

**Board of
Commissioners Meeting
October 18, 2014**

PRELIMINARY AGENDA

FLORIDA INLAND NAVIGATION DISTRICT Board of Commissioners Meeting

9:00 a.m., Saturday, October 18, 2014

**Hilton Garden Inn Ft. Lauderdale Airport-Cruise Port
180 SW 18th Avenue,
Dania Beach, FL, 33004-3105
Broward County, Florida.**

Item 1. Call to Order.

Chair Chappell will call the meeting to order.

Item 2. Pledge of Allegiance.

Commissioner Chappell will lead the Pledge of Allegiance to the United States of America.

Item 3. Roll Call.

Secretary Netts will call the roll.

Item 4. Consent Agenda.

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

(Please see back up pages following the **COLOR** page)

RECOMMEND: Approval of the Consent Agenda.

- A) Waterway Master Access Plan, Martin & St. Lucie Counties, Project Extension Request
 - B) Reinstatement and Lease Agreement Extension with City of Pompano Beach for Public Access Purposes at MSA-727-C, "Harbors Edge Park", Broward County, FL.
-

Item 5. Additions or Deletions.

Any additions or deletions to the meeting agenda will be announced.

RECOMMEND: Approval of a final agenda.

Item 6. Public Comments.

The public is invited to provide comments on issues that are NOT on today's agenda. All comments regarding a specific agenda item will be considered following Board discussion of that agenda item. *Please note: Individuals who have comments concerning a specific agenda item should fill out a speaker card and communicate with staff prior to that agenda item.*

Item 7. Board Meeting Minutes.

The minutes of the following meetings are presented for approval.

- August 16, 2014 – Finance & Budget Committee Mtg. (Please see back up pages 5 - 8)
- August 16, 2014 – Board Meeting (Please see back up pages 9 - 28)
- September 12, 2014, 1st Public Budget & Tax Hearing (Pls see back up pages 29 - 33)
- September 13, 2014 – Finance & Budget Comm. Mtg. (Please see back up pages 34 - 37)
- September 13, 2014 – Board Meeting (Please see back up pages 38 - 70)
- September 24, 2014 - Final Public Tax & Budget Hearing (Pls see back up pp 71 - 75)

RECOMMEND: Approval of the minutes as presented.

Item 8. Staff Report on Broward County Area Projects.

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

(Please see back up pages 76 - 92)

Item 9. Proposal for Assessment of Muck Movement, Discharge Water Quality and Biological Impacts Dredging Project IR Reach 1, Indian River County, FL.

Staff is working with the U.S Army Corps of Engineers (USACE) research center in Vicksburg, Mississippi and the Florida Institute of Technology (FIT, Melbourne, FL) on a proposal for further study of muck dredging. Staff has reviewed a proposal to cost-share this study with the USACE and FIT as applied to our forthcoming Indian River Reach 1 dredging project.

This study could demonstrate the positive secondary benefits (fine material removal, increased water clarity) of dredging for navigation. The proposal request an approximate 45.5% cost-share (\$69,427) of the total project costs (\$152,727). Representatives from the USACE and FIT are scheduled to be in attendance to answer additional questions.

(Please see back up pages 93 – 97)

RECOMMEND: Approval of a cost-share proposal in the amount of \$69,427 for an assessment of muck movement, discharge water quality and biological impacts for dredging Indian River Reach 1, Indian River County, FL.

Item 10. **Presentation and Status Report on the Broward County Intracoastal Waterway (ICW) Deepening Project, Broward County, FL.**

For the past ten years, the Navigation District has been working with Taylor Engineering to develop and permit the Broward County ICW Deepening Project. This complex but important project is nearing the design and bid phase, however, there are several challenges that remain to successfully implement this project. Staff has requested that Taylor Engineering provide an update and status report for this project for Board review and discussion.

(Please see back up pages 98 - 100)

RECOMMEND: (This item is presented for Board review and discussion only.)

Item 11. **Scope of Services and Fee Quote for Professional Engineering Services to Finalize the Port Everglades Alternative Trucking Route Design & Permitting, for Utilization of the Temporary Dredge Material Management Area (DMMA) in Support of the Broward County ICW Deepening Project, Broward County, FL.**

At the request of Port Everglades, The Navigation District has been working with Taylor Engineering to develop an alternative access road to the existing Port DMMA. This existing site was designed and constructed by the Navigation District for use with the successfully completed deepening of the Dania Cut-off Canal project.

The Broward Deepening Project plan also identifies the Port's temporary DMMA site as the material handling site for the project. Lengthy permitting delays for this project and changes at the Port have necessitated our evaluation of an alternative access road. The Port has indicated that our trucks will not be able to access the DMMA through the main gate and the development of this road is our only alternative to utilizing the site. To date, this is the only site identified and developed in support of this Broward Deepening project. This is a cost-plus, not to exceed proposal that is reasonable and within the estimate for this work.

(Please see back up pages 101 – 117)

RECOMMEND: Approval of a scope of work and fee quote in the amount of \$49,668.25 from Taylor Engineering for design & permitting for an alternate access road for the Port's DMMA site, Broward County, FL.

Item 12. Review, and Update of the Development of MSA 726 in Pompano Beach in Support of the Broward Reach 1 Dredging Project, Broward County, FL.

Staff have been working with Taylor Engineering, IBI Group, and the communities of Lighthouse Point and Pompano Beach to develop our primary, long-range dredge material management site MSA 726, also known as Exchange Club Park. This waterfront site has been leased to the City of Pompano Beach as a park since 1981, and was recently extended for a period of five years (future expiration date, August 2016). The two communities also have an Interlocal agreement for Lighthouse Point to utilize the park as open space in their Comprehensive Plan.

While the Navigation District has the need to develop this park in support for the proposed dredging of Broward Reach 1, we have offered to work with the adjacent communities to leave behind a facility that is desirable and beneficial to the community.

Staff would like to take this opportunity to update the board on the status of this project and allow for Board comment and input at this time.

(Please see back pages 118- 152)

RECOMMEND: (This item is presented for Board discussion only).

Item 13. 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 the Committee's agenda.

(Please see Finance and Budget Committee Agenda Package)

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

Item 14. Washington Report.

The District's Washington DC government relations firm has submitted a status report on their activities on the District's federal issues.

(Please see back up pages 153 - 155)

Item 15. Additional Staff Comments and Additional Agenda Items.

Item 16. Additional Commissioners Comments.

Item 17. Adjournment.

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

Finance and Budget Committee Meeting

8:30 a.m., Saturday, August 16, 2014

Captain Hiram's Inn

1580 U. S Highway One

Sebastian, Indian River County, Florida 32958-3831

ITEM 1. Call to Order.

Chair Cuozzo called the meeting to order at 8:33 a.m.

ITEM 2. Roll Call.

Assistant Executive Director Janet Zimmerman called the roll and Chair Cuozzo, Vice-Chair Blow, Commissioner Bowman, Commissioner McCabe, and Commissioner Sansom were present. Ms. Zimmerman stated that a quorum was present.

ITEM 3. Public Comments.

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

ITEM 4. Additions or Deletions.

Chair Cuozzo asked if there were any additions or deletions to the meeting agenda. Mr. Crosley stated that there are no additions or deletions to the agenda.

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

ITEM 5. Financial Statements for June of 2014.

Mr. Crosley presented the District's financial statements for June of 2014.

Mr. Crosley noted that the District funds with the State Board of Administration from Fund B are slowly improving. He stated that two new CD's were recently opened.

Mr. Crosley stated that all the counties have sent out their Trim Ad Valorem Tax Notices, which includes FIND's tax notice. He noted that Indian River County used the wrong location address for FIND on their Trim Notice and Indian River County has sent an address correction to their property owners.

Mr. Crosley noted that \$2 million was withdrawn from TD Bank and applied to the Indian River Dredging project.

Mr. Crosley stated that the estimated annual effective yield on the District's funds is 0.35%.

Commissioner Sansom questioned if the District withdrew the \$2 million from a bank that provided the District a lower interest rate. Mr. Crosley noted that funds are generally withdrawn from a banking facility that provides the lowest interest rate, or is less flexible in working with the District.

Commissioner McCabe made a motion to approve a recommendation to the full Board of the financial statements for June of 2014. The motion was seconded by Commissioner Bowman. Chair Cuozzo asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 6. June 2014 Budget Summary and Project Status Expenditure Reports.

Mr. Crosley presented the Expenditure and Project Status Reports for June 2014. He stated that the District's Condensed Budget Summary begins on Page 19. He asked for questions.

Vice-Chair Blow inquired about the DU-8 pipeline sleeve bid and noted that it bid higher than District estimates. Mr. Crosley stated that the project bid as estimated and the additional project costs are for contract administration. Mr. Crosley noted that staff will submit a Budget Amendment for the DU-8 Pipeline Sleeve Project, for approval, at the District's Final Tax Hearing in September.

ITEM 7. Delegation of Authority Report.

Chair Cuozzo noted the Executive Director's Delegation of Authority actions and stated that five actions were taken from July 9, 2014 through August 5, 2014 and are presented for committee review.

Mr. Crosley stated that the District DMMA BV-52 had herbaceous woody vegetation growing within the interior of the berm area preventing mowing maintenance. He stated that staff has contracted for the removal and herbicide treatment of this vegetation. He noted that there are several other District sites that will receive this same treatment over the next few months.

Mr. Crosley stated that fence repair at District sites is always ongoing. He stated that the fence at DMMA BV-52 had to be repaired because a car drove into it.

Mr. Crosley stated that at DMMA DU-8, the locals keep cutting the fence to gain entrance for dirt bike riding. He stated that staff will be installing a road barrier at that site in an attempt to prevent access.

ITEM 8. Additional Agenda Items or Staff Comments.

Chair Cuozzo asked if there were any additional agenda items or staff comments. Staff did not have any additional comments.

ITEM 9. Additional Commissioners Comments.

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

ITEM 10. Adjournment.

Chair Cuozzo stated that hearing no further business the meeting was adjourned at 8:43 a.m.

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

Board of Commissioners Meeting

9:00 a.m., August 16, 2014

Captain Hiram's Inn

1580 U. S. Highway One

Sebastian, Indian River County, Florida 32958-3831

ITEM 1. Call to Order.

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

ITEM 2. Pledge of Allegiance.

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

ITEM 3. Roll Call.

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

ITEM 4. Consent Agenda.

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

Treasurer Cuozzo made a motion to approve the Consent Agenda as presented. The motion was seconded by Commissioner Dritenbas. Vice-Chair Blow asked for

discussion. Hearing none, a vote was taken and the motion passed. The consent agenda items are presented for approval.

ITEM 5. Additions or Deletions.

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

Mr. Crosley stated that he has distributed a corrected map for a lease agreement that will be discussed later in the agenda.

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

ITEM 6. Public Comments.

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

Mr. Joe Griffin, City Manager, for the City of Sebastian, welcomed the District to the city and noted that last evening's Community Outreach Event was held at the Crab E Bills complex, a city and District assistance project and a working waterfront destination. He stated that the city appreciates this partnership with FIND.

Commissioner Sansom stated that ten years ago, three hurricanes decimated everything east of Indian River Drive. He stated that that city has done a wonderful job restoring and re-constructing this historic waterfront.

Mr. Griffin stated that this is Phase I of this restoration, and he noted that this is a continuing work in progress.

Mr. Dylan Reingold, County Attorney for Indian River County (IRC), stated that he would like to provide an update on the Oslo Boat Ramp Assistance Project. He stated that the St. Johns River Water Management District (SJRWMD) issued a permit for the Oslo Boat Ramp reconstruction and the project was granted by the county. He stated that the permit was challenged by the Audubon Society and other environmentalists. He noted that this project has had its share of controversy but, it is the SJRWMD's job to interpret the environmental rules and regulations of the State of Florida, with regards to the SJRWMD areas. He stated that the challenge was taken to court and after three days of testimony the Administrative Law Judge granted permission for the SJRWMD to issue the permit. He noted that IRC is now in a time period where exceptions can be filed with the Districts by a third party. He stated that it is his understanding that there will be no exceptions filed and the SJRWMD can proceed with issuing a Final Order. He stated after the Final Order is issued the SJRWMD will issue their permit for the project. He stated that the county will apply to FIND next year for assistance funding for the Oslo Boat Ramp project and he stated that the county would appreciate the District's support of this project.

ITEM 7. Board Meeting Minutes.

Vice-Chair Blow asked if there were any comments or questions regarding the Board Meeting Minutes.

Commissioner Isiminger referred to Item 14 of the July 18, 2014 Board Meeting Minutes and stated that a section of the sixth paragraph should read "Commissioner Isiminger asked if the proposed language relates to just building the public facility."

Commissioner Isiminger referred to Item 23A of the July 18, 2014 Board Meeting Minutes and stated that a section of the sixth paragraph should read “all he can say is it was an extraordinarily tough process to get through”.

Vice-Chair Blow referred to Item 11.19 of the June 20, 2014 Board Meeting Minutes and stated that the second paragraph should read “Vice-Chair Blow stated that FIND, every three to five years, dredges the flood shoal where the IWW channel crosses inside the St. Augustine Inlet. He stated that material will be placed on the beach at Anastasia State Park. He noted that the discharge pipeline runs in the Salt Run Channel from the inlet to the beach.”

Commissioner Sansom made a motion to approve the minutes as presented. The motion was seconded by Commissioner Isiminger. Vice-Chair Blow asked if there was any further discussion. Hearing none, a vote was taken and the motion passed.

ITEM 8. Staff Report on Indian River County Area Projects.

Mr. Crosley stated that Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway in Indian River County was completed in 1997. He stated that Phase II of the DMMP was completed in 2002 and all major land acquisition was also completed in 2002.

Mr. Crosley stated that the 50-year dredging projection for the 24 miles of channel in Indian River County is 318,324 cubic yards and the storage projection is 607,500 cubic yards of material.

Mr. Crosley stated that dredging of Reach I is currently undergoing plans and specs with the U. S. Army Corps of Engineers (USACE.) He stated that dredging is

planned for late 2014 and the material will be placed in the recently completed Dredged Material Management Area (DMMA) IR-2.

Mr. Crosley stated that three upland sites were purchased for Indian River County dredged material management. He stated that the construction of DMMA IR-2 was completed by the USACE with District's funding. He stated that DMMA IR-7 and IR-14 have recently been cleared, fenced, and have had monitoring wells installed.

Mr. Crosley stated that the Indian River County Waterways Economic Study was completed in 2000 and updated in late 2011. He stated that the update found that the waterway related businesses in the county employ 242 people, with salaries of \$10.1 million and a total economic impact of \$44.1 million. He stated that property values were determined to be increased by \$614 to \$724 million by the presence of the ICW channel. He stated that there are approximately 10,974 registered vessels in the county.

Mr. Crosley stated that since 1986, the District has provided \$4.2 million in Waterways Assistance Program funding to 54 projects in the county having a total constructed value of \$17.6 million. He stated that notable projects funded include: the Environmental Learning Center, the Vero Beach Municipal Marina and Anchorage, Royal Palm Point Park, Wabasso Causeway Park and Boat Ramps, Jungle Trail Shoreline Stabilization, and the ICW/Sebastian Inlet Connection Channel.

Mr. Crosley stated that the District's Cooperative Assistance Program has provided funding assistance for 32 projects with elements in Indian River County totaling \$1.9 million in District assistance for \$21.1 million worth of constructed projects. He stated that one of the notable projects was the Sebastian River Muck Removal project where the District worked with the St. Johns River Water Management District to remove

approximately 2 million cubic yards of muck from that river to improve navigation and the environment. He also stated that the District prints a number of public information brochures that are provided to the community free of charge.

Mr. Crosley stated that the District has partnered with the Keep Indian River Beautiful for ten years and the Marine Industry Association of the Treasure Coast for several years on waterway cleanup projects in Indian River County. He stated that the District has recently discussed with the county the removal of a derelict vessel, which would be their first Small-Scale Derelict Vessel project. Mr. Crosley stated that Indian River County has a significant Spoil Island Plan and have participated in the District's Spoil Island Program. He stated that Spoil Islands IR-36, IR-10, and the Prange Conservation Islands have been improved through the District's Small-Scale Spoil Island Enhancement and Restoration Program. He noted that funding assistance has been provided to Florida Department of Environmental Protection (FDEP) for a new boat motor to transport volunteers to spoil island restoration projects. He stated that these cooperative projects were accomplished with the FDEP and the county and totaled \$25,500.00 in District funding.

ITEM 9. Dredge Material Maintenance Area (DMMA) DU-8 Pipeline Sleeve Construction, Duval County, Florida.

Mr. Crosley stated that on January 18, 2014, the Board approved the plans and specifications to bid and install a pipeline sleeve at DMMA DU-8 in Jacksonville (Duval County). He noted that the at the July 18, 2014 regular meeting, the Board approved a scope of work and cost proposal from Taylor Engineering for DMMA DU-8 pipeline sleeve construction administration services.

Mr. Crosley stated that bids for construction of this project were advertised and received on August 5, 2014. He noted that six bids were received in response to the notice and the apparent low bidder, Brance Diversified, Inc. was found to be qualified and responsive and the bid is within the engineer's cost estimate for this project.

Commissioner Williams stated that the City of Fernandina Beach has worked with Branch Diversified for a number of years and he noted that they have always done a good job, finished the project on time, with no complaints.

Vice-Chair Blow stated that the City of St. Augustine recently used Branch Diversified for two projects and he noted that everything went well and there were no complaints or problems.

Mr. Crosley read into the Minutes the following DMMA DU-8 Pipeline Sleeve bid results as of August 5, 2014: Branch Diversified, Inc, \$100,550.00; Earthworks of Florida, L.L.C., \$121,319.00; Petticoat-Schmitt Civil Contractors, \$139,700.00; TB Landmark Construction, \$144,700.00; Grimes Utilities, Inc., \$199,780.00; Santa Cruz Construction, Inc., \$249,780.00.

Commissioner Williams made a motion to approve the apparent low responsive, qualified bid from Brance Diversified, Inc. in the amount of \$100,550.00 for construction of the DMMA DU-8 Pipeline Sleeve, Duval County, FL. The motion was seconded by Commissioner Dritenbas. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 10. Scope of Services and Fee Estimate for Submerged Aquatic Vegetation (SAV) Surveys for St. Lucie Reach 1 Dredging Area Alternatives, St. Lucie County, Florida.

Mr. Crosley noted that at our meeting on February 14, 2014, the Board approved a Scope of Services and Fee quote from Taylor Engineering to investigate dredging alternatives in St. Lucie Reach 1. On August 4, 2014, Taylor Engineering provided staff with a report on St. Lucie Reach 1 dredging alternatives. He stated that the report recommends conducting a benthic resources survey during the current growing season prior to conducting additional work on this project.

Mr. Crosley stated that Taylor Engineering solicited three quotes from environmental companies to conduct this work and that Scheda Ecological Associates was the apparent low bidder. He noted that both the Navigation District and Taylor Engineering have worked with this firm successfully in the past on other projects and commented that the fee appears reasonable and is within the estimate for this work.

Mr. John Adams with Taylor Engineering stated that it is recommended to continue moving forward with this project. He stated that the area that needs to be dredged is from Ft. Pierce south. He stated that it is recommended that channel dredging be project depth minus one additional foot. He stated that District Site DMMA SL-2 will be used for the dredged material. He stated that the project does have seagrass and he noted that a seagrass survey will be performed.

Commissioner Dritenbas asked how it is determined to dredge the channel the authorized depth plus -1 or plus -2. Mr. Adams stated that for this project it was determined by the amount of dredging quantity that would be generated by each option and the dredged material capacity of DMMA SL-2.

Mr. Crosley stated that this area of the waterway does not have a high shoaling rate and he noted that this section of the IWW has not required dredging in a long time. He stated that the District evaluates each dredging project and the long term results from those projects. He noted that for this project, dredging the channel -11 feet will provide the desired results.

Commissioner Bowman made a motion to approve a scope of work and fee estimate in the amount of \$19,720.00 from Scheda Ecological Associates for submerged aquatic vegetation surveys of St. Lucie Dredging Reach 1, St. Lucie County, Florida. The motion was seconded by Commissioner Dritenbas. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 11. Approval of a Scope of Work and Fee Quote for Hydrographic Survey Services of the Okeechobee Waterway (OWW) from Cut 1 to the St. Lucie Lock, Martin County, Florida.

Mr. Crosley stated that the previous hydrographic survey of the OWW was conducted by the U.S Army Corps of Engineers (USACE) in July of 2011. He stated that some significant areas of shoaling were discovered during that survey. He noted that as the Navigation District is scheduled to work with the USACE to construct Dredge Material Management Areas (DMMA) O-7 and O-23 in Martin County, the need to update and compare the data is apparent. He stated that this will also complete the Navigation District's effort to conduct a centerline survey of the entire Atlantic Intracoastal Waterway (AIWW), the Intracoastal Waterway (IWW) and the OWW in the year 2014. He noted that these surveys will provide valuable information for the District's ongoing dredging operations and dredge material management plan updates, as well as basic navigation channel conditions of the OWW.

Mr. Crosley stated that staff has requested a scope of work and fee quote from our previously top-rated firm for survey services in the southern region of the District (i.e. south of Brevard County). He stated that the quote and scope from Morgan & Eklund, Inc. is consistent with their previous work on the IWW centerline survey south region, and staff has been satisfied with their work to date and that the fee appears reasonable and is within the estimate for this work.

Commissioner Dritenbas asked why the U. S. Army Corps of Engineers (Corps) is not performing this survey. Mr. Crosley stated that at this time, it is strictly a matter of finances. He stated that if the Corps received their full funding amount from the Federal Government, they would be periodically performing the centerline surveys of the IWW and the OWW.

Commissioner Isiminger asked the amount of information that would be received from a 125-foot wide channel with a multi-beam swath versus a centerline survey. Mr. Crosley stated that channel surveys were called centerline surveys and were a three line survey of the waterway channel. He stated that when this project was approved the Board approved the newer technology which is the multi-beam swath survey. He noted that this newer technology has become the new standard.

