREDGE ENTERPRISE, LLC, a
South Carolina limited liability company,

Defendant.

JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE

Plaintiff, Florida Inland Navigation District, an independent special taxing district of the State of Florida, and Defendant, Dredge Enterprise, LLC, a South Carolina limited liability company, hereby Stipulate and Agree:

1. The present case shall be dismissed with prejudice.
2. Each party shall bear their own attorney's fees and costs.

Breton, Lynch, Eubanks & Suarez-
Murias, P.A.
Attorney for Plaintiff
1209 North Olive Avenue
West Palm Beach, Florida 33401
Tel: 561-7214000

Christian D. Keedy
Attorney for Defendant
7931 SW 59th Avenue
South Miami, Florida 33143
Tel: 786-361-6051

By: _____
John R. Eubanks, Jr., Esq.
Florida Bar No. 897485

By: _____
Christian D. Keedy, Esq.
Florida Bar No. 151619

Dated: _____, 2013

Dated: _____, 2013

Florida Inland Navigation District

DMMA SJ-14 Spill Related Costs

PAID TO DATE

1. Taylor Engineering Work Order No. 08-11 \$34,999.70
Assessment and testing per Consent Order, see attached Work Order.

2. Taylor Engineering Work Order No. 08-12 \$3,729.00
Hydrologic Improvement Feasibility per Consent Order, see attached Work Order.

3. Taylor Engineering Work Order No. 09-04 \$41,336.48
Salinity and water level monitoring, topographic survey and FDEP coordination,
see attached Work Order

4. Taylor Engineering Work Order No. 09-05 \$71,990.88
Project management, field work coordination, sediment remediation plan,
vegetative and hummock survey, bid package and construction administration per
Consent Order, see attached Work Order.

5. Taylor Engineering Work Order No. 09-06 \$62,652.40
Arsenic and salinity sampling and hydrologic restoration plan per consent Order
and FDEP direction, see attached Work Order.

6. Taylor Engineering Work Order No. 10-09 \$35,918.25
Salinity and Water level monitoring per Consent Order, see attached Work Order.

7. Fleming Island Landscapes \$205,333.26
This for 22 months of dewatering of the perimeter ditch to keep saline water from
overflowing into the wetlands, one month invoice attached.

8. Santa Cruz Construction \$94,707.29
This cost was to dewater the containment basin to try to reduce any salt impacts to
adjacent wetlands and keep containment basin from overtopping. Contract and
final invoice attached.

9. Legal Fees \$66,823
 Legal fees on this issue on this matter in 2009, 2010, and through July of 2012, see attached budget sheets.

10. 2012 Cleanup, engineering and monitoring expenses \$48,825

SUB-TOTAL \$666,315.26

TO BE PAID

11. Purchase of Mitigation Credits \$1,000,000
 Mitigation is a requirement of the Consent Order, needs to be rebid.

12. Spill Area Planting \$100,000
 This is an estimated cost to plant the primary impact area.

13. Spill Area Monitoring & Maintenance \$250,000
 This is an estimated cost for 10 years of monitoring per Consent Order.

SUB-TOTAL \$1,350,000

TOTAL \$2,116,315.26

ALCALDE & FAY
GOVERNMENT & PUBLIC AFFAIRS CONSULTANTS

May 3, 2013

MEMORANDUM

TO: David Roach, Executive Director
Mark Crosley, Assistant Executive Director

FROM: Jim Davenport

SUBJECT: Federal Legislative Report

Six members of the Florida Inland Navigation District's Congressional Delegation sent a joint letter to the House Energy and Water Appropriations Subcommittee seeking \$140 million for inland waterways maintenance (see attached). Congressman Walter Jones (R-NC) signed onto the letter as well since he has a vested interest in inland waterways maintenance. Other members of FIND's delegation may have submitted electronic requests to the Subcommittee's internal database as well.

There is currently no scheduled mark-up of the fiscal year (FY) 2014 House Energy and Water Appropriations Bill, but we will continue working with the Subcommittee staff to set aside operations and maintenance funding for inland waterways.