Commissioner Isiminger asked how many passes are made to survey a cross-section of the waterway. Mr. John Morgan, President of Morgan & Eklund, Inc. stated that with the new multi-beam swath survey technology, they now have ability to collect data along a 120 degree swath from the transducer, which covers an area three times the water depth. He noted that for ten-feet of water, they get a thirty-foot swath. He stated the original IWW survey was to be a three line centerline survey which would cover 125

feet, with gaps in between the lines and we would run five lines giving full overlapping coverage of the IWW. He stated that the new technology, multi-beam swath, will produce full channel with bottom and water elevations.

Commissioner Sansom cautioned that the U. S. Army Corps of Engineers should be doing these waterway surveys. He stated that the District should only pay for these projects when the Corps cannot do their job because of lack of federal funding.

Mr. Adams noted the when the Corps does survey the IWW, they travel from project to project via the ocean or they trailer a vessel to the project location.

Commissioner Isiminger made a motion to approve a fee quote from Morgan & Eklund, Inc. in the amount of \$34,980.00 for a multi-beam survey of the Okeechobee Waterway from Cut 1 to the St. Lucie Lock, Martin County, Florida. The motion was seconded by Commissioner Williams. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 12. FIND Lease Agreement Extension with Martin County for Public Access Purposes at MSA 504-C and 504-F, Martin County, Florida.

Ms. Zimmerman stated that on November 9, 1984, the Navigation District entered into a 30-year lease agreement with Martin County for public access at MSA 504-C and 504-F, a 70-acre parcel owned by the District and also known as "Peck Lake Park". She stated that the county has operated a parking area with a trail and water overlook for numerous years, allowing visitor's access to the Intracoastal Waterway.

Ms. Zimmerman noted that the site is not identified for use in the District's Long-Range Dredge Material Management Plan for Martin County or projected for other uses within the foreseeable future. She stated that staff has worked with the District's attorney

to draft a proposed ten-year lease extension with additional provisions and incentives for park access.

Commissioner Williams made a motion to approve a ten-year lease agreement extension with Martin County for MSA 504-C and F, known as Peck Lake Park, Martin County, FL. The motion was seconded by Commissioner Dritenbas. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 13. FIND Lease Agreement Extension with the City of Pompano Beach for Public Access Purposes at MSA 727-C, Broward County, Florida.

Ms. Zimmerman stated that on November 29, 1988, the Navigation District entered into a 25-year lease agreement with the City of Pompano Beach for public access at MSA 727-C, a 10.5-acre parcel owned by the District and also known as “Harbors Edge Park”. She stated that the city has operated this property as a park area with a trail and pavilion for numerous years, allowing visitor’s access to the Intracoastal Waterway (IWW).

Ms. Zimmerman noted that this site is not identified for use in the District’s Long-Range Dredge Material Management Plan for Broward County or projected for other uses within the foreseeable future. She stated that staff has worked with the District’s attorney to draft a proposed ten-year lease extension with additional provisions for potential FIND project access.

Mr. Crosley stated that staff has requested that the city install a sign acknowledging that the property is owned by the Florida Inland Navigation District who is allowing the use of the property, at this time, for a park. Commissioner Kavanagh noted that requirement is included in the lease under Item 2, Section J.

Commissioner Bowman questioned that if the District does not have a need for this site in our 50-year DMMA Plan, could we sell the property. Ms. Zimmerman stated that the lease has a clause in it allowing the District the right to use this site for waterway projects as a staging area.

Mr. Crosley stated that because staff cannot predict long-term requirements, the District generally does not sell property. He stated that if there were an opportunity to trade a piece of property that would be a benefit to the District that could be considered.

Commissioner Isiminger asked if these leases have a termination clause in favor of the District. Mr. Crosley answered yes and noted that these were originally 25-year leases and the new lease extension is for 10 years.

Commissioner McCabe made a motion to approve a ten-year lease agreement extension with the City of Pompano Beach for MSA 727-C, known as Harbors Edge Park, Broward County, FL. The motion was seconded by Commissioner Dritenbas. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 14. Assistance Projects Extension Requests.

Ms. Zimmerman stated that several Project Sponsors have requested extensions of their FY 2012-13 project agreements. She noted that by law and District program rules, these agreements can be extended for one additional year which would revise the expiration date to September 30, 2015.

Commissioner Williams asked if this number of project extension requests is normal. Mr. Crosley answered yes.

Commissioner Bowman asked if the District has ever denied a project extension request. Mr. Crosley answered yes and noted if a project is languishing and not moving forward, it would not be brought before the Board for a project extension request.

Commissioner Sansom asked the status of the Eau Gallie River Muck Dredging Project. Mr. Crosley stated that he will check the project status, but he believes the project is towards the end of their extension.

Commissioner Crowley made a motion to approve the requested project agreement extensions for one additional year. The motion was seconded by Commissioner Kavanagh. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 15. Discussion of the Florida Fish & Wildlife Conservation Commission (FWC) July 21-22, 2014 Public Meeting on the Future of Anchoring Regulations in Florida.

Mr. Crosley stated that in 2009, the Florida Legislature established Florida Statute 327.4105 to direct the Florida Fish and Wildlife Conservation Commission (FWC) to coordinate with the Florida Department of Environmental Protection (FDEP) to establish a Pilot Program for the anchoring and mooring of non-live aboard vessels. He stated that the program was established in five areas and was extended by the Legislature and sunsets July 1, 2017.

Ms. Zimmerman noted that on July 21-22, 2014, the FWC held a public meeting in Tallahassee to inform and take comments from the general public and the agencies and organizations interested in potential future vessel anchoring regulations in Florida. She stated that the FWC has elected to move forward with anchoring regulations within Florida, and this public meeting was the first workshop in an effort to draft a legislative

proposal allowing Florida municipalities to enact anchoring ordinances before the Pilot Program ends. She stated that the FWC will hold two more public meeting workshops, one on the east coast and one on the west coast of Florida.

Vice-Chair Blow stated that in St. Augustine there is a lot of open water but, in Fort Lauderdale, there is very little open water and regulations that work in one area may not work or be acceptable in another area. He noted that boater needs vary from area to area as do waterway conditions.

Commissioner Crowley asked if the FWC effort was to allow local governments to develop an anchoring ordinance only if they establish mooring fields. Mr. Crosley stated that was his original understanding. He stated that now, he is not sure that will be the outcome and he does not have enough information to form an opinion.

Mr. Crosley stated that he personally feels that a consistent anchoring ordinance statewide may be best for the waterway. He stated that he does not have enough information regarding the ability of local communities to be more restrictive. He stated that if a community decided they do not want cruisers, they could decide to make an ordinance not to allow cruisers that would not be the best decision for the waterway.

Commissioner Crowley stated that the original idea was to allow local government to regulate their waterways, but they should not be allowed to shut down the waterway. He stated that it seems that the new proposal is getting away from its original intention.

Commissioner McCabe asked if there is currently a mooring statute. Mr. Crosley answered no.

Commissioner Sansom stated that Florida's current state law only allows the local community to regulate vessel mooring for non-live aboard vessels. He stated that a live aboard vessel is defined as a house barge. He stated that the only way a local community can manage non-live aboard vessel mooring is to have a managed mooring field.

Commissioner Sansom stated that there are citizens and waterfront homeowners that are not satisfied with the current state statute regarding mooring and will work to change the statute.

Commissioner Sansom commented that he feels that FIND should consider developing a position on this issue and issue a statement to the FWC. He stated that the FWC is responding to political pressure to solve this problem and they will be holding two public meetings to discuss the proposed regulations.

Commissioner Isiminger asked if FIND has the authority to take an opinion on this type of action. Attorney Breton answered yes and stated that the Board has the ability to write to express its official opinion on an action such as this that affects the use of the waterway and navigation.

Commissioner Crowley stated that once a state statute is established, that a community must have a managed mooring field before any type of local policy or mooring regulation is established, it is important that each community take the initiative to develop a managed mooring area.

Vice-Chair Blow noted that a community cannot declare a large area as a managed mooring field in an effort to not allow anchoring. He stated that it is also important that there are areas outside of the mooring field where boaters can anchor.

Mr. Crosley noted that he hears that this Board would support allowing local communities to restrict anchoring if an adequate managed mooring field has been established.

Commissioner Sansom added that if the mooring field is full, then the boater can anchor anywhere outside of the channel and that also need to be a reasonable option.

Commissioner Isiminger added that the local community must establish a managed mooring field of reasonable size, not something like five moorings.

Commissioner Williams added that the anchoring should be a certain distance from private residential areas. Mr. Crosley noted that would be different for each community. Commissioner Sansom stated that the District may not want to address that issue.

Commissioner McCabe noted that each community should have an accessible, adequate mooring field and if those fields are full boaters should be allowed to anchor elsewhere. She stated that language may be problematic. Commissioner Sansom stated that the language should insure that the community has a managed mooring field that is of sufficient size to meet the boater's needs to prevent outside anchoring in public waterways.

Attorney Breton suggested that FIND prepare and approve a resolution regarding this issue and he noted that a resolution would have more impact than just a letter from the Executive Director.

Commissioner Sansom noted that the FWC would like some defense and support on these issues.

ITEM 16. Finance and Budget Committee Report.

Committee Chair Cuozzo stated that the District's Finance and Budget Committee met before today's Board meeting and the committee reviewed and recommend approval of the June 2014 financial statements, the delegation of authority, and the expenditure and project status report. He asked for questions. There were none.

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

ITEM 17. Washington Report.

Mr. Crosley noted that similar to the House Energy and Water Appropriations Bill, which passed the House floor on July 10th, the Senate bill includes \$600,000.00 for the Intracoastal Waterway. He stated that additionally, the Senate bill also includes \$20 million for Navigation Maintenance, \$40 million for Inland Waterways and \$35 million for Small, Remote Harbors and Channels.

Mr. Crosley stated that on June 10th the President signed into law, the Water Resources Reform and Development Act of 2014 (WRDA), which authorizes the USACE to carry out its mission to develop, maintain, and support the nation's vital port and waterway infrastructure. He noted that this is the first signed WRDA Bill in about eight years.

ITEM 18. Additional Staff Comments and Additional Agenda Items.

Vice-Chair Blow asked if there were any additional staff comments or agenda items.

Mr. Crosley stated that the District's First Public Tax Hearing will be held on September 12, 2014, at 5:30 p.m., in the Town of Jupiter Council Chambers, 210 Military Trail, Jupiter, FL 33458-5786.

Mr. Crosley noted that the Final Public Tax Hearing is tentatively scheduled for Wednesday, September 24, 2014, at 6:00 p.m., in the Fellsmere Community Center, 56 N. Broadway, Fellsmere, FL 32948. He stated that it is very important that we have a quorum for both of these meetings.

Mr. Crosley stated that all the counties have sent out their Trim Ad Valorem Tax Notices, which includes FIND's tax notice. He noted that Indian River County used the wrong location address for FIND on their Trim Notice and Indian River County has sent an address correction to their property owners.

ITEM 19. Additional Commissioners Comments.

Vice-Chair Blow asked if there were any additional Commissioner comments.

Commissioner Crowley stated that it was good to see the Crab E-Bills working waterfront project last night. He noted that this project provides many local jobs, local seafood, and a restaurant.

Commissioner Crowley stated that Governor Scott was in Miami several weeks ago. He stated that he was called to go to Garcia's Restaurant to introduce Governor Scott, who then presented his billion-dollar Environmental Plan. He stated that at this meeting he was given the opportunity to talk about the Wagner Creek dredging project in front of the governor and his staff. He noted that it was a good meeting and this made the governor aware of FIND and FIND's grants program and the type of local projects the District supports.

Commissioner Isiminger stated that a local Palm Beach County marine contractor will be attending the September Board to discuss using a District property as a staging area for a marine project.

ITEM 20. Adjournment.

Vice-Chair Blow stated that hearing no further business the meeting was adjourned at 11:08 a.m.

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

First Public Tax and Budget Hearing

5:30 p.m., Friday, September 12, 2014

Jupiter Town Council Chambers

210 Military Trail

Town of Jupiter, Palm Beach County, Florida 33458-5786

ITEM 1. Call to Order.

The First Tax and Budget Hearing of the Board of Commissioners of the Florida Inland Navigation District was called to order by Vice-Chair Blow at 5:35 p.m.

ITEM 2. Pledge of Allegiance to the Flag.

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

ITEM 3. Roll Call.

Secretary Netts called the roll and Vice-Chair Blow, Treasurer Cuozzo, Commissioners Crowley, Isiminger, McCabe, Sansom, and Williams were present. Secretary Netts stated that a quorum was present. He noted that Chair Chappell, Commissioner Bowman, Commissioner Dritenbas, and Commissioner Kavanagh were not present.

ITEM 4. Announcement of the Per Cent by Which the Proposed Millage Rate Exceeds the Calculated Rolled-Back Rate.

Mr. Crosley stated that the calculated rolled-back rate is 0.0323 and our proposed millage rate is 0.0345, which is a 6.81% increase over the rolled-back rate. He noted

that the District is not increasing our millage rate, but this is considered a tax increase because property values have increased.

ITEM 5. **Invitation for Public Comments.**

Vice-Chair Blow stated that he would like to open the floor for public comments on the proposed budget.

Mr. Gerald Ward, 31 West 20th Street, Riviera Beach, FL, stated that he is a coastal environmental engineer and he would like to acknowledge that this District keeps its millage rate low and he stated that he supports that decision and noted that the millage rate is appropriate.

Mr. Ward suggested that the District consider adding a staff position to focus and handle the Okeechobee Waterway. He stated that the time may come that the District will have to take over the Corps' responsibilities for waterway maintenance.

Commissioner Sansom noted that even though the District's proposed millage rate of 0.0345 is slightly over the rolled-back rate we did not raise our millage rate. He noted that this rate is one-third the amount that the District is authorized to collect.

Vice-Chair Blow noted that the District has not increased the millage rate and have maintained or reduced the millage rate for the past 16 years.

ITEM 6. **Comments by District Commissioners.**

Vice-Chair Blow asked if there were any comments from the Commissioners.

Mr. Crosley stated that all the counties have sent out their Trim Ad Valorem Tax Notices, which includes FIND's tax notice. He noted that Indian River County used the wrong location address for FIND on their Trim Notice and Indian River County has sent an address correction to their property owners. He stated that notice generated a lot of

telephone calls from concerned citizens who did not understand the meaning of the notice. He stated that not only did the District receive calls, so did the Town of Jupiter. He stated that staff plans on sending the Indian River Tax Collector a letter about the problems the notice created.

ITEM 7. Amendments to the Tentative Budget.

Vice-Chair Blow asked if there were any amendments to the tentative budget. He noted that once the millage rate is set today, it cannot be increased, but can be lowered at the District's Final Tax Hearing. He asked for any additional questions. There were none.

ITEM 8. Re-computation of the Tentative Tax Millage Rate.

Mr. Crosley stated that the proposed millage rate remains the same as previously announced.

ITEM 9. Announcement of the Per Cent by Which the Re-Computed Proposed Millage Rate Exceeds the Calculated Rolled-Back Rate.

Vice-Chair Blow announced that the percent by which the re-computed proposed millage rate of 0.0345 exceeds the calculated rolled-back is still 6.812%.

ITEM 10. Additional Public Comments on the Budget Amendments and Tax Millage Re-computation.

Vice-Chair Blow asked for any additional public comments on the budget amendments and the tax millage re-computation. There were none.

ITEM 11. Adoption of the Tentative Tax Millage Rate.

Vice-Chair Blow stated that the proposed millage rate for FY 2014-2015 is 0.0345 mills. Vice-Chair Blow asked for a motion to adopt the tentative tax millage rate.

Commissioner Sansom made a motion to adopt a tentative millage rate of 0.0345 for FY 2014-2015. The motion was seconded by Commissioner McCabe. Vice-Chair Blow asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 12. Adoption of the Tentative Budget.

Commissioner Netts made a motion to adopt the tentative budget as presented. The motion was seconded by Commissioner Sansom. Vice-Chair Blow asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 13. Final Tax Hearing.

Mr. Crosley thanked commissioners for attending and noted that it is equally important that we have a quorum at the Final Tax Hearing which will be held in Indian River County.

Mr. Crosley stated that the Final Tax Hearing be will held on Wednesday, September 24, 2014, at 6:00 p.m. at the City of Fellsmere Community Center, 56 N. Broadway Street, Fellsmere, Indian River County, Florida.

Vice-Chair Blow noted that all assistance projects must have their permits to qualify for funding by the time the Final Tax Hearing starts.

Mr. Crosley stated that staff will be contacting commissioners whose counties are over the assistance program funding cap and help them prioritize their project funding.

ITEM 14. Adjournment.

Vice-Chair Blow asked if there were any additional comments or discussion.

There was none.

Vice-Chair Blow stated that hearing no further business the meeting was adjourned at 5:46 p.m.

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT
Finance and Budget Committee Meeting
8:30 a.m., Saturday, September 13, 2014
Jupiter Beach Resort
5 North Highway A1A
Jupiter, Palm Beach County, Florida 33477-5145**

ITEM 1. Call to Order.

Committee Chair Cuzzo called the meeting to order at 8:33 a.m.

ITEM 2. Roll Call.

Assistant Executive Director Janet Zimmerman called the roll and Chair Cuzzo, Vice-Chair Blow, Commissioner McCabe, and Commissioner Sansom were present. Ms. Zimmerman stated that a quorum was present. Commissioner Bowman was absent.

ITEM 3. Public Comments.

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

ITEM 4. Additions or Deletions.

Chair Cuzzo asked if there were any additions or deletions to the meeting agenda. Mr. Crosley stated that there are no additions or deletions to the agenda.

Vice-Chair Blow made a motion to approve the agenda as presented. The motion was seconded by Commissioner McCabe. Chair Cuzzo asked for any further discussion, hearing none, a vote was taken and the motion passed.

Commissioner Sansom stated that the full agenda should be approved before the Public Comments item. He noted that the Public Comments should be placed on the agenda after Additions or Deletions.

ITEM 5. Financial Statements for July of 2014.

Mr. Crosley presented the District's financial statements for July of 2014.

Mr. Crosley presented the July 31, 2014 Balance Sheet and noted that we are coming to the end of the District's Fiscal Year.

Mr. Crosley stated that the V-26 Land Sale Receivable in the amount of \$337,018.56 has been collected and this is the final payment. He stated that staff is performing the due diligence to determine if any additional revenue, due to sale, is due. He noted that because of the recession, it is doubtful there is any additional revenue due.

Mr. Crosley stated that staff will be closing the National PNC and Suntrust Saving accounts. He stated that the banks are unwilling to service the District requirements. He noted that those funds will be transferred to Seacoast National Bank. He stated that Seacoast National Bank will be receiving the District's tax collections.

Mr. Crosley noted that the District funds with the State Board of Administration from Fund B are slowly improving.

Mr. Crosley stated that the Port Everglades Fund Equity Reserve deposit is being held because the use of the Port's DMMA ties in with the upcoming Broward deepening project and alternative road analysis.

Mr. Crosley noted that the District's final budget will be presented at the Final Tax Hearing.

Vice-Chair Blow noted that all of the District's funds are committed to projects except approximately \$500,000.00.

Vice-Chair Blow made a motion to approve a recommendation to the full Board of the financial statements for July of 2014. The motion was seconded by Commissioner Sansom. Chair Cuozzo asked for any additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 6. July 2014 Budget Summary and Project Status Expenditure Reports.

Mr. Crosley presented the Expenditure and Project Status Reports for July 2014. He stated that the District's Condensed Budget Summary begins on Page 23. He asked for questions.

Commissioner Sansom asked about the difference between the Budget Annual and Actual to Date expenditures. Vice-Chair Blow stated that the difference is funds are budgeted for projects that are multi-year or have been started, and those invoices are paid upon project completion.

Vice-Chair Blow suggested that staff develop a sheet to track land and construction costs for one of the District's Dredged Material Management Area (DMMA) to show people the actual costs to construct one of these facilities.

ITEM 7. Delegation of Authority Report.

Chair Cuozzo noted the Executive Director's Delegation of Authority actions and stated that five actions were taken from August 6, 2014 through September 2, 2014 and are presented for committee review.

Mr. Crosley stated that he has worked with staff to trim trees; and remove exotics from DMMA SL-2. He asked for questions, there were none.

ITEM 8. Additional Agenda Items or Staff Comments.

Chair Cuozzo asked if there were any additional agenda items or staff comments. Staff did not have any additional comments.

ITEM 9. Additional Commissioners Comments.

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

ITEM 10. Adjournment.

Chair Cuozzo stated that hearing no further business the meeting was adjourned at 8:51 a.m.

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

Board of Commissioners Meeting

9:00 a.m., Saturday, September 13, 2014

Jupiter Beach Resort

5 North Highway A1A,

Jupiter, Palm Beach County, Florida, 33477-5145

ITEM 1. Call to Order.

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

ITEM 2. Pledge of Allegiance.

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

ITEM 3. Roll Call.

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

ITEM 4. Consent Agenda.

Vice-Chair Blow stated that there were no Consent Agenda Items.

ITEM 5. Additions or Deletions.

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

Mr. Crosley stated that he would like to add to the agenda: Item 17A, Bid Acceptance - Dredge Material Management Area (DMMA) SJ-14 Material Removal, St. Johns County, FL.

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

ITEM 6. Board Meeting Minutes.

Vice-Chair Blow stated that the August Board Meeting minutes will be presented for review and approval at the Commissioners October Board meeting.

ITEM 7. Public Comments.

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

Mr. Dan Coston, with Coston Marine Services in Jupiter stated that he has been serving the marine construction community and local homeowners for 15 years. He stated that it is becoming extremely difficult to provide dredging services without the ability to have access to a site for unloading of dredged material. He stated that in previous years a lot in a residential area could be used for offloading, but over time the homeowners complain to their local government about that activity. He stated that then the local government enacts zoning laws that will not allow offloading onto a residential lot or in a residential area. He noted that when those same homeowners are in need of dredging, they call him to provide that service and he has no place to offload the dredged material.

Mr. Coston stated that he worked with Mr. Roach to use Dredged Material Management Area (DMMA) MSA 617C for several years and that site worked out well for his requirements. He stated that after a while of using the site, Mr. Roach stated that he was receiving complaints from neighbors. He stated that to help limit those complaints, he would limit the amount of time the trucks were at the site and the length of time the site would be used, with breaks in between projects. He noted that he also built a berm buffer on the south side of the property.

Mr. Coston commented that he really needs the use of the DMMA MSA 617C site as a staging area and offloading area. He acknowledged that with this use, he must also be aware that this is in a residential neighborhood and find a way to keep the residents happy.

Vice-Chair Blow stated that this problem is not unique to Palm Beach County, he stated that he has the very same issue in St. Johns County. He noted that FIND has policy to lease our sites, on occasion.

Mr. Crosley thanked Mr. Coston for attending today's meeting. He stated that Mr. Coston is a small business marine contractor who has previously and successfully used the District's DMMA MSA 617C site. He stated that what Mr. Coston is discussing are long-term areas for industrial/commercial type access to the waterway. He noted that the District's rules were changed so that this type of staging area could be provided.

Mr. Crosley noted that DMMA MSA 617C gets a lot of use not only from Mr. Coston, but Palm Beach County and other contractors. He stated that DMMA sites were purchased for the District's use and FIND has graciously allowed other uses of this site. He stated that the adjacent residential neighbors are fed up with this use and have put

pressure on the District to stop the constant use of this site. He stated that he has promised the neighbors a break from this site being used for a while.

Commissioner Isiminger stated that Mr. Coston does a lot of hydraulic dredging in Palm Beach County and he is in need of a DMMA site. He stated that lack of a site for the dredged material for marine contractors is a real problem for Mr. Coston and other private dredging contractors in the county. He suggested that this topic be placed on a future agenda for discussion. He suggested that staff discuss with Attorney Breton; the zoning of these properties, the District's rules regarding private use of these sites, the District's ability to obtain income from this use, and notifications to the residential neighbors that this use is allowed.

Commissioner Isiminger made a motion to approve placing on the District's October agenda, Commercial/Industrial use of District DMMA sites. The motion was seconded by Treasurer Cuozzo. Vice-Chair Blow asked for discussion. This motion was never voted on.

Vice-Chair Blow suggested that staff inquire with the county to see if they have a DMMA site available for private sector dredging.

Commissioner Sansom stated that the District's DMMA sites were purchased to serve the District's dredging needs for 50 years. He stated that perhaps additional land, not related to a dredging reach or volume of dredging, could be purchased for private contractors or other government use. He stated that staff should also determine if the District has the ability to purchase this land and allow other people use the land.

Secretary Netts acknowledged that clearly, there is a need for dredging and staging sites for private enterprise. He stated that he would like the District's attorney to

determine if this topic is within the District's authority or is Legislative Authority to expand the District's statutory authority required. Attorney Breton made a note to check on this topic.

Treasurer Cuozzo suggested that the District provide historical aerial photographs of District sites upon purchase and information as to when the residential subdivisions appeared.

Dr. Taylor stated that the District developed the Palm Beach County Long-Term Dredged Material Management Plan in the late 1980's. He noted that DMMA MSA 617C has been in the District's inventory for a long time and at the request of the neighbors, the District spent \$200,000.00 on landscaping the perimeter of this site.

Dr. Taylor stated that there are no waterfront sites available for purchase in the Juno/Jupiter area. He stated that the District should be very careful with our sites, giving away any District rights of our sites, particularly this one. He suggested moving forward with construction of this site for its intended use and quiet down requests from others to use this site. He cautioned the use of District sites by others.

Mr. Crosley noted that the District changed the assistance rules to encourage other government to purchase and develop waterway staging sites for commercial use. He stated that boat ramp facilities can accommodate commercial use during the week and public boater use during the weekends.

Vice-Chair Blow suggested that assistance boat ramp facility applications include the question "does this boat ramp facility accommodate commercial traffic."

Mr. John Sprague, with the Marine Industries Association of Palm Beach County (MIA) noted that the lack of waterway commercial staging areas is a major problem. He

stated that as development of waterfront property continues, there are fewer and fewer boat yards, boat ramps, and commercial staging areas. He stated that if a marine contractor has to push a barge with dredged material 30 miles for offloading, the costs become astronomical. He stated that if waterfront property owners cannot afford to maintain their waterfront property so they can dock and use their boat, he sees major economic long-term impact.

Commissioner Sansom noted that if any portion of a boat ramp construction was paid for by the tax collected from boat registrations, the facility is open for all use.

Mr. Greg Reynolds, Executive Director of The Lagoon Keepers, a local non-profit operating in Palm Beach County for 11 years and stated that his mission is to keep the waterways clean and safe. He stated that to date, he has removed 205 derelict vessels from Palm Beach County waterways with the help of the MIA and the District. He stated that he has identified an additional 39 derelict vessels for removal, and 12 of those vessels have been cleared for removal by law enforcement. He stated that he appreciates the District's participation in this project.

Vice-Chair Blow asked if the process with the Florida Fish and Wildlife Conservation Commission (FWC) to remove these derelict structures from the waterway has gotten any easier. Mr. Reynolds stated that by statute, once identified, five days are allowed for the FWC to ticket the vessel. He stated that the FWC likes to err on the side of caution and they wait 30 days before issuing a ticket and sometimes the entire process can take a year. He stated that he would like the FWC to ticket identified vessels before they sink. He stated that the FWC has added four investigators to derelict vessel detail.

Mr. Reynolds noted that another issue that has been coming up is “floating structures.” He stated that these are structures that are not vessels and therefore the FWC will not handle enforcement of these structures.

Commissioner Crowley asked if Lagoon Keepers is a third party facilitator to remove derelict vessels. Mr. Reynolds stated that he has de-watering pumps, with two, three, and four inch hoses, a 30,000 pound lift, the use of barges and cranes, and volunteer divers to raise these vessels from the waterways. He stated that each vessel removal is approached differently and that is how they keep the removal costs down. He noted that Rybovich Boat Yard will remove the derelict vessel from the waterway at no charge.

Commissioner Isiminger noted that Lagoon Keepers mission is to remove logs, trash and debris from the waterway. Mr. Reynolds stated that he receives calls from the U. S. Coast Guard and the FWC to remove debris from the waterway and he removes approximately 4,000 pounds of trash from the 21 miles of the Lake Worth Lagoon waterways in Palm Beach County each week.

ITEM 8. Comments from the U.S. Army USACE of Engineers.

Ms. Shelley Trulock, the Intracoastal Waterway (IWW) Project Manager with the U.S. Army Corps of Engineers (USACE), stated that the Dredging Contract Bid opening for the IWW Indian River Reach I project took place on September 3rd and the contract will be awarded no later than September 30, 2014. She stated that this dredging contract will be a small business Multi Award Task Order Contract (MATOC).

Ms. Trulock stated that this dredging project will remove approximately 300,000 cubic yards of material from the Intracoastal Waterway (IWW) Channel that will be

deposited into Dredged Material Management Area (DMMA) IR-2. She stated that dredging should start in November of 2014 and be completed by June of 2015.

Ms. Trulock stated that a coordination meeting was held with Taylor Engineering in June to review the status of the plans and specifications of DMMA O-7 and to also discuss further environmental coordination. She stated that in addition, the USACE will undertake the development of the plans and specifications for DMMA O-23. She stated that the USACE plans to begin these two efforts in FY 2015 with Federal funding that is on hand. She noted that FIND may need to contribute funds for a portion of the project.

Ms. Trulock stated that the USACE would like to move forward with the development of the plans and specifications for the Broward Reach I deepening dredging project. She stated that this is not a large project, but the biggest project obstacle will be the FDEP permit and other required permit coordination. She stated that the permit coordination will take approximately 9 to 12 months and will be funded 100% with FY 2015 Federal funding. She noted that FIND may need to contribute funds for the dredging portion of the project.

Mr. Crosley stated that the Broward Reach I project will be a challenging project and he noted that this area of the IWW has not been dredged in a long time. He stated that Vice-Chair Chappell, District Staff and Taylor Engineering met with the Cities of Pompano Beach and Lighthouse Point yesterday about the DMMA that will be used for this project. He noted that the site has been utilized as a "pocket park" by these communities. He stated that an extensive area of the park has exotic vegetation on it. He stated that the District will need to clear the site of the exotic vegetation and then after using the DMMA for this project, the District will re-vegetate the site for the community.

He stated that the USACE hopes to place the majority of the material from this dredging project on the beach.

Ms. Trulock stated that she would like to move forward with the plans and specifications for the Broward Reach I project. She stated that a Hydro survey was performed in June and approximately 50,000 cubic yards of material will be removed from the channel. She noted that the dredging areas are spread out. She stated that because of the small quantity, the most cost effective way to pursue the dredging would be utilization of a USACE Hopper dredge, either the Currituck or Murden. She stated that she is hopeful that the areas to be dredged do not have hard bottom or seagrass.

Ms. Trulock stated that the offshore disposal is located at Port Everglades and the current Florida Department of Environmental Protection (FDEP) permit description could be modified to include a source for the IWW. She stated that she plans to use Federal funds for this project, but if that funding runs short, she will present a budget to FIND and ask for funding.

Ms. Trulock stated that the USACE is putting together a map which shows available nearshore disposal areas that could be utilized for IWW dredging. She stated that after the data is gathered, the USACE staff will travel to Tallahassee to discuss with the FDEP the need for flexible utilization of nearshore disposal areas. She stated that the USACE will discuss with FDEP the possibility of a dredge specific WQC permit. She stated that she is hopeful that she will bring this map to the Board in December.

Ms. Trulock presented Work Order No. 41-2014-03 for the Okeechobee Waterway (OWW) Contributed Funds Agreement and the path for which the USACE will receive funds from FIND. She stated that the bid came in higher than the

government estimate, but it did come in within the awardable range. She stated that the USACE will be able to provide an additional \$977,590.38 of federal funding for this project.

Commissioner Sansom made a motion to approve Work Order No. 41-2014-03 for O&M Maintenance Dredging of Indian River Reach 1, Indian River County, Florida in the amount of \$157,000, for a total of \$4,506,084.62 in FIND Contributed Funds and executed by FIND Chair or Vice-Chair. The motion was seconded by Treasurer Cuozzo. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

Ms. Trulock introduced Ms. Tori White, Deputy of the Regulatory Division, with the USACE.

Ms. Trulock stated that the IWW is a congressionally authorized project that is - 12 feet deep by 125 feet wide, from Jacksonville to Fort Pierce and -10 feet deep by 125 feet wide, from Fort Pierce to Miami, maintained waterway. She stated that the ACOE must maintain a safe waterway, as efficient and cost-effective as possible with limited federal funds and contributed funds in partnership with FIND.

Ms. Trulock stated that the ACOE's does not have a lot of money to maintain the IWW, but it is the ACOE's responsibility to maintain the IWW as safely and as cost efficient as possible. She stated that all structures can affect navigation, safety and the ACOE's/FIND's ability to maintain this channel. She stated that the growing number of fixed shoreline structures, docks, dock pilings, bulkheads, rock revetments, boatlifts, moored vessels and marginal docks impact waterway maintenance. She stated that we

must manage the waterway smartly. She stated that the decisions we make now will have impacts to the waterway later.

Ms. Trulock stated that typical dredging methods for shallow waterways are impacted due to limited maneuver space, because shallow waterways require different types of operations than deep waterway. She stated that structures in the waterway, even 100 feet from the channel's edge require additional stopping and maneuvering of the dredge. She stated that the closer the structure is to the edge of the federal channel, the more frequent the dredge must be repositioned. She stated that the more frequently the dredge has to be repositioned, the longer dredging takes and the more it costs.

Ms. White stated the USACE's new Intracoastal Waterway Regulatory Setback Guidance regulations state that all structures in Federal Navigation Waterway must obtain a Department of the Army, Section 10 Permit, and Consent to Easement. She stated that if the structure is within the federal right-of-way, Section 408 approval must be received for the Real Estate Division of the ACOE. She stated that all structures must comply with set-back guidance.

Ms. White stated that the federal government has regulated navigable waters since 1755 and in 1787 the U.S. Constitution gave Congress the right "to regulate commerce with foreign nations, among the states, and with Indian tribes. She stated that in 1899 the River and Harbors Act was rewritten and approved. She stated that the first official setback criteria for the IWW in Florida was established in 1935, and updated in 1954, 1968, 1999, and 2013.

Ms. White stated that the ACOE considers various factors when reviewing a dock application and the landowner's riparian rights of access to navigable waters and the

similar rights of access held by nearby riparian landowners and to the general public's right of navigations is reviewed. She stated that if there is undue interference with access to, or use of, navigable waters, the authorization will generally be denied.

Ms. White stated that generally structures for small boats will receive favorable consideration for permits requesting piers, boat docks, moorings, platforms and similar structures. She stated that attention will be given to the location and general design of such structures to prevent possible obstruction to navigation. She stated that ACOE engineers are authorized to deny permits without issuing a public notice or taking other procedural steps where the activity will clearly interfere with navigation.

Ms. White noted that all ACOE permits include a permit condition that the permittee may have an obligation to remove the structure if it is determined to be in the interest of the government to take that action.

Ms. White referred to the Revised Setback Guidance released in July and December of 2013. She stated that this guidance states that structure should be no closer than 100 feet of the near design edge of the channel but, with proper justification, variances allow for structure to be located a lesser distance from the near design edge of the channel. She stated that allowance for the placement of only docking structures less than 62.5 feet from the edge of the channel may be allowed, and the applicant must include proof that dredging would not be allowed for proposals located less than 62.5 feet from the edge of the channel. She stated that the guidance expands restrictions to include riprap, submerged, bulkheads, and wave breaks, generally not allowed less than 62.5 feet from near design edge of channel. She stated that the guidance added width restriction for structures located less than 62.5 feet from near design edge of the channel. She noted

that if a structure impacts seagrass and the FDEP requests that the structure be pushed out, the ACOE will deny the request if it will contribute to a navigation issue because navigation safety will outweigh environment and seagrass issues.

Ms. White stated that the most controversial issue of the 2013 setback guidance is the addition of the width restriction for structures located less than 62.5 feet from near design edge of channel. The width restriction is that there will be no structures that are going to be more than 1/3 the width of that shoreline up to 40 feet. She stated that this revises the absolute minimum setback from three times project depth to three times project depth plus two feet.

Mr. White stated that these revisions have been implemented to provide well managed, cost effective, safe waterways to the public

Vice-Chair Blow asked if the 62.5 feet from the channel from the dock only or is the boat beam included. Ms. White stated that the 1998 policy measured from the boat, but the 2013 policy measures from the dock and does not include the boat. She stated that the ACOE may assume that your boat has a 10 foot beam and therefore tell you that your dock needs to move back to 72.5 feet.

Ms. White stated that when the ACOE approves the Regulatory Permit, the applicant is notified that they must apply and receive a Consent to Easement prior to commencement of work. She stated that the Consent to Easement is part of the ACOE's Real Estate Division. She stated that if the applicant does not obtain the Consent to Easement in addition to the Regulatory Permit, their structure will be in non-compliance.

Mr. Crosley asked why the ACOE Regulatory Division would not coordinate with the Real Estate Division so that both required permits are provided to the applicant

together. Ms. White stated that the Real Estate Division would like the Regulatory Division to do that, but the Regulatory Division will not do that because their part of the permit has been completed. She stated that in addition, each division has performance standards that are set by the Office of Management and Budget which require that permits are processed within a specific time frame, and those performance measures are tied to the Division's budget. She stated that her division meets their performance measures. She stated that if they waited for the Real Estate division, they would have a huge backlog of applications.

Vice-Chair Blow asked if permit applicants are required to provide the information to the Regulatory Division on which to base their decision. Ms. White stated that the division's job is to review the application and make a decision. Vice-Chair Blow stated that the Regulatory Division should be arbitrary, the decision must be justified under the Magnusson Stevens Act. Ms. White answered, absolutely and that part of the review is to look at navigation safety and environmental impact that the project may have and if so, the division determines if the impact can be mitigated for and they provide that option to the applicant. She stated that at the end of the day, the USACE will permit a safe dock.

Ms. White stated that in July of 2014 headquarters released an engineering circular addressing Section 408 and all tributary-based projects. She stated that engineering circulars are good for two years and during that time comments are provided. She stated that once the regulation is all figured out, it then it becomes an engineering regulation. She stated that her division works with Project Management, Engineering and the Office of Counsel. She noted that FIND is affected by this engineering circular when

a third party makes an alteration request. She noted that the Section 408 alteration only applies within the federal right-of-way. She stated that a regulatory permit cannot be issued until the Section 408 has been granted.

Mr. Crosley noted that a FIND project that requires Section 408 approval would be project modifications or building upon an existing federal project, for example, if modifications were to be made to the basin of the Okeechobee Waterway.

Commissioner Crowley asked if changes to the channel within the right-of-way require Section 408 approval. Ms. White answered yes and stated that deepening or widening of the channel would also require Section 408 approval. She stated that this rule applies to non-federal sponsor projects.

Mr. Crosley stated that the applicant, using the example of a core boring for a cable line, will put together the permit application package and have FIND review and analyze that information. FIND will then write a letter of concurrence for submittal of the applicant's application to the ACOE.

Vice-Chair Blow indicated that perhaps the local commissioner should review that information because they may have local knowledge of the area.

Ms. White noted that the ACOE will ask the non-federal sponsor of the IWW to deal with any Section 408 encroachment.

Ms. White stated that the ACOE has had all hardcopy real estate maps digitized and geo-rectified into GIS so that the Corps has an accurate depiction of its real estate interests. She stated that the ACOE is in the process of adding these maps into an attribute table to show when an easement was released. She stated that the Corps will share these maps with FIND, the county, as well as with the public.

Mr. Crosley asked if it would be possible to include all of the Florida Inland Navigation's sites into this information. He stated that would be helpful when working with the county on encroachments. Ms. White answered yes and stated that she will have her GIS department contact FIND.

Commissioner Crowley stated that he is representing an applicant involved in the ACOE's new setback criteria. He noted that this new criteria impacts property owners in Miami-Dade, Broward, Palm Beach, Volusia, and St. Johns Counties, which make up 60% of FIND's revenue. He stated that he understands the ACOE's perspective on this but, another way to look at it is that the ACOE is now regulating the usage of the IWW in a way that will take away the asset that makes the District's waterways valuable. He stated that in addition, in recent years the ACOE has not been able to contribute their full obligation for the maintenance of the IWW and FIND has had to contribute that funding. He stated that regulations that negatively impact property values will prevent FIND from being able to maintain the waterways. He stated that it will be difficult to make this new policy work in Palm Beach and Broward Counties given the problematic waterways in those counties. He stated that flexibility is needed to interrupt sites with issues. He stated that a full level of site analysis should be made, including dredging frequency.

Commissioner Sansom stated that this new set-back criterion seems to have been implemented for the ease and reduced cost of dredging. He stated that while that is certainly a goal, other circumstances should be factored in. He stated that ultimately, the District pays for the cost of dredging, and sometimes the ACOE contributes and sometimes FIND contracts with the ACOE to do the dredging, but FIND pays them for that work. He stated that FIND should have more say regarding this set-back policy.

Secretary Netts stated that now he is hearing that political and economic pressure is going to come to play in our decision making and he does not agree with that at all. He stated that the tax rate that this District approves applies to all counties from Nassau to Miami-Dade. He stated that everyone is paying for additional costs for projects that do not directly affect some of us.

Commissioner Crowley stated that the reality is that there are funding shortages for the maintenance of the IWW. He stated that flexibility is important to the administration of this program. He stated that the program should include consideration for the dredging reach and frequency of dredging in the area of the proposed project. He stated that all FIND and Corps funding needs to be spent on high priority areas, such as Matanzas, St. Lucie, and Haulover. He stated that he understands that there is a need to protect the integrity of the waterway, but when reviewing these applications, reviewers must look at site specific issues.

Vice-Chair Blow stated that this is an issue that will require additional discussion and suggested that it be brought back for additional discussion at another meeting.

Mr. Crosley noted that the District is not a regulatory agency, we are a commenting agency.

Mr. John Sprague stated that boating is extremely important to Florida's economics. He stated that policy is important but it should include the history of the waterway and future development in each area. He stated that multi-family condos and private docks are about the only future development that will provide areas for new boat dockage. He stated that this new policy is a little unreasonable. He stated that pre-disposed conditions should be considered when an application for a new dock is received.

Ms. White stated that the policy has been established for; 1 Safety, 2 Navigation, and 3, Dredging.

ITEM 9. Staff Report on Palm Beach County Area Projects.

Mr. Crosley stated that Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway (IWW) in Palm Beach County was completed in 1989. He stated that Phase II of the DMMP was completed in 1990 and all major land acquisition was completed in 1991.

Mr. Crosley stated that the 50-year dredging projection for the 43 miles of channel in Palm Beach County is 2.9 million cubic yards and the storage projection is 5.5 million cubic yards. He stated that the majority of this dredging (76%) is associated with Jupiter Inlet. He noted that the IWW area in the vicinity of the Jupiter Inlet is dredged every two to three years and the material is placed on the beach.

Mr. Crosley stated that six upland Dredged Material Management Areas (DMMA) have been acquired, along with two beach placement areas that will manage dredged material from the waterway. He stated that the DMMA on Peanut Island and MSA 641A have been constructed. He stated that easements have recently been re-secured for beach placement of IWW material on the beach south of Jupiter Inlet.

Mr. Crosley stated that the USACE is currently undertaking a maintenance dredging project for Cuts P-1 through P-4 on the IWW in the vicinity of the Jupiter Inlet. He stated that this project has been funded through supplemental Operations and Maintenance (O&M) funding via Hurricane Sandy relief. He stated that this area was last dredged in 2009 and is regularly dredged about every three years.

Mr. Crosley stated that a small but limiting shoal in the vicinity of the Parker Bridge in Palm Beach Dredging Reach II was recently completed. He stated that approximately 5,000 cubic yards of dredged material was placed in MSA 617C and removed by the contractor.

Mr. Crosley stated that the deepening of a portion of the IWW in Reach III north of the Port of Palm Beach is completing the permitting phase and is scheduled to be dredged next year, pending receipt of final permits and development of final plans and specifications. He stated that maintenance dredging of Reach IV is in the planning phase.