Later this month, House appropriators are expected to begin work on FY 2014 appropriations legislation, which by all accounts are expected to reflect severe cuts (as much as \$91 billion) as a result of reduced discretionary spending levels set forth by the sequester. House Appropriations Committee Chairman Hal Rogers (R-KY) opposes these cuts, and foresees that with a growing dissent among GOP lawmakers, current spending cuts will be replaced by a broader fiscal deal sometime later this year. Chairman Rogers also indicated that the Committee may end up effectively working on two sets of bills for FY 2014, one group reflecting the \$967 billion cap and the other set at a different spending level determined by a future agreement between Democratic and Republican leadership.

We will report back to you on our efforts. Please contact me with any questions.

Congress of the United States
Washington, DC 20515

April 18, 2013

The Honorable Rodney Frelinghuysen
 Chairman
 House Appropriations Subcommittee on
 Energy and Water Development
 2362-B Rayburn House office Building
 Washington, D.C. 20515

The Honorable Mary Kaptur
 Ranking Member
 House Appropriations Subcommittee on
 Energy and Water Development
 1016 Longworth House Office
 Washington, D.C. 20515

Dear Chairman Frelinghuysen and Ranking Member Kaptur:

Language Request: U.S. Army Corps of Engineers, Operations and Maintenance, total funding of \$140 million for inland waterways maintenance.

We are making this request because “low use” waterways are important for transporting commodities, providing recreational opportunities, jobs, and fostering development around waterways.

Historically, the U.S. Corps of Engineers typically spent \$140 million nationally on inland waterway maintenance. The Administration’s Budget requests for 2012 and 2013 have sought an additional \$70 million for Administration/Corps inland waterway priorities, leaving leaves high use recreational areas with substantial commercial development out because they are considered “low-use/shallow draft.” The designation of a total of \$140 million from the Operations and Maintenance budget reallocates the expenditure to historical levels.

Failing to maintain waterways increases the cost of shipping goods more than the cost of fully maintaining the waterways. “Low use” waterways move more than 50 million tons annually while “high use” waterways move about 550 million tons. If these 50 million tons were not moved by water transportation, then they must be moved by either truck or rail. It would require 2 million trucks or 455,000 rail cars to move the same amount of cargo that can be moved on 33,500 barges. The shipping costs to move the same commodities to the same destinations would likely increase by at least \$500,000,000 by rail or \$1,500,000,000 by truck. If all low use projects were fully funded, the U.S. Army Corps of Engineers budget would be increased by less than \$200,000,000.

We believe it is important to strive for efficiencies in transportation, promote development around waterways, promote jobs, and support recreational needs. We support the allocation of a total of \$140 million dollars from the Operations and Maintenance budget of the Corps.

Sincerely,



Alcee L. Hastings
Member of Congress



Corrine Brown
Member of Congress



Walter B. Jones
Member of Congress



Patrick E. Murphy
Member of Congress



Debbie Wasserman Schultz
Member of Congress



Lois Frankel
Member of Congress

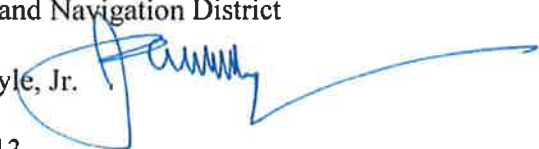


Ted Deutch
Member of Congress



MEMORANDUM

TO: Dave Roach, Executive Director
 Mark Crosley, Assistant Executive Director
 Florida Inland Navigation District

FROM: Jon C. Moyle, Jr. 

DATE: May 6, 2013

RE: May Report of Florida Legislative Activity and Bills of Interest

Please accept this memorandum as the May legislative report addressing issues and legislation that the firm tracked for the Florida Inland Navigation District ("FIND") during the recently concluded legislative session. A list of bills that were tracked for FIND is attached to the end of this report.

Session, Marked Largely by Legislature Cooperation, Concludes on Time

The 2013 legislative session ended on time, with the House and Senate adjourning sine die last Friday. During the sine die ceremony, banners were displayed listing the priority items considered and, with one exception, passed by the Legislature. Specifically, the legislature passed the following priorities from its declared joint legislative agenda:

Ethics Reform: Senate bill 2, recently signed into law by Governor Scott, among other things, strengthens current law to prevents legislators from lobbying for two years after leaving elected office, allows the Ethics Commission to garnish wages to enforce the payment of fines it

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imposes on public officials, requires ethics training for constitutional officers, and places additional restrictions on legislators working for government entities.