Mr. Crosley stated that the Palm Beach County Waterways Economic Study was completed in 1998 and updated in 2007 and 2011. He stated that the recent study documented up to 831 recreational waterway-related businesses in the county employing 5,879 people, with salaries of \$297.5 million and a total economic impact of \$1.26 billion. He stated that property values were determined to be increased by \$2 billion by the presence of the IWW channel. He stated that there are approximately 33,128 registered vessels in the county.

Mr. Crosley stated that since 1986, the District has provided \$42 million in Waterways Assistance Program funding to 172 projects in the county, having a total constructed value of \$129 million. He stated that the county, 15 waterfront cities, and the Port of Palm Beach have participated in the program. He stated that an additional eight applications are currently being considered for funding assistance for FY 2014-2015.

Mr. Crosley stated that the District's Cooperative Assistance Program has provided funding assistance in the amount of approximately \$2.6 million to Palm Beach County projects.

ITEM 10. Scope of Services and Fee Quote for Professional Engineering Services to Update the St. Johns County and Flagler County Dredge Material Plans (DMMP), St. Johns and Flagler Counties, Florida.

Mr. Crosley stated that the District has begun the necessary updates to our Long-Range Dredge Material Management Plans (DMMP). He stated that many of these plans are over 20 years old and site conditions, permitting changes, operational concerns and the need to have the plans summarized and produced in a consumer-friendly format support the forthcoming updates. He noted that at the District's April 2013 Board meeting, the Board approved a fee quote and scope from Taylor Engineering to update the Nassau County and Duval County plans.

Mr. Crosley stated that Taylor Engineering has submitted a scope of work and fee quote to update both the St. Johns County and the Flagler County DMMP's. He stated that these plans originate from 1989 and 1993, respectively. He stated that the update to these plans will facilitate better facility construction and operations, and along with the recently completed hydrographic survey data, this information will provide the basis for our successful operations within each county.

Secretary Netts made a motion to approve the scope of work and fee quote in the amount of \$132,490.00 from Taylor Engineering for updates to the St. Johns County and Flagler County Dredge Material Management Plans, St Johns & Flagler County, Florida. The motion was seconded by Commissioner Isiminger. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 11. Assistance Projects Extension Requests.

Ms. Zimmerman stated that several additional Project Sponsors have requested extensions of their FY 2012-13 project agreements. She stated that by law and District

program rules, these agreements can be extended for one additional year with a revised expiration date: September 30, 2015.

Commissioner Crowley made a motion to approve the requested project agreement extensions for one additional year. The motion was seconded by Commissioner McCabe. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 12. Scope of Services and Cost Proposal for Permitting and Final Engineering Design for Dredge Material Management Area (DMMA) DU-9, Duval County, Florida.

Mr. Crosley stated that in 2000, the Navigation District (District) obtained a permit to construct Dredge Material Management Area (DMMA) DU-9 in Duval County. He stated that initial work on the site uncovered soil and ground water contamination and work was halted. He stated that in 2004, the District pursued the construction of that portion of the site not affected by contamination to facilitate a necessary forthcoming dredging project.

Mr. Crosley stated that as the responsible party, the previous property owner worked with the Florida Department of Environmental Protection (FDEP) to satisfy a consent order to mitigate the contamination and monitor the site. He stated that after 14 years, and seeking to resolve this issue, the previous property owner has received a conditional closure letter from FDEP requiring “institutional controls on the property”.

Mr. Crosley stated that the previous land owner would like the District’s concurrence of the conditional closure conditions. He stated that staff has conferred with our attorney and our District Engineer and has concluded that it is in the best interest of the District to move forward with his issue and pursue the full permit for this site at this

time. He stated that in addition, staff will work with our attorney and the previous land owner to establish an agreement limiting the Navigation District's long-term liability for contamination at this site, and establish conditions should the future use of the site be restricted or incur additional costs to the District.

Mr. Crosley stated that by obtaining the permit, the Navigation District will ensure the first step in this process and determine what, if any, site limitations and controls will be imposed for the construction and utilization of this site.

Dr. Taylor stated the most recent available contamination data on this site has been requested. He stated that the remediation of this site was to allow the contamination to slowly bleed off over time, which it has been doing. He stated that during site construction, the design was modified to include a slurry wall to contain the portion of contamination.

Attorney Breton stated that Estuary Corporation will be issued a Site Remediation Completion Order, with conditions from the FDEP. He stated that one of the conditions is that FIND, as the site owner, must put a Deed Restriction with Institutional Control against the use of any portable water from this site. He stated that as staff has expressed, that leaves open a lot of issues, which FIND will not be provided with from FDEP until FIND actually applies for the permit to construct this site. He stated that Estuary Corporation has proposed indemnification agreement to provide that they would be responsible for any further remediation or clean-up costs. He stated that in order to quantify those costs, FIND needs to know where we stand with the permits. He noted that FIND will be de-watering this site and that will provide groundwater impacts from the District's use.

Dr. Taylor stated that he will request the data from the land owner and if there is anything that is newly discovered, we will not proceed.

Commissioner McCabe made a motion to approve the scope of work and cost proposal in the amount of \$135,649.42 from Taylor Engineering for the permitting and final design of DMMA DU-9, Duval County. The motion was seconded by Vice-Chair Blow. Vice-Chair Blow asked for discussion.

Vice-Chair Blow stated that he is concerned that FIND could be saddled with additional expenses regarding this contaminated ground water. He stated that FIND should be very cautious as we move forward and make sure that the land owner that originally caused this contamination remains liable for any expense associated with this contamination.

Vice-Chair Blow asked for additional discussion. Hearing none, a vote was taken and the motion passed.

ITEM 13. Small-Scale Spoil Island Restoration and Enhancement Program Project, Spoil Island "C", ADA Pathway, City of Miami, Miami-Dade County, Florida.

Ms. Zimmerman stated that the City of Miami has submitted an application for Small-Scale Spoil Island Restoration and Enhancement Program funding for the recreational enhancements of spoil island "C" within Miami-Dade County. She stated that the project will construct an ADA compliant path from the floating docks to the existing tiki shelter.

Commissioner Sansom made a motion to approve assistance funding in the amount of \$7,500.00 for the City of Miami Spoil Island "C", ADA Pathway Small-Scale Spoil Island Restoration and Enhancement Program project. The motion was seconded

by Secretary Netts. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 14. Small-Scale Spoil Island Restoration and Enhancement Program Project, Spoil Island "C", Swimming Area and Pathway, City of Miami, Miami-Dade County, Florida.

Ms. Zimmerman stated that the City of Miami has submitted an application for Small-Scale Spoil Island Restoration and Enhancement Program funding for the recreational enhancements of spoil island "C" within Miami-Dade County. She stated that the project will construct a new designated path from the tiki hut to the new swimming area.

Commissioner Crowley stated that he encouraged the city of Miami to look into this program, which he considers one of the District's best programs. He stated that these spoil islands need this maintenance and these improvements. He stated that the city is including ADA access as part of this project.

Secretary Netts made a motion to approve assistance funding in the amount of \$7,500.00 for the City of Miami Spoil Island C swim area and pathway Small-Scale Spoil Island Restoration and Enhancement Program project. The motion was seconded by Commissioner Sansom. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 15. Finance and Budget Committee Report.

Committee Chair Cuozzo stated that the District's Finance and Budget Committee met before today's Board meeting and the committee reviewed and recommends approval of the July 2014 financial statements, the delegation of authority, and the expenditure and project status report. He asked for questions. There were none.

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

ITEM 16. Washington Report.

Mr. Crosley stated that Congress returns on September 8th from a five week recess. He stated that lawmakers will be in session for two weeks before recessing for another week beginning September 22nd and returning September 29th.

Mr. Crosley stated that this is the time of year when the Congress will probably pass a continuing resolution to fund the government from October 1st until mid-December.

Mr. Crosley stated that the House Energy and Water Appropriations Bill passed the House on July 10th. He stated that the bill includes \$600,000.00 for the Intracoastal Waterway, \$25.4 million for Navigation, \$45 million for Inland Waterways and \$42.5 million for Small, Remote or Subsistence Navigation.

Mr. Crosley stated that on June 10th the President signed into law, the Water Resources Reform and Development Act of 2014 (WRDA), which authorizes the ACOE to carry out its mission to develop, maintain, and support the nation's vital port and waterway infrastructure. He noted that this is the first signed WRDA Bill in about eight years.

Mr. Crosley stated that the ACOE will be holding listening sessions pertaining to the WRDA over the month of September. He stated that navigation interests will be

improvements to SJ-14 that would equate to the total high bid amount, or negotiate a combination of payment and services that would benefit the District.

Secretary Netts noted that if the material comes from sovereign submerged land, the District has the benefit of getting the site emptied out and the state will receive the money. He then questioned if the District could take services in lieu of money. Mr. Crosley stated that if it is sovereign submerged land, the state will receive the money and services would not be available.

Vice-Chair Blow noted that the District will incur costs because Taylor Engineering will have to oversee the material removal.

Mr. Crosley stated that he would like to prepare a FIND Site Material Removal Plan that includes the process, testing, and procedures for this material removal from a FIND site.

Secretary Netts made a motion to approve the apparent high bidder Pulte Homes, in the amount of \$1.15 per cubic yard of material removed, with the flexibility to negotiate with the contractor for services in lieu of payment, or a combination thereof, for improvements at DMMA SJ-14, St. Johns County, Florida. The motion was seconded by Commissioner Isiminger. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 17. Additional Staff Comments and Additional Agenda Items.

Vice-Chair Blow asked if there were any additional staff comments or agenda items.

included in the September 24th listening session. He asked for any questions and there were none.

ITEM 17A. Bid Acceptance - Dredge Material Management Area (DMMA) SJ-14 Material Removal, St. Johns County, Florida.

Mr. Crosley stated that over the past several months, staff has been contacted by several contractors interested in “excavating” material from DMMA SJ-14. He stated that one contractor performed preliminary testing and analysis on the material within the site.

Mr. Crosley stated that in accordance with state statutes (f.s. 253.03(10)) concerning the potential sale of material originating from state bottom lands, staff requested bids for the material. He stated that bids were advertised and received on September 3, 2014 and three bids were received, with the apparent high bidder determined to be Pulte Homes of Orlando Florida.

Mr. Crosley stated that pursuant to state law, if the material originated from state bottom lands, all of the funds received from this bid would be processed to the Board of Trustees of the Internal Improvement Trust Fund unless FIND has an approved material management plan.

Mr. Crosley stated that subsequent to the bid advertisement, staff was advised by our attorney that if the material in SJ-14 originated from a land cut, the applicable state statutes pertaining to the sale of sovereign submerged bottom lands would not apply to this situation.

Mr. Crosley stated that the District is currently awaiting confirmation from the State on the sovereignty of the dredged area. He stated that staff recommends that the Board accept the apparent high bid for this project and, should the dredged area be confirmed as non-sovereign, allow staff to negotiate with the contractor for needed

Mr. Crosley noted that staff and Commissioner Sansom attended the Florida Fish and Wildlife Conservation (FWC) Anchoring Pilot Project meeting in Vero Beach. He stated that the FWC requested that attendees complete an anchoring comment form. He stated that the meeting was attended by many boaters who were upset about the proposed anchoring regulations, but noted they were particularly upset about the proposed ability of local government to make their own anchoring regulations.

Mr. Crosley stated that he conveyed to the Major that the District Board, at the last meeting, indicated that they did not feel comfortable with local government implementing anchoring regulations unless they provide a designated mooring area. He stated that he also conveyed that the FIND Board feels that this issue is very complex. He stated that was re-affirmed at the FWC meeting with spirited discussion with property owners and boaters. He stated that there is no simple solution to this proposal.

Ms. Zimmerman stated that the major issue that boaters objected to was concept #2, which was about the proposed setback requirements from residential property and the overall comments seemed to suggest that concept #2 was not a solution to the derelict vessel problem. She stated that the FWC noted that they had not set a distance for that ruling. She stated that the FWC will be presenting an on-line survey shortly.

Vice-Chair Blow asked if FIND has provided comment to the FWC. Mr. Crosley stated that he and Ms. Zimmerman have provided their own personal comments. He stated that he did provide comments from the last FIND Board meeting, "pertaining to the Board not being comfortable with local government enforcing their own anchoring regulations without having a designated mooring field."

Mr. John Sprague stated that mooring and anchoring rules need to be uniform throughout the state. He stated that if the anchoring laws vary around the state, how will out of state boaters know what rules apply where. He added that the authorized permit for mooring fields looks very good and will help local government build mooring fields.

Mr. Crosley passed out a U. S. Coast Guard (USCG) Public Notice requesting public comments on bridge operations, specifically three bridges affected by "All Aboard Florida" the New River, Loxahatchee, and St. Lucie bridges. He stated that USCG has requested that comments be submitted by mail or email and received by them no later than November 1, 2014.

Mr. Crosley noted that staff will be moving towards a paperless system. He stated that there will be some costs related to these changes as well as growing pains. He stated that other agencies and government have already implemented this system and the District is falling behind the technology.

Mr. Crosley stated that he invited a representative of the "All Aboard Florida" project to address the Board at this meeting, but they could not make the September meeting, but that they will attend the October meeting.

Mr. Crosley stated that he has been approached by the USACE Vicksburg office regarding a study to determine if dredging has a positive environmental benefit to the environment. He stated that this proposed project would be cost-shared by FIND and Florida Technical University with the ACOE providing staff time. He stated that he has not received a written proposal but, he expects one in time for the October meeting agenda.

Mr. Crosley distributed a letter from the National Marine Fisheries Service (NMFS) that staff received from the ACOE on September 9th. He stated that this letter addresses the Palm Beach County deepening project. He stated that NMFS states in this letter are that the Snook Island Restoration project should not qualify for seagrass mitigation for the deepening project. He stated the FIND undertook, with Palm Beach County, the 45 acre Snook Island project to bank mitigation points to be used specifically for mitigation impact to the IWW for future projects. He stated that this was a successful project until unusually heavy rainfall flushed the area and killed the seagrass, which is expected to come back on its own. He stated that NMFS is asking for mitigation in another location. He stated that staff is not supportive of this option. He stated that he has been working with the ACOE on this decision. He stated that he would like to draft a letter disputing the NMFS decision, signed by the District chair, and sent to the ACOE Colonel.

Treasurer Cuozzo made a motion to approve staff drafting a letter disputing the NMFS decision, signed by the District chair, and sent to the ACOE Colonel. The motion was seconded by Secretary Netts. Vice-Chair Blow asked for discussion. Hearing none, a vote was taken and the motion passed. Commissioner Isiminger did not vote or participate in the discussion of the above item.

Commissioner Isiminger has declared a Conflict of Interest in this project and in accordance with procedures declared that he will not be eligible to participate in the discussion or be eligible to vote or on this issue. He completed Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers. He declared that he has represented a client that participated in the Snook Islands project.

Ms. White stated that her department has worked very closely with FIND and Palm Beach County on the Snook Island project for many years and the ACOE are very comfortable with FIND's proposal. She stated that the ACOE are not proponents or opponents of any project, but it is their job to comment on the projects regarding public interests. She stated that there is no reason to think that the ACOE will require FIND to do any additional mitigation other than what currently has been proposed. She stated that she is working with Palm Beach County to document Snook Islands and the future recovery of those seagrasses. She stated that the ACOE's is working on the project draft permit and FIND has reviewed the draft permit conditions. She stated that she plans to put the project packages together and submit it to the NMFS.

Mr. Crosley stated that NMFS is a consulting agency and the ACOE can thank the NMFS for their comment and move forward with the permit. He cautioned that NMFS does have the ability to elevate this item and if it is elevated it will go to ACOE headquarters.

Commissioner Crowley questioned that when the term mother nature is used, does it include the flushing factor and the fact that the waters released from Lake Okeechobee are what caused the seagrass to die. He noted that the water releases from Lake Okeechobee are managed by the ACOE. He stated that the ACOE is the agency that should comment on the future prevention of these types of events. He stated that it should be mentioned that the Snook Island project will be successful long term. Ms. White stated that is exactly what her department is doing, and she stated that the ACOE decision document has four arguments why the Snook Island mitigation bank is appropriate for the Palm Beach County IWW deepening project mitigation.

Ms. Zimmerman provided each commissioner with a list of FY 2014-2015 assistance applications and she noted that county caps have slightly increased. She stated that the projects in bold are still awaiting for either their DEP or ACOE permits. She stated that she will contact commissioners if their county is over the funding cap to discuss options.

Mr. Crosley stated that the Final Tax Hearing be will held on Wednesday, September 24, 2014, at 6:00 p.m. at the City of Fellsmere Community Center, 56 N. Broadway Street, Fellsmere, Indian River County, Florida. He stated that it is essential that we have a quorum at this meeting.

ITEM 18. Additional Commissioners Comments.

Vice-Chair Blow asked if there were any additional Commissioner comments.

Commissioner Williams stated that at the October meeting he would like to discuss the Fernandina Beach Port issues.

Commissioner Crowley stated that Palm Beach County is a great example of how FIND partnerships have improved the areas for our constituents. He stated that Jupiter has been transformed in the last decade and it is great to see the projects coming together and fruition.

Commissioner Crowley thanked the ACOE for addressing and participating in today's meeting. He stated that he is hopeful the District can work together to provide good waterway solutions for our constituents.

ITEM 19. Adjournment.

Vice-Chair Blow stated that hearing no further business the meeting was adjourned at 12:18 p.m.

**MINUTES OF THE
FLORIDA INLAND NAVIGATION DISTRICT**

Final Public Tax & Budget Hearing

6:00 p.m., Wednesday, September 24, 2014

Fellsmere Community Center

56 N. Broadway Street

Fellsmere, Indian River County, Florida 32948-6604

ITEM 1. Call to Order.

Chair Chappell called the Final Public Tax and Budget Meeting of the Florida Inland Navigation District to order at 6:02 p.m.

ITEM 2. Pledge of Allegiance to the United States of America.

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

ITEM 3. Roll Call.

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

ITEM 4. Announcement of the Per Cent (6.81%) by which the Proposed Millage Rate of 0.0345 exceeds the Calculated Rolled-Back Rate (0.0323).

Chair Chappell announced that the proposed millage rate of 0.0345 exceeds the calculated rolled-back rate of 0.0323 by 6.81%.

ITEM 5. Invitation for Public Comments.

Chair Chappell asked if there were any public comments from the audience. There were none.

ITEM 6. Amendments to the Budget.**6A. Amendments.
Waterways Assistance Projects.**

Ms. Zimmerman stated that the Waterway Assistance Program had five applications that did not receive the required environmental permits by the meeting deadline and they have been eliminated from the funding approval list. She thanked the ACOE and Ms. White for her assistance in approving several project permits in time for the deadline. She stated that 54 Waterways Assistance Projects remain eligible for District funding for a total of \$10,826,457.00.

Mr. Crosley stated that the District budgeted \$11.5 million for Waterway Assistance program funding. He stated that the excess funding would go into the District's General Dredging account.

Cooperative Assistance Projects.

Ms. Zimmerman stated that the Cooperative Assistance Program had one application that did not receive the required environmental permits by the meeting deadline and it was eliminated from the funding approval list. She stated that one Cooperative Assistance Project remains eligible for District funding, the St. Johns River Water Management District's, Eau Gallie Dredging, Phase IB project for a total of \$750,000.00.

Multi-Year Agreement Approvals.

Ms. Zimmerman stated that there are five continuing projects from last year eligible as multi-year projects. Staff is recommending that all five multi-year projects receive funding as recommended.

Mr. Crosley stated that this program allows for a pre-agreement expense waiver allowing the project to move forward with funding and come back for additional funding in up to two subsequent funding cycles.

Commissioner Dritenbas asked for clarification about assistance projects that are Phase I, Phase II, and Phase IIB. Ms. Zimmerman stated that sometimes it takes more than one round of funding to fully-fund a project. She stated that local government would then come back for a second year to complete another phase of construction. She stated that Phase I is always planning and permitting and Phase II, or additional Phases are for construction.

6B. Other Amendments.

Mr. Crosley stated that the District's FY 2014-2015 Tentative Budget original amount was \$92.7 million and staff has revised the budget reducing it by \$2.1 million. He stated that he, Ms. Zimmerman, and Mr. Scambler review the District's budget each month to review expenses and therefore we have a tighter and more accurate budget.

ITEM 7. Comments by District Commissioners.

Chair Chappell asked if there were any comments from the Commissioners. There were no additional comments.

ITEM 8. Re-computation of the Final Tax Millage Rate.

Mr. Crosley stated that there was no re-computation of the final tax millage rate and it remains at 0.0345 mills.

ITEM 13. Adoption of the Final Budget, Resolution No. 2014-03.

Mr. Crosley presented District Resolution No. 2014-03 adopting the final budget for the Florida Inland Navigation District for the fiscal year commencing October 1, 2014 and ending September 30, 2015 with the amount of the final budget at \$90,676,655.00.

Secretary Netts made a motion to adopt Resolution No. 2014-03 and a final FY 2014-2015 budget of \$90,676,655.00. The motion was seconded by Commissioner Dritenbas. Chair Chappell asked for discussion. Hearing none, a vote was taken and the motion passed.

ITEM 14. Adjournment.

Chair Chappell stated that hearing no further business the meeting was adjourned at 6:17 p.m.



BROWARD COUNTY PROJECT STATUS UPDATE

October 2014

Dredged Material Management Plan

Phase I of the Dredged Material Management Plan (DMMP) for the Intracoastal Waterway in Broward County was completed in 2003. Phase II of the DMMP was completed in 2004. Land acquisition possibilities, especially for waterway access, continue to be a challenge in this County. (Please see the attached maps).

The 50-year dredging projection for the 25 miles of channel in Broward County is 33,644 yds³ and the storage projection is 72,334 yds³. This is the lowest dredging projection of any of the District's 12 counties. The majority of this dredging (81%) is associated with the Hillsboro Inlet.

Three upland Dredged Material Management Areas (DMMA) and one beach placement area will manage dredged materials from the waterway. The District continues to explore an exchange of easements with Broward County at Port Everglades to create a more efficient management area for both parties. A western long term storage site was suggested in the original DMMP, but this has not been pursued actively because of costs and logistics. If a western site presents itself, through exchange or at a reasonable cost, the District may make the acquisition and add this site to the plan.