Elections Reform: Following complaints about long lines at the polls following the general election last fall, the Legislature passed House bill 7013 which addresses a number of election issues. In sum, the bill provides the local supervisor of elections in each county with the flexibility to increase early voting opportunities, add polling locations, and have early voting on Sunday.

Campaign Reform: House bill 569, focused on campaign reform, passed the legislature, and has been signed into law by the Governor. The legislation increases the limits on campaign contributions from \$500 to \$1,000 for legislative candidates, and from \$500 to \$3,000 for statewide executive races (Governor, Attorney General, Chief Financial Officer and Agricultural Commissioner). The bill also increases financial reporting requirements and abolishes committees of continuous existence. (These political committees were used to solicit significant sums from special interests and others, and then sometimes used for dinners, gifts and other expenditures that many thought were problematic and contrary to the legislative intent of the state's gift law.)

Education Reforms: The legislature passed Senate bill 1076 that encompassed a number of changes to the state's education laws. The bill, among other things, emphasizes the use of technology in education, structures a high school degree system that recognizes a rigorous

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high school academic diploma, enhances on-line learning and works to align education offerings with workforce and economic demands.

The only joint priority of the House and Senate which did not pass was pension reform, which passed the House, but was defeated in the Senate on a close vote. The issue, a priority of House Speaker Will Weatherford, would have made a number of significant changes to government pensions and was strongly opposed by organized labor.

Governor Scott also had a successful session. The Legislature passed bills that addressed both of his priorities; namely, significant pay increases for classroom teachers, and an expanded sales tax exemption for manufacturing business activities.

In sum, the 2013 legislative session was characterized by legislative leadership working closely and cooperatively together to accomplish the vast majority of their joint agenda as described above.¹ The budget process went smoothly, as the state had increased revenues to spend compared to past years. This meant that state agencies and others were not facing budget cuts, but could work to restore or enhance funding. The additional funds also allowed for a number of local projects to be funded, something that had not occurred for a number of years during the economic downturn.

¹ Beside pension reform, the other major issue on which the House, the Senate and the Governor took differing views was whether to accept federal dollars to expand access to health care for Floridians, and if so, how those dollars should be used. The Governor favored expanding the existing Medicaid program, the Senate preferred using federal dollars to expand health care through the state's existing Health Kids corporation, and the House opted to use state dollars, not federal funds, to assist qualified individuals purchase health insurance policies in the private market place. Nothing passed, and some suggest that this issue may be addressed in a special session, though that is less than clear.

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Bills and Issues of Interest to FIND

A. Special District Legislation

Two special district bills of interest, Senate bill 538 by Senator Ring (D-Margate) and the House companion bill, House bill 881 by Representative Lake Ray (R-Jacksonville), did not travel far in the legislative process. Senator Ring's bill, after passing its first committee of reference, ran into trouble in the Senate Ethics and Elections and did not clear that committee after it was discussed and "temporarily passed" or postponed. The companion measure by Representative Lake Ray was never heard in a House committee.

B. Environmental Permitting Legislation

Representative Jimmy Patronis (R-Panama City), and the Senate sponsor, Senator Thad Altman, (R-Melbourne) successfully passed comprehensive environmental legislation, House bill 999. This bill addresses a number of diverse environmental topics, including, but not limited to marina permitting, consumptive use permitting, state land leases, reclaimed phosphate lands, expedited permitting for natural gas pipelines, permit exemptions for certain seawall restoration projects and recovered materials associated with solid waste. Throughout the legislative process, these bills were watched closely for amendments that could affect FIND. During the last week of session, after numerous environmental interest groups and former Governor and U.S. Senator Bob Graham held a press conference to criticize the legislation, the Senate softened the bill by removing certain provisions, such as language that would have preempted local governments from regulating the application of fertilizer.

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C. Senate Confirmation of FIND Appointments

A host of FIND commissioners were subject to Senate confirmation this session. The Senate considered and confirmed commissioners Bowman, Crowley, Kavanagh and Sansom. The Senate did not consider commissioners Blow, Chappell, Cuozzo, Dritenbas, Isiminger, McCabe, Netts and Williams. Consequently, the Senate Ethics and Elections committee will send a letter this week to Governor Scott informing him that these eight appointees, along with 129 others, were not considered for confirmation by the Senate. The Governor will then have 45 days in which to reappoint the 137 individuals who were not confirmed.