Waterway Dredging

The District is pursuing the deepening of the Intracoastal Waterway from the 17th Street Causeway north past the Las Olas Bridge. The project is in the design phase and funding is being accumulated in the budget to complete project construction. This project will create navigation and docking opportunities for mega-yachts and an increase in marine-related business. The District recently successfully completed the deepening of the Dania Cut-Off Canal between the Port and US Route 1, which lead to additional marine-related business stimulus on this waterway. The ICW Deepening is similar in nature to that project. Both of these projects are cooperative efforts with the Marine Industries Association of South Florida, Broward County (and Port Everglades), and the cities of Fort Lauderdale and Dania Beach. (Please see attached location maps).

Additionally, maintenance dredging of Broward Reach I has currently been scheduled for 2017 with the beach-quality dredged material being placed on the beach south of the Hillsboro Inlet. The USACE is procuring funds for the preliminary investigation of this reach.

Dredged Material Management Area Development

The existing District-owned Dredged Material Management Areas (DMMA) are currently leased to the City of Pompano Beach (MSA 726 aka: Exchange Club Park, & MSA 727 aka: Alsdorf Park/ 14th Street Boat Ramp) and Broward County (MSA 783) for parks, a boat ramp and port facilities. Public meeting have been held with the City of Pompano Beach and City of Lighthouse Point regarding the removal of invasive plants, planting of a native plant buffer and preparation of MSA-726 Exchange Club Park to complete the dredging of Broward Reach I and future dredging or access needs.



BROWARD COUNTY PROJECT STATUS UPDATE

October 2014

Waterways Economic Study

The Broward County Waterways Economic Study was completed in early 2008 and updated in 2011. The recent update documented 1,767 marine related businesses in the county employing 21,455 people, with salaries of approximately \$1 billion and a total economic impact of \$4.5 billion. Property values were determined to be increased by \$6-7.2 billion by the presence of the ICW channel.

Waterways Assistance Program

Since 1986, the District has provided \$23.9 million in Waterways Assistance Program funding to 119 projects in the County having a total constructed value of \$61.2 million. The County, ten cities, and the Hillsboro Inlet District have participated in the program. (Please see attached map and project listing).

Notable projects funded include: the Fort Lauderdale Riverwalk, construction or rehabilitation of most of the saltwater boat ramps, maintenance dredging of the Dania Cut-Off Canal and the New River System, construction and improvements to the Dania Beach, Hollywood, Birch/Las Olas, Hillsboro Inlet and Cooley's Landing marinas, West Lake Park projects, and improvements to the Hillsboro Inlet channel.

Cooperative Assistance Program

The District's Cooperative Assistance Program has provided funding assistance for the following projects with elements in Broward County: Florida Marine Patrol Officer Funding; Clean Marina Program, Clean Vessel Act, Manatee Acoustic Warning System, Hillsboro Canal Bank Stabilization, and Phase I of the Hugh Taylor Birch State Park Boat Dock project. The District's funding assistance for the Broward County portion of these 18 individual projects was approximately \$459,902.

Interlocal Agreement Program

The District's Interlocal Agreement Program has developed the following projects with elements in Broward County: Dania Canal Deepening, New River Deepening, Clean Marina Program; Clean Vessel Act, the installation and maintenance of Broward County Boating Safety Signage, the Demonstration of a Manatee Acoustic Warning System, and Phase I of basin dredging for the Bahia Mar and Las Olas Marinas.

Waterway Clean Up Program

The District has partnered with the Marine Industries Association of South Florida for over 21 years on their waterway cleanup. The District provides up to \$10,000 per year for this program.



BROWARD COUNTY PROJECT STATUS UPDATE

October 2014

Small-Scale Derelict Vessel Removal Program

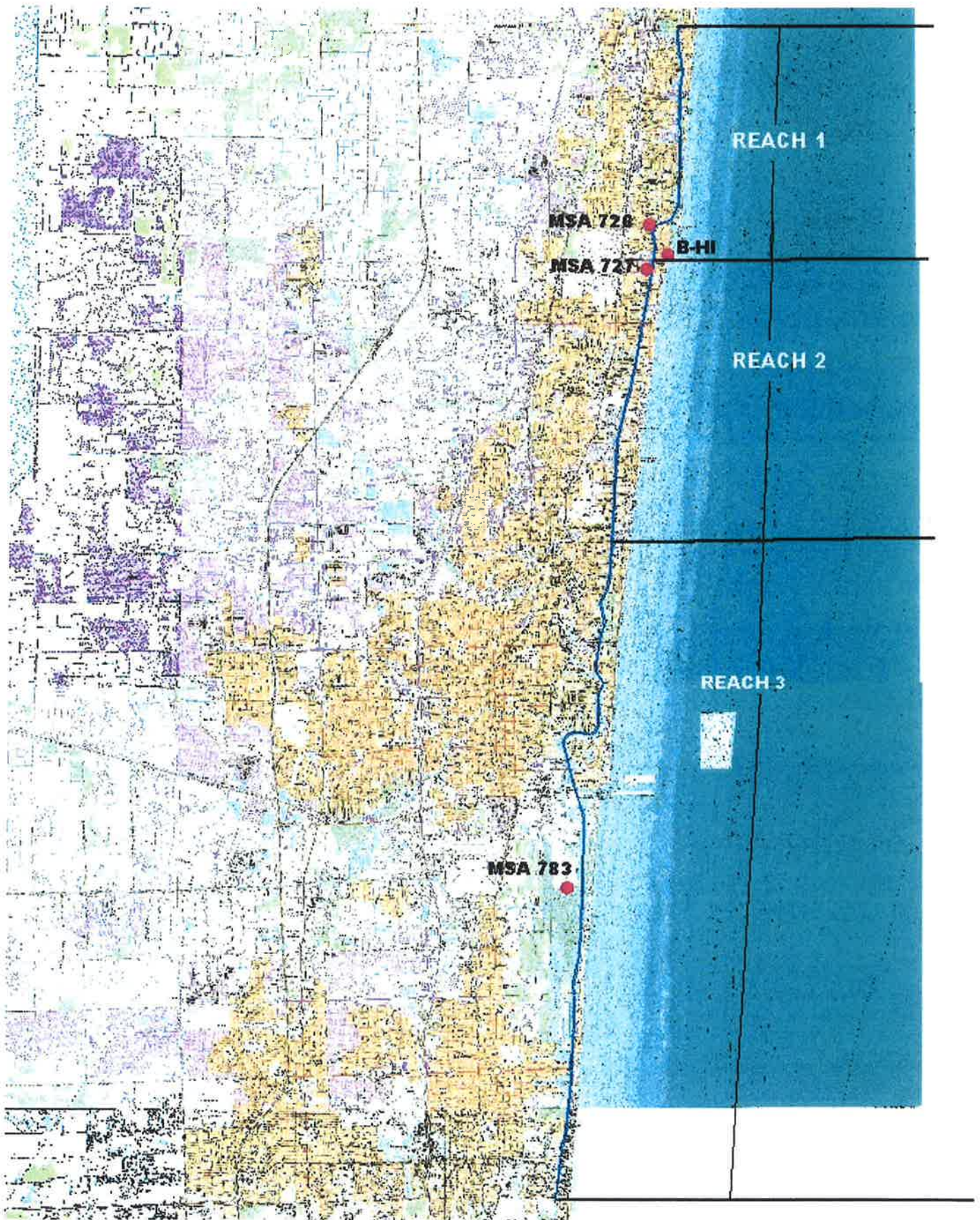
The District has funded four Small-Scale Derelict Vessel removal projects with the City of Fort Lauderdale through this program.

Small-Scale Spoil Island Enhancement and Restoration Program

No projects have been funded yet in Broward County through this program.

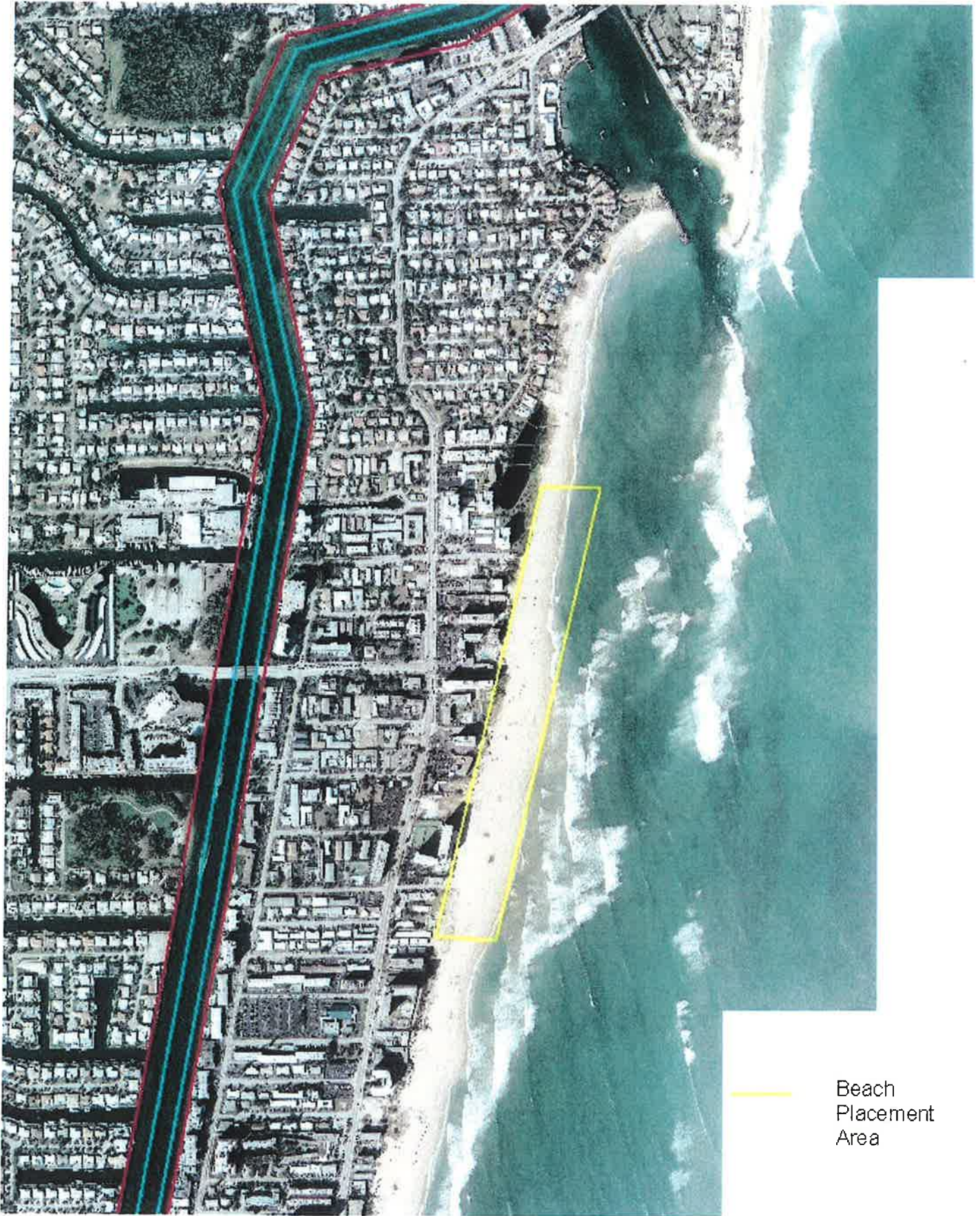
Public Information Program

The District currently prints and distributes the following brochures with specific information about Broward County waterways: Boating Safety and Manatee Protection Zone Brochure, Economics of Broward County Waterways, Movable Bridge Guide, and the ICW Channel Conditions Brochure.



INTRACOASTAL WATERWAY
DREDGED MATERIAL MANAGEMENT PLAN
IN BROWARD COUNTY





Beach
Placement
Area



BEACH PLACEMENT AREA
B-HI

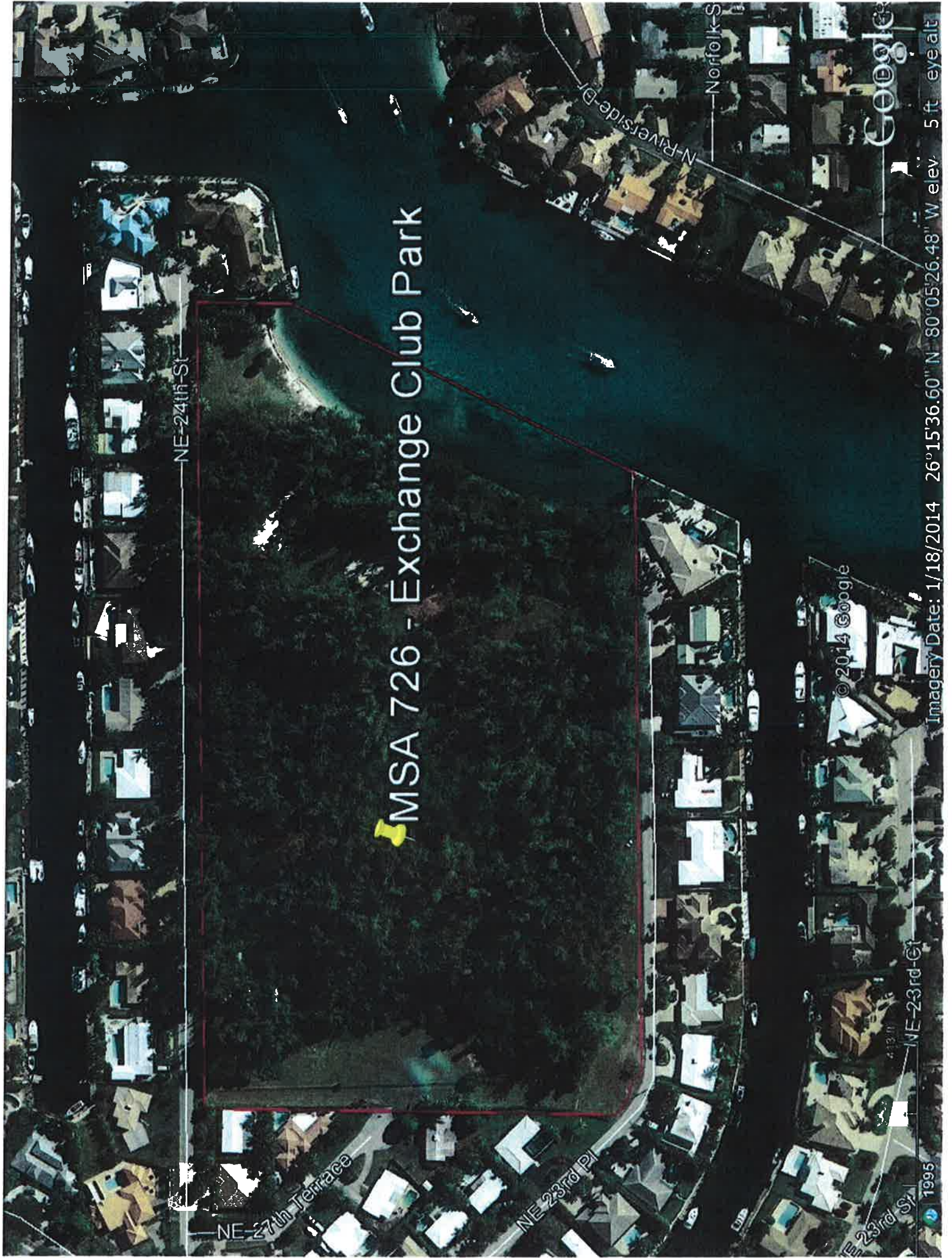
Channel
ICW Right-of-Way



FIND Owned
Channel
ICW Right-of-Way



MSA 726



NE-24th St

NE-27th Terrace

NE-23rd Pl

NE-23rd Ct

NE-23rd St

N-Riverside Dr

Norfolk-S

© 2014 Google

Google

1995

Imagery Date: 1/18/2014 26°15'36.60" N - 80°05'26.48" W elev. 5 ft eye alt



FIND Owned
Channel
ICW Right-of-Way

MSA 727



MSA 727 - Alsdorf Park/14th Street Boat Ramp

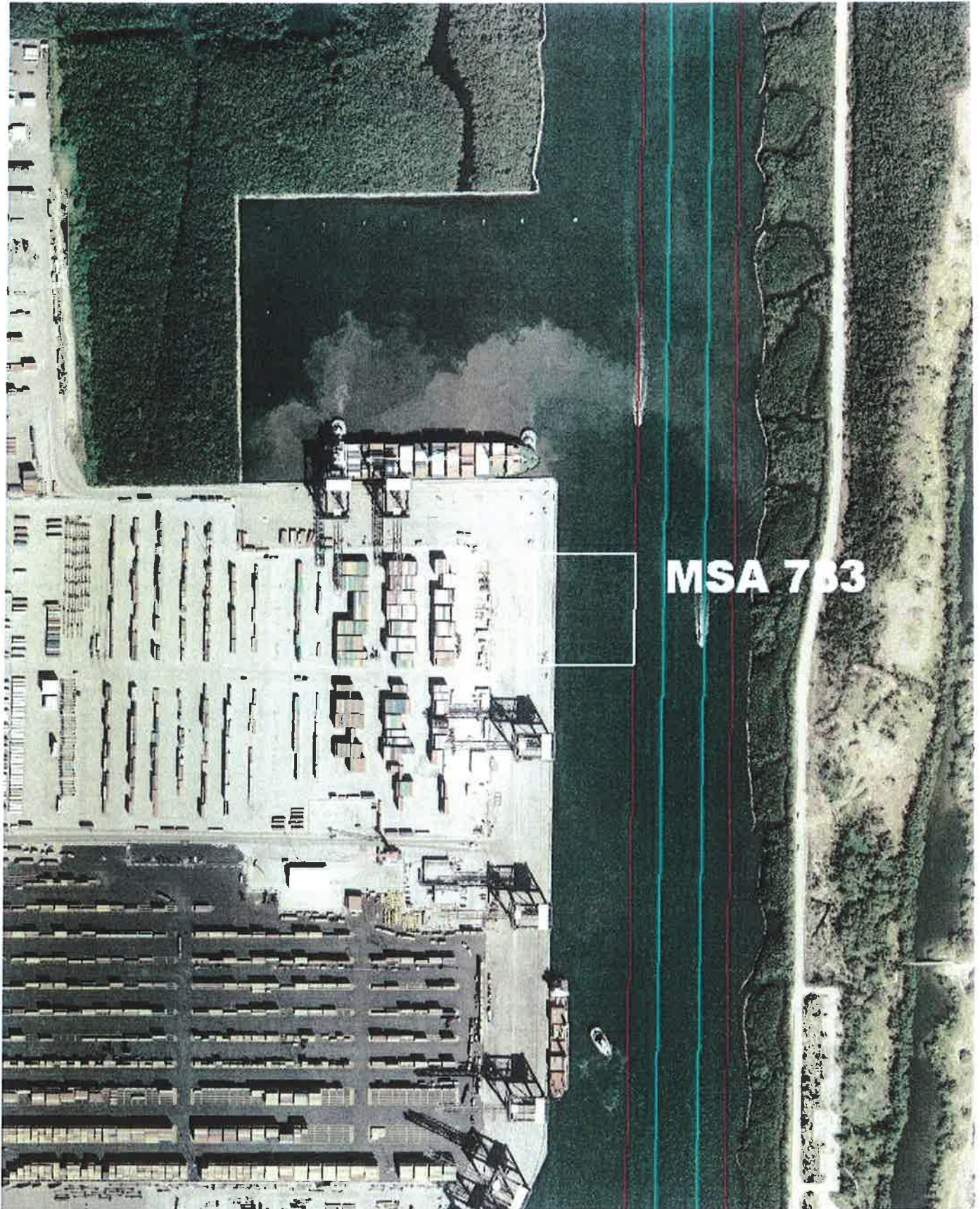
MSA FO-727B

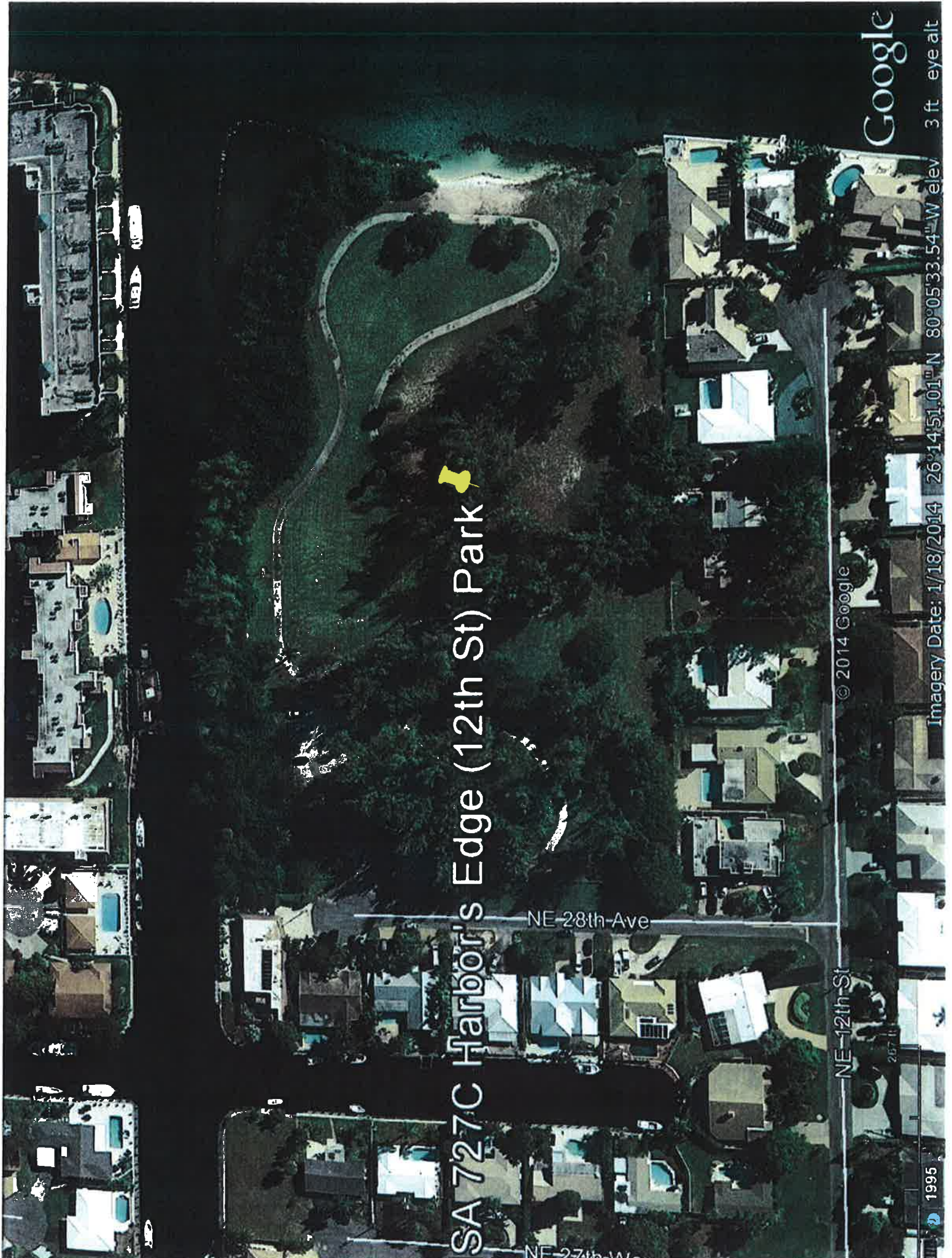
© 2014 Google

Google

1995

Imagery Date: 1/18/2014 26°15'03.99" N 80°05'30.67" W elev 4 ft eye alt





SA 727C Harbor's Edge (12th St) Park



NE 28th Ave

NE 12th St

© 2014 Google

Google

1995

Imagery Date: 1/18/2014 26°14'51.01"N 80°05'33.54"W elev 3 ft eye alt

ECONOMIC BENEFITS OF THE DISTRICT'S WATERWAYS



Purpose

To update economic benefits in Broward County of marine-related activities on the District Waterways, as previously estimated in *An Economic Analysis of the District's Waterways in Broward County*, July 2008, 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

- \$4.391 billion in business volume
- \$975.0 million in personal income
- 21,111 jobs
- \$178.3 million in tax revenue

Impacts of Cessation of Waterways Maintenance

- Decrease of \$2.073 billion in business volume
- Decrease of \$469 million in personal income
- Decrease of 10,635 jobs
- Decrease of \$84.6 million in tax revenue

Impacts of an Increase in Waterways Maintenance

- Increase of \$595.1 million in business volume
- Increase of \$138.5 million in personal income
- Increase of 3,094 jobs
- Increase of \$24.6 million in tax revenue

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

- Decrease of \$3.031 billion in business volume
- Decrease of \$668.4 million in personal income
- Decrease of 14,788 jobs
- Decrease of \$122.2 million in tax revenue

Economic Benefits as of April 2011

BROWARD COUNTY



ECONOMIC BENEFITS OF THE DISTRICT'S WATERWAYS

BROWARD 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 July 2008 in *An Economic Analysis of the District's Waterways in Broward Beach County*.