The Senate did not consider these eight FIND commissioners due to timing and legislative logistics. I worked closely with FIND staff, Senate Ethics and Elections staff and Commissioner Sansom on the confirmation matter, will continue to do so, and believe the pending appointments will be handled during the regular course of business next legislative session.

If you have any questions or need any information about any of the matters raised in this report or otherwise, please let me know.

Attachment: 2013 FIND Bill Tracking List Updated as of 5/6/13

2013 Senate Bills

SB 50 by Negron

Public Meetings; Requiring that a member of the public be given a reasonable opportunity to be heard before a board or commission takes official action on a proposition before a board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision; providing that the opportunity to be heard is subject to rules or policies adopted by the board or commission; providing that compliance with the requirements of the act is presumed under certain circumstances; authorizing a court to assess reasonable attorney fees in actions filed against a board or commission; providing that any action taken by a board or commission which is found in violation of the act is not void; providing that circuit courts have jurisdiction to issue injunctions for purposes of the act, etc.

- **Passed**

SB 90 by Smith

State Contracts; Requiring all state contracts of more than a certain amount to require call-center services to be staffed by persons located within the United States, etc.

- **Died in Governmental Oversight and Accountability**

SB 244 by Dean

Water Management Districts; Providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; Requiring water management districts to apply, without adopting by Rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; requiring a regional water supply authority and the applicable water management district to jointly develop water supply component of the regional water supply plan, etc.

- **Passed**

SB 326 by Hays

Powers and Duties of the Department of Environmental Protection; Removing an obsolete reference for purposes of calculating the reimbursement for transportation and utility crossings of greenways lands in Marion County; repealing a specified provision relating to additional powers and duties of the Department of Environmental Protection to dispose of surplus lands that were for the construction, operation or promotion of a canal across the peninsula of the state and refund payments to counties, etc.

- **Passed**

SB 466 by Altman

State Lands; Authorizing individuals and corporations to submit requests to the Board of Trustees of the Internal Improvement Trust Fund to exchange state-owned land for conservation easements over privately held land; providing criteria for consideration of such requests; encouraging certain operations on such lands, etc.

- **Died in Environmental Preservation and Conservation**

SB 538 by Ring

Special Districts; Requiring public facilities projects of independent special districts with taxing authority to be approved by the appropriate local general-purpose government; requiring a local government representative to serve as an ex officio, nonvoting member of the district, etc.

- **Died in Ethics and Elections**

SB 578 by Clemens

Public Construction Projects; Requiring state agencies to specify certain products associated with public works projects; prohibiting state agencies from excluding the use of certain building rating systems, building codes, or published supplements for certain construction and renovation projects, etc.

- **Died in Community Affairs**

SB 584 by Hays

Purchase of Land by a Governmental Entity; Limiting the state, a county, or a municipality's ability to purchase land for conservation purposes, etc.

- **Died in Environmental Preservation and Conservation**

SB 588 by Brandes

Lease of Sovereignty Submerged Lands for Private Docks; Providing exemptions from lease fees for certain lessees, etc.

- **Died in Environmental Preservation and Conservation**

SB 684 by Hays

Preference in Award of State Contracts; Expanding provisions that require an agency, university, college, school district, or other political subdivision of the state to provide preferential consideration to a Florida business in awarding competitively bid contracts to purchase personal property to include the purchase of construction services; requiring counties and municipalities to provide such preferential consideration; providing that for specified competitive solicitations the authority to grant preference supersedes any local ordinance or regulation that restricts specified contractors from competing for an award based upon certain conditions, etc.

- **Died in Community Affairs**

SB 754 by Grimsley

Water Quality Credit Trading; Authorizing the Department of Environmental Protection to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading, etc.

- **Substituted CS/CS/HB 713 -SJ 596**
- **Laid on Table, refer to CS/CS/HB 713 , which passed**

SB 830 by Latvala

Vessels; Prohibiting a person under a certain age from operating a vessel towing a person, etc.

- **Died in Transportation**

SB 1104 by Brandes

Environment; Revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the outdoor advertisement exemption criteria for a public information system, etc.