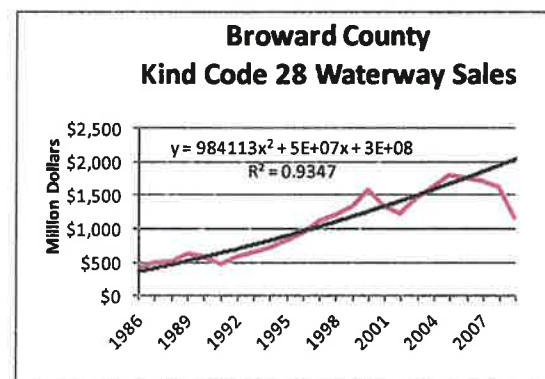
Updating of Previously Estimated Benefits

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 Broward County decreased by 31 percent; if the recession had not occurred, it is estimated that gross sales from 2007 to 2009 would have increased by 22 percent.

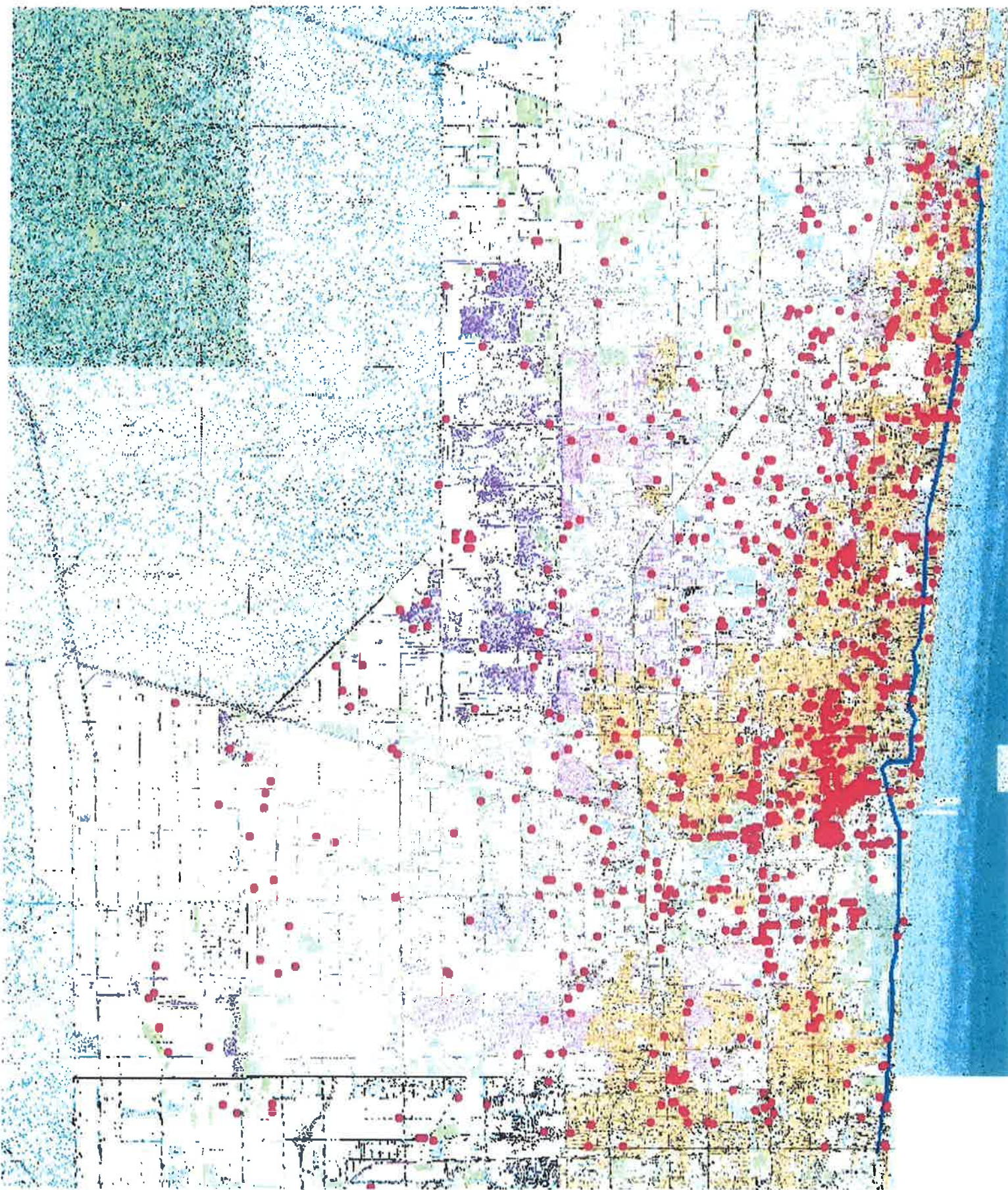


Annual Boater Spending on Gas, Food, and Drinks at Non-Marine-Related Establishments

- Current existing conditions: \$39.9 million
- Cessation of maintenance: \$22.7 million
- Increased maintenance: \$39.9 million
- Assuming no recession: \$52.7 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

Businesses.shp
Channel

Broward Marine Businesses



**FLORIDA INLAND NAVIGATION DISTRICT
WATERWAYS ASSISTANCE PROGRAM PROJECTS
IN BROWARD COUNTY
1986-2014**

Project Name	Project No.	Project Sponsor	Grant Amount	Total Cost
West Lake Park Boat Dock - Phase I I	BR-01-52	Broward County	\$120,000	\$240,000
Deerfield Island Park Boat Dock - Phase I (Withdrawn)	BR-04-67	Broward County	\$40,000	\$80,000
Port Everglades I.C.W./ (Transferred To Interlocal)	BR-04-68	Broward County	\$52,675	\$140,421
Deerfield Is. Boat Dock - P.H. I	BR-05-72	Broward County	\$40,000	\$80,000
Deerfield Island Park Boat Dock - Phase I I	BR-09-85	Broward County	\$200,000	\$400,000
Secret Woods Nature Center Boat Dock - Phase I	BR-10-88	Broward County	\$60,000	\$120,000
South Fork New River Channel Markers - Phase I	BR-10-89	Broward County	\$30,000	\$60,000
Deerfield Island Boardwalk Replacement Ph I	BR-13-102	Broward County	\$50,000	\$100,000
Deerfield Island Shelter Replacement & Interpretive Exhibits	BR-13-103	Broward County	\$75,000	\$150,000
South Fork New River Channel Markers Ph II	BR-13-104	Broward County	\$60,000	\$120,000
North Beach Park - Phase I I	BR-89-6	Broward County	\$200,000	\$813,700
West Lake Park Marina	BR-90-11	Broward County	\$27,500	\$55,000
West Lake Park Marina	BR-91-12	Broward County	\$300,000	\$679,000
Bonnet House Wetlands Education Project	BR-92-16	Broward County School Board	\$21,000	\$42,380
Anne Kolb Nature Center Environmental Education Display	BR-92-17	Broward County	\$260,000	\$520,000
Intracoastal Waterway Environmental Education	BR-95-32	Broward County	\$46,288	\$67,264
Dania Cut-off Canal Boaters Park	BR-96-33	Broward County	\$500,000	\$1,346,015
Secret Woods Nature Center Improvements	BR-97-38	Broward County	\$67,500	\$75,000
New River Dredging - Phase I (Project Expired)	BR-97-39	Broward County D.N.R.P.	\$37,000	\$55,000
Beach Nourishment - Phase I (Project Expired)	BR-97-40	Broward County Board Of Commis:	\$217,528	\$2,172,500
West Lake Park Boat Docks - Phase I	BR-98-42	Broward County	\$15,000	\$30,000
Secret Woods Nature Center - Phase I I	BR-99-46	Broward County	\$297,000	\$396,000
Waterway Maintenance Vessel	BR-DA-91-14	City of Dania	\$30,000	\$60,000
Dania Cut-off Canal Dredge & Dock Project	BR-DA-92-18	City of Dania	\$28,350	\$36,000
Dania Cutoff Canal Dredging Study	BR-DA-93-20	City Of Dania	\$8,000	\$16,000
Dania Cut-off Canal Dredging - Phase I	BR-DA-95-29	City Of Dania	\$51,750	\$69,000
Dania Cut-off Canal Dredging - Phase I I	BR-DA-96-36	City Of Dania	\$149,000	\$226,000
Griffin Marine Park	BR-DA-99-49	City Of Dania Beach	\$161,500	\$346,024
Dania Cut-off Canal Dredging	BR-DB-02-58	City Of Dania Beach	\$160,000	\$220,000
Mckethen Park	BR-DB-03-63	City Of Deerfield Beach	\$75,000	\$150,000
Kester Point Marina Boardwalk - Phase I (Withdrawn)	BR-DB-04-69	City Of Deerfield Beach	\$150,000	\$300,000
Marina Restoration & Expansion - Phase I	BR-DB-08-81	City Of Dania Beach	\$96,000	\$192,000
I.T. Parker Dock Replacement	BR-DB-10-90	City Of Dania Beach	\$24,400	\$48,800
Pioneer Park Boat Ramp	BR-DB-11-94	City Of Deerfield Beach	\$193,500	\$387,000
Municipal Marina Renovation Project - Phase I I	BR-DB-12-95	City Of Dania Beach	\$1,382,505	\$5,000,000
Sullivan Park Expansion - Phase I	BR-DB-12-96	City Of Deerfield Beach	\$307,500	\$615,000
Dania Beach Municipal Marina Renovation Ph IIB	BR-DB-13-105	City of Dania Beach	\$1,000,000	\$2,000,000

**FLORIDA INLAND NAVIGATION DISTRICT
WATERWAYS ASSISTANCE PROGRAM PROJECTS
IN BROWARD COUNTY
1986-2014**

Dania Beach Municipal Marina Renovation Ph IIC	BR-DB-14-	City of Dania Beach	\$617,495	\$1,234,990
Hillsboro Canal Dredging	BR-DB-97-37	Cities Of Boca Raton & Deerfield B	\$500,000	\$720,000
George English Park Boating Enhancements	BR-FL-00-50	City Of Fort Lauderdale	\$350,000	\$700,000
Navigational Dredging Of The North Fork New River	BR-FL-01-53	City Of Fort Lauderdale	\$150,000	\$165,000
Riverwalk North Improvements	BR-FL-01-54	City Of Fort Lauderdale	\$375,000	\$793,500
Riverwalk South - Phase I	BR-FL-01-55	City Of Fort Lauderdale	\$1,000,000	\$2,000,000
Riverwalk At Marshall's Point - Stage I	BR-FL-02-59	City Of Fort Lauderdale	\$951,000	\$1,902,000
Riverwalk At Stranahan House	BR-FL-02-60	City Of Fort Lauderdale	\$398,500	\$797,000
Keeping Waterways Safe For Boating	BR-FL-03-64	City Of Fort Lauderdale	\$155,000	\$310,000
Riverwalk At Stranahan House - Stage I I	BR-FL-03-65	City Of Fort Lauderdale	\$145,000	\$313,400
Riverwalk South Regional Park - Phase I I I	BR-FL-04-70	City Of Fort Lauderdale	\$922,500	\$2,000,000
New River Floating Dockage	BR-FL-05-73	City Of Fort Lauderdale	\$50,000	\$100,000
New River Floating Day Dockage For Small Boats- Phase I	BR-FL-06-76	City Of Fort Lauderdale	\$50,000	\$100,000
Cooley's Landing Boat Launch Replacement	BR-FL-08-82	City Of Fort Lauderdale	\$218,545	\$437,090
S.E. 15th Street Boat Launch & Marine Complex - Phase I	BR-FL-08-83	City Of Fort Lauderdale	\$120,000	\$240,000
New River Floating Dock Day Dockage For Small Boats	BR-FL-09-86	City Of Fort Lauderdale	\$506,560	\$1,013,120
S.E. 15th St. Boat & Marina Complex-ph I I (Withdrawn)	BR-FL-09-87	City Of Fort Lauderdale	\$876,906	\$2,283,156
S.E. 15th Street Boat Ramp & Marine Complex Development	BR-FL-12-97	City Of Fort Lauderdale	\$876,906	\$2,283,156
FLPD Marine Motors Replacement Project	BR-FL-13-106	City Of Fort Lauderdale	\$30,000	\$65,700
FLPD Marine Motors Replacement Project II	BR-FL-14-	City Of Fort Lauderdale	\$30,000	\$89,800
S.W. 7th Avenue Boat Docks	BR-FL-89-4	City Of Ft. Lauderdale	\$150,000	\$540,000
Fire/Rescue Boat	BR-FL-89-5	City Of Fort Lauderdale	\$30,000	\$71,200
Birch/Las Olas Marina Expansion	BR-FL-90-10	City Of Ft. Lauderdale	\$80,000	\$160,000
Cooleys Landing	BR-FL-90-7	City Of Ft. Lauderdale	\$96,800	\$472,652
Waterway Signage	BR-FL-90-9	City Of Fort Lauderdale	\$23,500	\$23,500
Birch/ Las Olas Marine Expansion - Phase I	BR-FL-91-13	City Of Fort Lauderdale	\$94,000	\$188,000
New World Aquarium, Inc. Broward's Env. Edu. Ctr.	BR-FL-91-15	City Of Fort Lauderdale	\$40,000	\$167,300
New World Aquarium (Project Expired)	BR-FL-93-22	City Of Fort Lauderdale	\$25,000	\$250,000
New River Dredging - Phase I	BR-FL-94-24	City Of Fort Lauderdale	\$75,000	\$266,128
Birch/ Las Olas Docking Facility Expansion	BR-FL-94-25	City Of Fort Lauderdale	\$200,000	\$2,000,000
New River Dredging - Phase I I I (Agreement Expired)	BR-FL-95-26	City Of Fort Lauderdale	\$85,000	\$585,000
Las Olas Docking Facility Comfort Station	BR-FL-95-27	City Of Fort Lauderdale	\$375,000	\$1,010,750
Bonnet House Waterways Project (Terminated)	BR-FL-95-28	City Of Fort Lauderdale	\$62,500	\$125,000
S.E. 15th Street Boat Ramp Replacement	BR-FL-96-35	City Of Fort Lauderdale	\$50,000	\$100,000
George English Park Boating Facilities	BR-FL-98-43	City Of Fort Lauderdale	\$245,000	\$490,000
New River Dredging - Phase I I I	BR-FL-98-44	City Of Fort Lauderdale	\$750,000	\$1,000,000
North Fork Of The New River Dredging	BR-FL-99-47	City Of Fort Lauderdale	\$19,440	\$21,600
Waterway Cleaning and Improvement Program	BR-HA-90-8	City Of Hallandale	\$25,000	\$50,000
Marine Patrol Equipment	BR-HA-98-45	City Of Hallandale	\$6,000	\$33,000
Hallandale Beach Public Dockage - Phase I	BR-HB-04-71	City Of Hallandale Beach	\$27,000	\$54,000
Hallandale Beach Public Dockage - Phase I I I	BR-HB-08-84	City Of Hallandale Beach	\$420,495	\$840,990

**FLORIDA INLAND NAVIGATION DISTRICT
WATERWAYS ASSISTANCE PROGRAM PROJECTS
IN BROWARD COUNTY
1986-2014**

Hallandale Beach City Marina	BR-HB-12-98	City Of Hallandale Beach	\$347,040	\$991,543
Hillsboro Inlet Channel Deepening (Cancelled)	BR-HID-93-21	Hillsboro Inlet District	\$20,500	\$1,728,700
Hillsboro Inlet Channel Improvement	BR-HID-99-48	Hillsboro Inlet District	\$927,276	\$3,275,000
Hollywood Marina Seawall Reconstruction - Phase I	BR-HO-01-56	City Of Hollywood	\$272,430	\$1,157,600
Hollywood Marina Seawall Reconstruction - Phase II	BR-HO-02-61	City Of Hollywood	\$306,370	\$612,740
Police Pier Relocation	BR-HO-06-77	City Of Hollywood	\$12,500	\$25,000
North Lake Dredging & Boating Improv. (Withdrawn)	BR-HO-07-79	City Of Hollywood	\$140,000	\$280,000
Hollywood Marina Improvements	BR-HO-1	City Of Hollywood	\$200,000	\$400,000
Waterway Master Plan	BR-HO-12-99	City Of Hollywood	\$75,000	\$150,000
Hollywood Marina Expansion Dredging Project(Rescinded)	BR-HO-93-19	City Of Hollywood Parks & Recreation	\$7,500	\$15,000
Marina Signs	BR-HO-95-31	City Of Hollywood	\$7,300	\$14,600
Intracoastal Waterway Dredging Project	BR-LP-96-34	City Of Lighthouse Point	\$6,440	\$12,880
N.E. 12 Terrace Boat Ramp Canoe & Kayak Launch	BR-OP-10-91	City Of Oakland Park	\$75,000	\$150,000
N.W. 39th Street C-13 Canal & Kayak Launch (Withdrawn)	BR-OP-10-92	City Of Oakland Park	\$175,000	\$350,000
Hillsboro Inlet Marina (Expired)	BR-PB-00-51	City Of Pompano Beach	\$283,000	\$568,400
Hillsboro Inlet Marina Facilities - Phase I	BR-PB-01-57	City Of Pompano Beach	\$19,500	\$78,000
Hillsboro Inlet Marina Facilities - Stage II	BR-PB-02-62	City Of Pompano Beach	\$414,500	\$829,000
Hillsboro Inlet Marina Seawall	BR-PB-10-93	City Of Pompano Beach	\$51,775	\$162,750
Alsodorf Park Improvements - Phase I	BR-PB-12-100	City Of Pompano Beach	\$91,757	\$183,514
Intracoastal Water Taxi Station Ph I	BR-PB-14-	City Of Pompano Beach	\$17,500	\$35,000
Alsodorf Park Improvements - Phase 2	BR-PB-14-	City Of Pompano Beach	\$646,915	\$1,293,831
Alsodorf Park Improvements - Phase 2	BR-PB-98-41	City Of Pompano Beach	\$195,750	\$396,700
North Beach Park - Phase I	BR-PD-88-3	Broward County	\$200,000	\$1,275,000
Harbors Edge Park	BR-PO-87-2	City Of Pompano Beach	\$110,000	\$220,267
Middle River Maintenance Project - Phase I	BR-WM-03-66	City Of Wilton Manors	\$37,500	\$75,000
Middle River Dredging - Phase II	BR-WM-05-74	City Of Wilton Manors	\$213,276	\$426,552
Richardson Estate Park Dock & Facilities	BR-WM-05-75	City Of Wilton Manors	\$123,500	\$265,000
Snook Creek Boat Ramp	BR-WM-07-80	City Of Wilton Manors	\$325,000	\$650,000
Navigation Channel Dredging & Signage - Phase I	BR-WM-94-23	City Of Wilton Manors	\$9,300	\$11,640
Public Navigation Channel Dredging - Phase II	BR-WM-95-30	City Of Wilton Manors	\$57,600	\$107,600
Boca Raton Inlet Navigation Maintenance Program	PB-BR-00-82	City Of Boca Raton	\$100,000	\$200,000
Inflatable Rescue Boat Safety Program	PB-BR-00-83	City Of Boca Raton	\$13,762	\$18,350
Spanish River Police Dockage Facility	PB-BR-02-96	City Of Boca Raton	\$100,000	\$200,000
Boca Raton Fire Rescue Boat	PB-BR-03-104	City Of Boca Raton	\$37,502	\$75,004
Boca Raton Inlet Dredging Equipment	PB-BR-12-160	City Of Boca Raton	\$109,050	\$218,100
Lake Wyman Park Development	PB-BR-88-4	City Of Boca Raton	\$115,800	\$231,600
Boating Safety	PB-BR-96-48	City Of Boca Raton	\$32,000	\$56,573
Inlet Navigation & Sand Transfer Project	PB-BR-97-57	City Of Boca Raton	\$42,200	\$404,487
Waterways Boating Safety Programs And Equipment	PB-BR-98-66	City Of Boca Raton	\$29,994	\$54,994
Boca Raton Inlet Dredging Equipment	PB-BR-98-67	City Of Boca Raton	\$240,000	\$546,000
El Rio Canal Dredging	PB-BR-99-77	City Of Boca Raton	\$23,052	\$92,200
Project Totals			\$23,969,732	\$61,263,761

Assessment of muck movement, discharge water quality and biological impacts at FIND Dredging Site IR-1: Sebastian River to Wabasso Bridge

*Robert J. Weaver, John H. Trefry, Charles R. Bostater Jr., Jonathan Shenker, and Kevin B. Johnson,
Florida Institute of Technology*

Coraggio Maglio, U.S. Army Corps of Engineers

1. Introduction

Researchers at FIT IRLRI working with USACE propose to evaluate the impacts of navigational dredging on muck movement, water quality and local biota. Dredging has historically been viewed as harmful to the surrounding environment. Recently, there has been a move to utilize dredging to help restore an impaired ecosystem, both inland (Lake Apopka) and in coastal waters (IRL). In each case dredging is a component of a larger restoration effort. To help establish the environmental effects of dredging, and to what extent regular navigational maintenance dredging impacts the restoration efforts, our research team proposes to evaluate three inter-related components in relation to the upcoming IR Reach 1 dredging project. These are:

- 1. Muck & Fluidized Mud Movement (Migration) at FIND Dredging Site**
- 2. Biological Impacts of Water Discharge from the IR-2 Placement Area, Wabasso, FL.**
- 3. Removal Efficiency for Fine-Grained Sediment and Nutrients during Dredging and Dewatering**

It is of interest to engineers and scientists alike to better understand the movement of fine grained sediments. Should the dredged site begin to fill in with fine sediments, this may indicate that the deepening of a channel would serve to trap fine sediments and possibly drain fluid muds from the surrounding lagoon floor. The movement of muck from the shallow lagoon floor into deeper cut channels would relieve one of the greatest stresses on the growth of seagrasses in the Lagoon. Knowing that the dredged areas act to collect the sediments, it may be environmentally beneficial to dredge the channel deeper, in order to allow for some infilling while still being able to maintain the design depth for navigation.

Should the fine sediments migrate, there would be a reaction among the biological organisms that inhabit the surrounding lagoon floor. Studying seagrass coverage during the project as well as collecting organisms living in the area around the Discharge from the IR-2 DMMA will allow for a better understanding of the changes (positive or negative) that can be expected at future dredging projects. The initial data will help guide researchers and planners to develop more focused research and to answer fundamental questions and concerns related to such activities.

The water quality of the effluent is one component that will determine the biological response in the area around the IR-2 DMMA discharge. Efficiency can be determined by calculating the residual nutrient and sediment load reentering the lagoon after passing through the DMMA dewatering process. Since the major impediment to water quality in the IRL is eutrophication, the reduction of nutrients in the system is one method for helping to restore the IRL. Due to the high volumes of water pumped during a navigational dredging project, the potential to remove nutrients by passing the slurry through a DMMA could benefit overall water quality in the lagoon.

Though this project is limited in size and scope, the results could prove helpful in developing restoration plans throughout the IRL that are based on dredging fluidized mud. Similar techniques for addressing the 3 main issues listed above are planned to be implemented at some of the future muck dredging locations. With future dredging efforts already in the planning and permitting phase, guidance that our project could provide in the near term would prove useful.

2. Project Description

Each component of the proposed project is detailed in the sections below. The co-PI's outline the

2.2. Assessment of Biological Impacts of Water Discharge

The discharge of high-turbidity water from the IR-2 Dredge Spoil Placement/Dewatering pond into the Indian River Lagoon potentially can result in negative effects from 1) nutrients returned to the lagoon, and 2) the turbidity itself. The nutrients can trigger algae production (phytoplankton, drift macroalgae, and epiphytic algae). All these organisms, and the suspended solids in the discharge, may impact the recovery of the little seagrass remaining in what used to be a lush seagrass habitat. Given the plans to expand the dredging along much of the IRL, and the widespread development of similar dredge spoil placement areas, the need for discharge water impact assessment is strong; this will be bracketed with the long-term collection of ambient and episodic conditions. If direct discharge has a significant detrimental impact, the use of wetlands as filter marshes as a best management practices may be appropriate for future upcoming restoration dredging projects.

We propose to evaluate the impact of water discharge from the IR-2 dewatering pond on seagrasses in the Lagoon and on the juvenile fish production in the region. This effort builds upon similar seagrass/fish surveys planned for the Brevard County/FIT program studying the impact of muck dredging in the Sykes Creek region of the Lagoon. It includes an expansion of a planned graduate student study of seagrass/fish dynamics just across the IRL in the Pelican Island National Wildlife Refuge.

Objectives:

- Compare seagrass distributions near the pond discharge site before and after dredging. The time frame should include the period of maximum water discharge.
- Compare seine surveys of juvenile fishes in seagrass and sand substrate habitats near the pond discharge site before and after dredging.

Methods:

- Seagrass surveys will be conducted using traditional transect and quadrat methods, enhanced with high-resolution aerial surveys with a DJI Phantom 2 Vision+ drone.
- Fish surveys will be conducted using standardized seine techniques as designed by the Florida Fish and Wildlife Conservation Commission.
- Plume mapping will be conducted with a tethered blimp/camera system, the DJI drone, and coupled with ground-truth surveys

2.3. Removal Efficiency for Fine-Grained Sediment and Nutrients

Large-scale, environmental dredging of muck is being considered as a long-term solution to habitat and algal bloom issues in the Indian River Lagoon (IRL), Florida. Initial dredging efforts are planned for 2015. Among the concerns related to these dredging activities in the IRL is the chance that nutrients and fine-grained sediment are released back into the lagoon during dredging and dewatering. The proposed study will use an upcoming opportunity, dredging of Reach 1 in the IRL near Sebastian, to evaluate the efficiency of the dredging and dewatering processes. The muck component of the dredged material often contains >50% clay (<2 μm diameter particles) and >90% water by volume (Trefry et al., 1990). Furthermore, the interstitial water in the muck typically contains >100 times higher concentrations of dissolved nitrogen and phosphorus than the overlying lagoon water (Gu et al., 1987). The proposed study will seek to answer the following question: Are fine-grained sediments and dissolved nutrients returned to the lagoon during dewatering and reintroduction of excess water from the Dredge Material Management Area (DMMA)? How many cubic yards of fine grained sediment is retained within the DMMA versus material returned to the lagoon?

Proposed Study

Samples of water and suspended particles will be collected in triplicate during four occasions at the following locations along the Reach 1 dredge site: (1) in the IRL near active dredging operations, (2) at the upstream inflow to the DMMA, and (3) in the return outfall to the IRL from the DMMA. Water will be filtered within a few hours of collection through 0.4 μm filters and analyzed for the following parameters: salinity, pH, dissolved O₂, total suspended solids, particle size, dissolved phosphate,

dissolved ammonia and nitrate-nitrite, dissolved organic carbon, dissolved iron, manganese, sulfate and sulfide, as well particulate Al, Si, Fe, organic carbon, nitrogen and phosphorus. We also will analyze 8-10 samples of the high-water content solids from the DMMA to determine concentrations of the dissolved and particulate parameters listed above plus sulfur. These data will be used to evaluate the overall efficiency of the dewatering and water discharge processes at the DMMA by comparing data for the IRL, the inflow to the DMMA and the outflow from the DMMA. A project report with data and graphics in support of the research question will be provided within 6 months after completion of sampling.

References

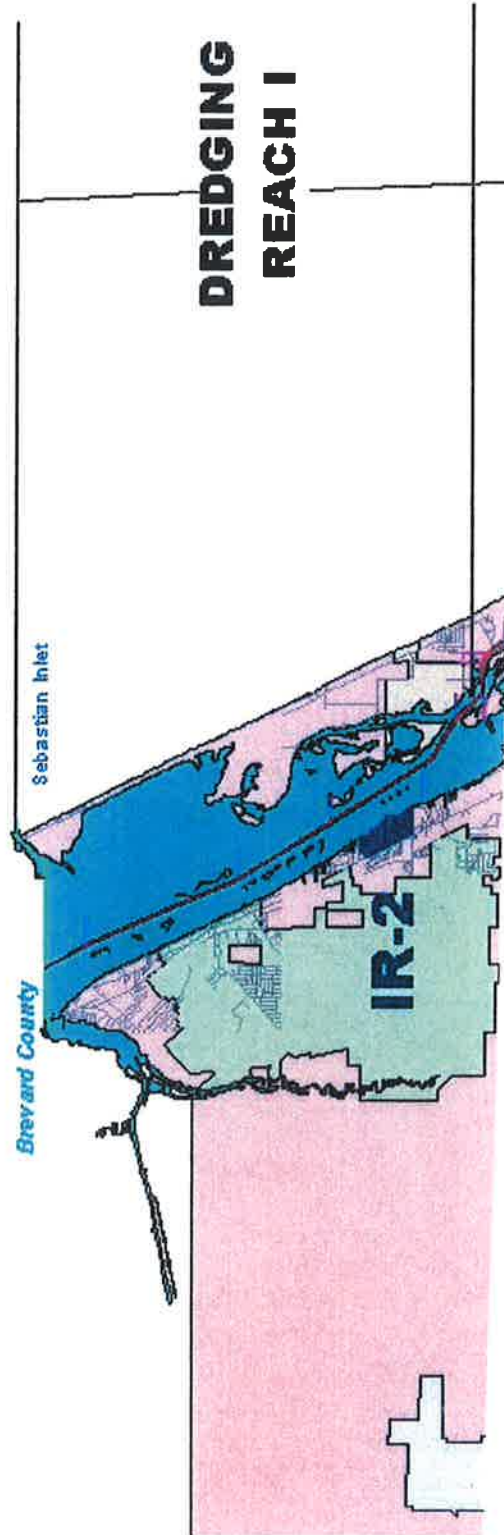
- Gu, D., Iricanin, N., Trefry, J.H. 1987. The geochemistry of interstitial water for a sediment core from the Indian River Lagoon, Florida. *Florida Scientist*. 50, 99-110.
- Trefry, J.H., Metz, S., Trocine, R.P., Iricanin, N., Burnside, D., Chen, N., Webb, B. 1990. Design and operation of a muck sediment survey. Special Report to the St. Johns River Water Management District. Palatka, FL. SJ90-SP3.

3. Budget

Total Projected Cost:	\$152,727
Requested from FIND:	\$ 69,427
FIT Match:	\$ 68,300
USACE Match:	\$ 15,000

This collaborative project between FIND, FIT and USACE will investigate the impacts of navigation dredging on the sediment, nutrient and biological characteristics of the IRL. Total cost of the proposed study is \$152,727 and includes \$83,300 in matching funds [i.e., \$69,427 from FIND, \$68,300 from FIT and \$15,000 from the USACE]. Costs include supplies, equipment, sampling, analysis, data interpretation and preparation of a final report. Funds requested from FIND will support PI and graduate student time (\$42,371 with fringe and indirect cost and tuition support), \$27,054 for equipment and supplies, as well as funds to cover travel to and from study site. Cost-sharing by FIT includes PI and graduate student time (\$44,620 with fringe and indirect cost), student tuition (\$7,380), plus matching funds of \$16,300 toward purchase of a new Leco C, N, S (carbon, nitrogen, sulfur) analyzer (total cost of the analyzer is \$79,000; remaining funds have been pooled from other projects and additional support from FIT) and the acquisition of a blimp/camera as well as one of the two DJI Phantom 2 Vision+ drones proposed to be used for the seagrass monitoring.

**INTRACOASTAL WATERWAY
DREDGING REACHES AND
DREDGED MATERIAL MANAGEMENT AREAS
IN INDIAN RIVER COUNTY**





Updated Project Schedule

Delivering Leading-Edge Solutions

The table below details the estimated project schedule for the FIND Intracoastal Waterway Deepening project in Broward County. The proposed schedule corresponds to the activities (Tasks 1 – 7), outlined in the scope of services. Following the successful contracting of the project, the FIND will contract Taylor Engineering, under a separate scope of services, for *Construction Administration and Certification* of this project (detailed below).

Task	Project Site Investigations, Permit Modifications, Final Dredging Design, Preparation of Project Bid Documents, and Project Bidding	Milestone
	Activity	
1	Permitting Support Services (as required) <i>FDEP mod request submitted 07/21/2014. Received 08/22/2014. USACE mod request submitted 07/21/2014. Pending.</i>	10/21/2014
2	Port Everglades Lease Agreement Services <i>Alternate Access Road Permitting and Design (NOTE: Bid Addendum required). Port Everglades Access Road (NOTE: Pending outcome of alternate access road).</i>	01/01/2015 XX/XX/XXXX
3.1	Field Investigation (Utility Line Survey) <i>Draft received 06/25/2014. Final Expected 10/01/2014. Crossings identified 09/15/2014 (FPL Crossing No. 3 must be relocated by SEP 2015; FDOT Cable Crossing at Las Olas must be relocated by JAN 2016; FPL Crossing No. 6B must be relocated by SEP 2016).</i>	11/01/2014 (Utility coordination and relocation ongoing through SEP 2016)
3.2	Field Investigation (Bathymetric Survey) <i>Draft received 07/11/2014. Final Expected 10/01/2014.</i>	10/01/2014
3.3	Field Investigation (Submerged Aquatic Resources Survey) <i>Shapefiles received 09/25/2014. Draft Report Expected 10/03/2014. Final Report Expected 10/15/2014.</i>	10/15/2014
3.4	Field Investigation (Seismic Reflection Evaluation) <i>Draft received 09/22/2014. Final Report Expected 10/22/2014.</i>	10/22/2014
4	Agency Coordination: FDOT (Bridge Dredging Buffer & Utilities Relocation) & USCG (Traffic Plan & Post-Dredging Aid to Mariners Plan) <i>Meeting scheduled 09/25/2014. Finalize documentation by 10/27/2014.</i>	10/27/2014
5	Plans and Specifications <i>Draft Plans 10/10/2014. Revised Draft 10/24/2014. Final Plans 11/24/2014. Draft Specifications 10/10/2014. Revised Draft 10/24/2014. Final Specifications 11/24/2014.</i>	11/24/2014
6	Pre-Solicitation Meeting <i>Submit draft package to potential bidders 10/24/2014. Comments, questions due 11/14/2014.</i>	11/14/2014
7	Project Bid Assistance <i>Advertise 12/08/2014. Open Bids 01/22/2015. Evaluate Bids 01/30/2015. Contract Award. 02/21/2015 (FIND BOD Mtg)</i>	02/21/2015
Task	Construction Administration and Certification	Milestone Dates
	Activity	
1	Pre-Construction Conference (1 day)	March 3, 2015
2	Commence Construction <i>NTP 03/16/2015</i>	April 15, 2015
3	Construction Compete (22 months)	February 15, 2017

January 8, 2014

SUMMARY OF THE DEEPENING PROJECT FOR THE INTRACOASTAL WATERWAY IN BROWARD COUNTY, FLORIDA

(USACE FILE NO. SAJ-2009-03523 (SP-SLR), FDEP FILE NO. 06-0283683-006, & BROWARD CO. FILE NO. DF10-1018)

ISSUE: Existing permitted depths in the Intracoastal Waterway ICWW, part of the federally authorized channel, are currently -10 feet (ft) Mean Low Water (MLW). The proposed 2.72-mile project presently requests deepening the channel to -15 ft MLW (with an allowable -2 ft overdredge to achieve and maintain project depth) and temporary placement of the dredged material in 6.6-acre dredged material management area (DMMA) on Port Everglades property. After nearly 4 years of permitting efforts, three issues remain: (1) the Broward County Environmental Protection and Growth Management Department asserted that the contingency mitigation plan approved by Florida Department of Environmental Protection (FDEP) is not sufficient to meet the Broward County regulatory agency standards; (2) Broward County has raised the question whether Deerfield Island, owned by FIND and leased to the County, can be used for mitigation, if required; and (3) Port Everglades must extend its lease for temporary use of the Dredged Material Disposal Area.

BACKGROUND & JUSTIFICATION: The proposed project need originates from an increased number of larger vessels that require a deeper channel for safe navigation and the location of facilities within the project template that service these vessels (Las Olas Marina, Swimming Hall of Fame, and Bahia Mar, etc.). Based on an April 2011 economic analysis of local city, county, and industry groups, implementation of the currently proposed deepening project would result in significant annual benefits of: \$7.3 million for servicing 160 – 180 ft Loa (length overall) vessels that draft in excess of 10 ft, \$73.7 million for vessels up to 180 – 240 ft Loa vessels that draft in excess of 12 ft, and \$185.3 million for vessels up to 240 – 280 ft Loa vessels that draft in excess of 14 ft.

The project begins at the 17th Causeway Bridge over the ICWW just north of the Port Everglades Northport Garage and Convention Center northward to a point about 4,000 ft north of the Las Olas Boulevard (State Road 842) Bridge. Based on vessel design drafts, projected future growth, and industry trends described in the 2011 analysis, and to capture the full economic benefit associated with these vessels, engineering guidelines recommended a channel depth between -17 ft and -20 ft MLW.

AVOIDANCE & MINIMIZATION OF ENVIRONMENTAL IMPACTS: The original submerged natural resources survey and dredging template identified 1.83 acres of environmental resources within the project. Due to FIND's commitment to minimize (and in this case, completely avoid) environmental resource impacts (seagrass), FIND reduced the average bottom width of the channel to 110 ft (Figure 1). The dredge template — that provides for a 2:1 side slope, requires a minimum 10-ft buffer from identified seagrasses, and results in the removal of approximately 283,000 cy³ — reflects a compromise between navigational requirements and impacts to existing natural resources.

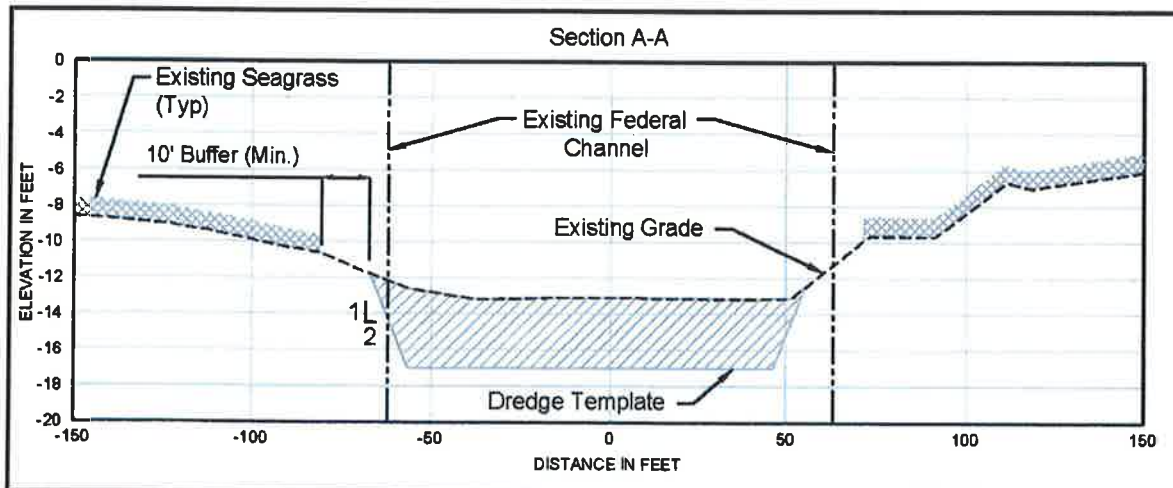


Figure 1. ICWW typical dredging template cross section



October 3, 2014

Mr. Mark Crosley
Executive Director
Florida Inland Navigation District (FIND)
1314 Marcinski Road
Jupiter, FL 33477

RE: Scope of Professional Engineering Services
Alternative Trucking Route Design and Permitting — Intracoastal Waterway Deepening Project,
Broward County, Florida

Mr. Crosley:

Per your request, Taylor Engineering has prepared the attached Scope of Services (Attachment A) and Cost Proposal (Attachment B) for additional design and permitting services related to the proposed alternative trucking route. These services — building on the previous feasibility assessment that we completed in July 2014 — include pre-application meetings with environmental regulatory staff, geotechnical data collection and analysis along the land bridge that connects the Port to the haul road, and development of final construction drawings and specifications. Depending on the results of the pre-application meetings, this project may or may not require environmental permitting. We have included the fees associated with permitting activities; however, if this project does not require permitting, Taylor Engineering will only charge for the actual work required to determine that permitting is not required.

Taylor Engineering will complete the work described herein for a cost-plus not-to-exceed fee of \$49,668.25 (Attachment B). Of this cost, Taylor Engineering's labor equals \$30,563.25. This labor cost includes fees of \$21,107.75 related to environmental coordination and permitting efforts (Tasks 1 & 4) and \$9,455.50 related to engineering analysis and construction document production (Tasks 2 & 3).

The total fee also includes the work of two subconsultants. Kimberley Ann Brown and Associates, Inc. fee (\$13,950.00) covers work to coordinate with the environmental regulatory agencies to establish acceptable permitting requirements for the temporary haul road (Attachment C). Dunkelberger Engineering & Testing, Inc. fee (\$5,155.00) provides for collect geotechnical data over the existing land bridge (Attachment D).

Taylor Engineering appreciates this opportunity to serve FIND. Please contact me if you have questions or comments.