- **Died in Appropriations**

SB 1150 by Benacquisto

State Contracting; Requiring agreements funded with state or federal financial assistance to include additional provisions; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; repealing provisions relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S., etc.

- **Substituted CS/CS/HB 1309 -SJ 712**
- **Laid on Table, refer to CS/CS/HB 1309, which passed**

2013 House Bills

HB 181 by Van Zant

Public Works Projects; Prohibits state & political subdivisions that contract for construction, maintenance, repair, or improvement of public works from imposing certain conditions on certain contractors, subcontractors, material suppliers, or carriers; provides

exception; prohibits state & political subdivisions from restricting qualified bidders from submitting bids, being awarded any bid or contract, or performing work on public works project; revises filing requirements for written protests to contract solicitations or awards.

- **Died in Government Operations**

HB 227 by Peters (Compare HB 254, SB 64)

Vessels; Creates Deviny's Law; prohibits person under certain age from operating vessel towing person; prohibits operating vessel towing person within certain distance from stationary structure; provides for exceptions.

- **Died in Agriculture and Natural Resources**

HB 307 by Tobia

Preference in Award of State Contracts: Expands provisions that require agency, university, college, school district, or other political subdivision to provide preferential consideration to Florida business in awarding competitively bid contracts to purchase personal property to include purchase of construction services; requires counties & municipalities to provide such preferential consideration; provides that for specified competitive solicitations authority to grant preference supersedes local ordinances & regulations that restrict specified contractors from competing for an award based upon certain conditions; requires university, college, county, municipality, school district, or other political subdivision to make specified disclosures in competitive solicitation documents.

- **Died in Local and Federal Affairs Committee -HJ 226**

HB 713 by Rep. Pigman

Water Quality Credit Trading: Authorizes DEP to implement water quality credit trading in adopted basin management action plans; deletes requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; revises provisions relating to rulemaking for water quality credit trading programs.

- **Passed**

HB 881 by Ray

Special Districts: Requires public facilities projects of independent special districts with taxing authority to be approved by appropriate local general-purpose government;

requires local government representative to serve ex officio as nonvoting member of district; provides exemptions.

- **Died in Local & Federal Affairs Committee**

HB 901 by Stone

Purchase of Land by Governmental Entity: Limits ability of state, counties, & municipalities to purchase land for conservation purposes.

- **Died in Agriculture & Natural Resources Subcommittee**

HB 999 by Patronis

Environmental Regulation: Creates, amends, & revises numerous provisions relating to: development permit applications; marinas, boatyards, & marine retailers; general permits for special events; well permits; exemptions from permits, fees & related environmental requirements & regulation; regional water supply planning; agricultural water supply demand projections; major sources of air pollution; water quality testing, sampling, collection, & analysis; & restoration of seawalls.

- **Passed**

HB 1017 by Fresen

State Procurement: Provides preference for local businesses in state contracting for goods & contractual services, including construction services.

- **Died in Appropriations Committee**

HB 1309 by Albritton

Procurement of Commodities and Contractual Services: Revises provisions relating to procurement of commodities & contractual services; requires CFO to establish and maintain secure contract tracking system; provides requirements for system; requires state agencies to post certain information on contract tracking system within a specified timeframe; specifies information that must be posted on contract tracking system; revises powers, duties, & functions of DMS; provides additional circumstance under which DMS may proceed with competitive solicitation or contract award process of term contract as alternative to stay of such process pursuant to formal written protest under APA; authorizes DMS to lead or enter into joint agreements with governmental entities for purchase of commodities or contractual services that can be used by multiple agencies; revises exceptions to requirement that purchase of specified commodities or

contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revises contractual services & commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; requires DMS, in consultation with CFO, to prepare & submit report to Governor & Legislature relating to eradication of human trafficking, slavery, & exploitive labor from supply chains for tangible goods offered for sale to state.

- **Passed**

HB 4007 by Nelson (Compare SB 326)

Department of Environmental Protection; Repeals provisions relating to power & duties of DEP to dispose of certain surplus lands acquired for construction, operation, or promotion of canal across peninsula of the state & refund payments to counties.

- **Substituted SB 326- HJ 1009**
- **Laid on Table, refer to SB 326, which passed**