Sincerely,

John Adams, P.E.

Senior Advisor, Waterfront Engineering

Attachments (4)

**FLORIDA INLAND NAVIGATION DISTRICT
ALTERNATIVE TRUCKING ROUTE DESIGN AND PERMITTING — INTRACOASTAL
WATERWAY DEEPENING PROJECT, BROWARD COUNTY, FLORIDA**

INTRODUCTION

This scope of services describes Taylor Engineering's additional design and permitting services in support of a proposed project to deepen a portion of the Intracoastal Waterway (ICWW) in Broward County, Florida. In this scope of work, Taylor Engineering will provide environmental permitting services and will develop final construction specifications and construction drawings for an alternative trucking route that connects the Port Everglades Dredged Material Management Area (DMMA) to Taylor Road/NE 7th Avenue through land owned by Florida Power and Light (FP&L) and Broward County.

We have based our scope of services and cost proposal on the following assumptions:

1. Site access for our subconsultants will require minimal coordination (less than 2 hours) with third parties (e.g. Port Everglades, Broward County, FP&L, etc.).
2. Taylor Engineering staff will participate in one on-site walkthrough with the environmental fieldwork consultant and environmental regulatory personnel.
3. Meetings with the environmental regulatory personnel will ascertain the need for environmental permitting with the U.S. Army Corps of Engineers (USACE), Florida Department of Environmental Protection (FDEP), and Broward County. Based on this assumption, the Scope of Services includes development of permit applications for USACE/FDEP environmental resource permits and Broward County environmental license. This effort will include development of permit drawings of the proposed alternative trucking route (plan view and typical cross-sections), development of impact and mitigation calculations and a mitigation plan (via the Unified Mitigation Assessment Method, [UMAM]) for those impacts, and up to one request for additional information (RAI) from each agency. If the meetings determine that this project does not require permitting as assumed, Taylor Engineering will notify FIND and cease work on all permitting task components that are not required.
4. The project will not require stormwater management structures.
5. The wetland delineation report and related shapefiles produced by Kimberley A. Brown and Associates (KABA) Inc. is sufficiently accurate for permit application, impact, and mitigation purposes.
6. The survey by Keith & Associates, Inc. is sufficient for permit application, impact and mitigation purposes.
7. The Taylor Engineering team will investigate the Conservation Easement associated with part of the proposed roadway. We assume that the investigation and subsequent discussions with

ATTACHMENT A

Broward County will not identify any conflicts that would disallow the existing conceptual design.

If any of these assumptions are incorrect, the Taylor Engineering Project Manager will notify the FIND and provide any necessary task and cost changes for FIND review.

SCOPE OF WORK

Task 1. Environmental Permitting Support Services

Because the project will impact about 0.007 acre (305 sf) of black mangrove seedlings and pneumatophores (part of the black mangrove root system) and may involve some temporary alteration of stormwater flows, our local environmental subconsultant, Kimberley Ann Brown and Associates, Inc. (KABA) will assist Taylor Engineering with permit application coordination with USACE, FDEP and Broward County environmental regulatory personnel. KABA and Taylor Engineering personnel will participate in a pre-application meeting and site walkthrough with environmental regulatory personnel. Because this type of project is temporary and does not fall under typical well-established engineering and environmental regulatory requirements, this meeting will help determine the position each agency would take towards permitting requirements for proposed wetland impacts and changes in stormwater flows during the project. In addition, the site visit will provide the opportunity to discuss potential on-site mitigation for any impacts deemed by the agencies to require mitigation.

Taylor Engineering will prepare any required permit application packages. Taylor Engineering will modify construction drawings and related specifications (developed in Task 3) to fit on 8.5-inch x 11-inch paper (as required by agencies) for use in permit application development. Our subcontractor — KABA — will prepare impact and mitigation UMAM calculations and resolve any UMAM issues with the regulatory agencies based on their site visit. Taylor Engineering will develop mitigation plans, drawings, and specifications using the KABA UMAM calculations as one input. Taylor Engineering and KABA will teleconference as necessary concerning proposed and final mitigation alternatives and UMAM scoring.

Task 2. Geotechnical Engineering and Culvert Analysis

As recommended in our July 2014 letter report, Dunkelberger Engineering & Testing, Inc. (Dunkelberger) will collect three standard penetration test borings to a depth of 25 feet below the ground surface along the land bridge area. Dunkelberger will provide a geotechnical engineering report that will describe the soil and groundwater conditions (specific to the land bridge area) and will make recommendations for roadway improvements in this area. With this information, Taylor Engineering will analyze the stresses potentially induced by the anticipated truck traffic and transmitted to the existing culvert pipes. We will incorporate these findings and engineering design requirements into the final construction documents.

ATTACHMENT A

Task 3. Construction Drawings and Technical Specifications

Taylor Engineering will prepare construction drawings and technical specifications for the haul road as part of the overall ICWW deepening bid package. Taylor Engineering will also prepare any necessary mitigation plan drawings and specifications, if required.

Task 4. Request for Additional Information Responses (not-to-exceed cost)

Taylor Engineering will prepare answers for up to one request for additional information (RAI) from each agency. We have included this task as a not-to-exceed cost because of the uncertainty of the Broward County response to the permit application and the level of effort to complete permit application review with that organization. If the level of effort required for this task exceeds the limit set by this scope of work, we will discuss with FIND and request an appropriate additional authorization prior to initiating any additional work.

DELIVERABLES

Taylor Engineering will develop and submit all required permit application packages to the appropriate agencies, provide RAI responses, and coordinate with and between the agencies and FIND during the review period.

Taylor Engineering will submit the construction drawings and technical specifications to FIND as part of the overall ICWW deepening bid package. In the event that the ICWW deepening project goes to bid before completion of the haul road design, we will issue these deliverables as part of a project addendum.

SCHEDULE

Taylor Engineering's work on this project will begin immediately on receipt of the FIND's Notice to Proceed (NTP). If this project does not require environmental permitting, Taylor Engineering expects to complete the scope of work within two months of the NTP. However, if the meetings with the environmental regulatory agencies indicate the need for environmental permitting, Taylor Engineering anticipates that the scope will require approximately 3 to 6 months to complete.

TAYLOR ENGINEERING, INC.
COST SUMMARY BY TASK
P2014-138: FIND: Port Everglades Alternative Hauling Route Investigation

TASK 1: Permitting Support Services

<i>Labor</i>	Hours	Cost	Task Totals
Senior Advisor	3	555	
Director	7.5	1,162.50	
Senior Professional	46	6,210.00	
Project Professional	30	3,150.00	
Senior Technical Support	24	2,472.00	
Administrative	5	260	
<hr/>			
Total Man-Hours	115.5		
Labor Cost			13,809.50
<i>Non-Labor</i>	Units	Cost	
KABA SOW	1	13,950.00	
Mileage	650	357.5	
Hotel for 1 night	1	100	
<hr/>			
Non-Labor Cost		14,407.50	
Fee @ 10%		1440.75	
<hr/>			
<i>Total Task 1</i>			29,657.75

ATTACHMENT B

TASK 2: Geotechnical Engineering and Culvert Analysis

<i>Labor</i>	Hours	Cost	Task Totals
Senior Advisor	1	185	
Senior Professional	5	675	
Project Professional	30	3,150.00	
Total Man-Hours	36		
Labor Cost			4,010.00
<i>Non-Labor</i>	Units	Cost	
Terracon SOW	1	5,155.00	
Non-Labor Cost		5,155.00	
Fee @ 10%		515.5	
Total Task 2			9,680.50

TASK 3: Construction Drawings and Specifications

<i>Labor</i>	Hours	Cost	Task Totals
Senior Professional	2	270	
Project Professional	12	1,260.00	
Senior Technical Support	32	3,296.00	
Administrative	2	104	
Total Man-Hours	48		
Labor Cost			4,930.00
Total Task 3			4,930.00

TASK 4: RAI Responses (Not-to-Exceed Cost)

<i>Labor</i>	Hours	Cost	Task Totals
Senior Professional	40	5,400.00	
Total Man-Hours	40		
Labor Cost			5,400.00
Total Task 4			5,400.00

Project Total \$49,668.25

**FLORIDA INLAND NAVIGATION DISTRICT
ALTERNATIVE TRUCKING ROUTE DESIGN AND PERMITTING — INTRACOASTAL
WATERWAY DEEPENING PROJECT, BROWARD COUNTY, FLORIDA**

**ATTACHMENT C
KIMBERLY ANN BROWN AND ASSOCIATES, INC.
SCOPE OF WORK AND COST PROPOSAL**



Environmental Engineers and Consulting 2841
 North Ocean Boulevard, Suite 905 Fort Lauderdale,
 Florida 33308
 Telephone: 954-567-3497 Facsimile: 954-567-2549
 e-mail: kabainc@bellsouth.net
www.kabainc.com

October 2, 2014

Mr. Joe Wagner, P. E.
 Taylor Engineering, Inc.
 10151 Deerwood Park Boulevard
 Building 300, Suite 300
 Jacksonville, FL 32256

RE: Proposal—
 Broward County ICWW Deepening-Alternative Road Access
 Wetland Permitting Consultation Services

Dear Joe:

As requested, the following represents KABA's proposal for professional services pertaining to the above project. It is understood that permitting will be required by Broward County, FDEP, and ACOE and that Taylor Engineering plans to prepare the permit applications and answer any request for additional information that may arise.

KABA's services below will include evaluation of wetland impacts of various road access construction alternatives in coordination with Taylor Engineering and Broward County to identify an acceptable and permissible methodology to install and maintain a temporary access roadway. This lump sum fee includes the tasks below deemed necessary to move this project through the pre-application phase with Broward County.

KABA will develop and provide Taylor Engineering Uniform Mitigation Assessment Method (UMAM) impact and mitigation calculations and completed UMAM forms for submission as part of the impact and mitigation component of permit application packages. KABA will consult with the regulatory agencies and Taylor Engineering concerning UMAM scoring and support resolution of final UMAM scores. Taylor Engineering will teleconference with KABA concerning Taylor Engineering's identified mitigation options and subsequent KABA scoring for the selected mitigation option.

The scope of the services includes the following:

- | | |
|--------|--|
| Task 1 | Teleconference and Initial Consultation |
| Task 2 | Preliminary Investigation of Broward County West Lake Park Conservation Easement Restrictions. |
| Task 3 | Pre-application Meeting Preparation Based on Client Acceptable Design |

Wagner, Joe
Page 2
October 2, 2014

- Task 4 Pre-application Meeting with Broward County EPGMD, FDEP, and ACOE as necessary to identify their concerns and/or permitting requirements.
- Task 5 Field meeting coordinated with Broward County, FDEP, and ACOE and site visits with FDEP and ACOE as necessary.
- Task 6 Evaluation of Significant Design Modifications based on Broward County Easement Restrictions (Contingent on Pre-application Meeting with Broward County and their requirements)
- Task 7 UMAM forms shall be prepared and presented to Taylor Engineering for submittal with the permit applications.
- Task 8 Post-meeting Summary Reporting and Recommendations

KABA's fee for the above Tasks 1 through 5, Task 7, and Task 8 is Twelve thousand seven hundred fifty dollars (\$12,750). In the event Task 6 is necessary, the additional fee to complete Task 6 is One thousand twelve hundred dollars (\$1,200).

KABA welcomes the opportunity of working with you on this project. Of course, should you have any questions, please do not hesitate to call.

Respectfully,

KIMBERLY ANN BROWN and ASSOCIATES, INC.



Kimberly A. Brown, P.E. President

KAB:dcs

Accepted for: Taylor Engineering, Inc.

By:

Signature

Title Date

**FLORIDA INLAND NAVIGATION DISTRICT
ALTERNATIVE TRUCKING ROUTE DESIGN AND PERMITTING — INTRACOASTAL
WATERWAY DEEPENING PROJECT, BROWARD COUNTY, FLORIDA**

**ATTACHMENT D
DUNKELBERGER ENGINEERING & TESTING, INC.
SCOPE OF WORK AND COST PROPOSAL**

DUNKELBERGER

engineering & testing, inc.

A Terracon COMPANY

August 1, 2014

Taylor Engineering, Inc.
10151 Deerwood Park Blvd
Bldg. 300, Suite
Jacksonville, FL 32256

Attn: Mr. Robert DiRienzo
(904) 256-1370
RDiRienzo@Taylorengeering.com

Re: Proposal for Geotechnical Engineering Services
DMMA Haul Road
Broward County, FL
Terracon Proposal No. PHB140138

Dear Mr. DiRienzo:

We appreciate the opportunity to provide geotechnical engineering services for the above referenced project. This document provides our understanding of the project, our planned work scope and associated fees, and our terms and conditions associated with the performance of this work.

1.0 PROJECT INFORMATION

1.1 Site Location

ITEM	DESCRIPTION
Location	Haul road begins at the intersection of Taylor Rd. and NE 7 th St. in Dania Beach, FL. A land bridge connects the haul road to the southwest corner of the Port Everglades facility. GPS Lat/Long Coordinates (land bridge): 26.063384° / -80.128152°
Existing improvements	Existing haul road is comprised of compacted sand/gravel. Land bridge was previously a cleared compacted sand road, but has since been overgrown with vegetation. The land bridge also crosses a small canal where there are two sets of culverts allowing flow underneath the bridge.
Current ground cover	The land bridge is covered with Australian Pine trees, and other light vegetation.
Existing topography	Relatively level with an elevation of approximately +5.0 feet (NGVD)

Terracon Consultants, Inc. 607 NW Commodity Cove Port St. Lucie, Florida
P [772] 343 9787 F [772] 343 9404 terracon.com

Environmental



Facilities



Geotechnical



Materials

Proposal for Geotechnical Engineering Services
DMMA Haul Road ■ Broward County, Florida
August 1, 2014 ■ Terracon Proposal No. PHB140138

DUNKELBERGER
engineering & testing, inc.
A Terracon COMPANY

1.2 Project Description

It is our understanding that there is a 400-foot section of an existing land bridge that will be used as part of a haul road for transportation of dredged material from a nearby Dredged Material Management Area (DMMA). The surface of the land bridge will remain at its current elevation, however, timber mats are proposed to be placed across the land bridge. It is requested that the subsurface conditions of the existing land bridge be evaluated from a geotechnical perspective prior to its use and also to provide recommendations for improving the existing road bed to support the anticipated truck traffic.

2.0 SCOPE OF SERVICES

The project will consist of field exploration and laboratory testing under the guidance of a geotechnical engineer to characterize the subsurface conditions. The following sections provide an overview of the work scope for each of these aspects of the project.

2.1 Field Exploration

Our field exploration work includes the drilling and sampling of exploratory soil borings. We propose to drill a total of three (3) Standard Penetration Test (SPT) borings to a depth of 25 feet bls. The borings will be located in drill rig accessible areas along the land bridge. A minimal amount of clearing will be required to gain access to the boring locations for our equipment. It is noted that the land bridge is relatively level at an elevation of approximately +5.0 feet (NGVD). The borings will be positioned away from the existing culvert locations.

The soil sampling will include split-barrel samples (ASTM D1586). Soil samples will be obtained at 2-foot intervals in the upper 10 feet of each boring and at 5-foot intervals for the remaining depths of the borings. Subsurface conditions may be encountered which merit alterations of the boring and sampling program. Once the samples have been collected and classified in the field, they will be placed in appropriate sample containers for transport to our laboratory. All borings will be backfilled after their completion with cement-bentonite grout.

2.1.1 Site Access

Based upon our communications with Taylor Engineering and review of site photographs, we expect that the site is accessible to our truck-mounted drilling equipment with a minimal amount of site clearing. Permission from the land owner to perform the clearing will be the responsibility of others. By acceptance of this proposal without information to the contrary, we consider that you have provided access to our exploration equipment for the conduct of our work consistent with the agreed work scope.

Proposal for Geotechnical Engineering Services
 DMMA Haul Road ■ Broward County, Florida
 August 1, 2014 ■ Terracon Proposal No. PHB140138

DUNKELBERGER
engineering & testing, inc.
 A Terracon COMPANY

2.2 Laboratory Testing

Representative soil samples will be tested in our laboratory to determine pertinent engineering characteristics. Testing will include visual classification, moisture content, grain size analysis, and Limerock Bearing Ratio (LBR).

2.3 Geotechnical Engineering Analysis and Report

The results of our field and laboratory programs will be evaluated by a professional geotechnical engineer. Based on the results of our evaluation, an engineering report will be prepared that details the results of the testing performed, provides logs of the borings, and a diagram of the site/boring layout. The report will include the following:

1. Soil boring logs with field and laboratory data, soil stratification based on visual soil classification
2. Groundwater levels observed during drilling
3. Site and Boring location plans
4. Subsurface exploration procedures
5. Encountered soil and bedrock conditions
6. Road bed improvement (unpaved section) recommendation for given truck traffic conditions

3.0 SCHEDULE

We can begin the field program within one week of receiving the notice to proceed. The clearing and drilling is expected to take approximately two days. Soil classification, laboratory testing, subsurface evaluation, and report preparation will require approximately two weeks after completion of drilling, amounting to an overall schedule of about 3 weeks.

4.0 COMPENSATION

For the scope of geotechnical services outlined in this proposal that includes drilling, laboratory testing, and an engineering report, the not-to-exceed budget would be **\$5,155**. Unless instructed otherwise, the invoice will be sent to the addressee of this proposal.

Should it be necessary to expand our services beyond those outlined in this proposal, we will notify you, then send a supplemental proposal stating the additional services and fee. We will not proceed without your authorization, as evidenced by your signature on the Supplement Agreement form.

Proposal for Geotechnical Engineering Services
DMMA Haul Road ■ Broward County, Florida
August 1, 2014 ■ Terracon Proposal No. PHB140138

DUNKELBERGER
engineering & testing, inc.
A Terracon COMPANY

5.0 AUTHORIZATION

We appreciate the opportunity of submitting this proposal, and are available to discuss the details with you. You may contact us at 772-343-9787, or via email at bmlanglois@terracon.com. To authorize us to proceed with the proposed services please indicate by signing and returning one executed copy of the attached Agreement for Services to us. Acceptance of our proposal will be considered permission by the owner for our entry onto the site.

We appreciate the opportunity to provide this proposal and look forward to the opportunity of working with you.

Sincerely,
Terracon Consultants, Inc.

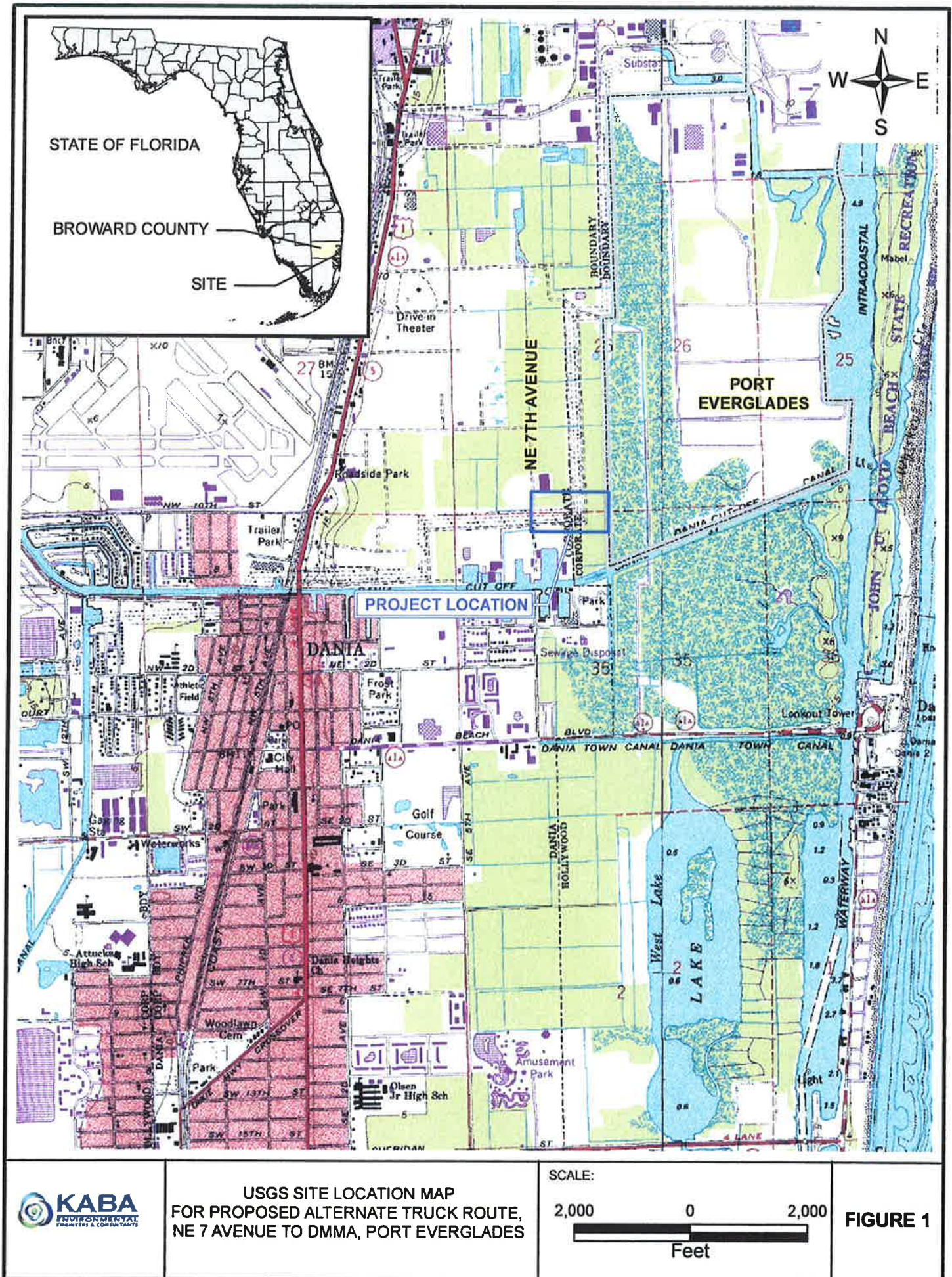
Brent M. Langlois, E.I.
Project Geotechnical Engineer

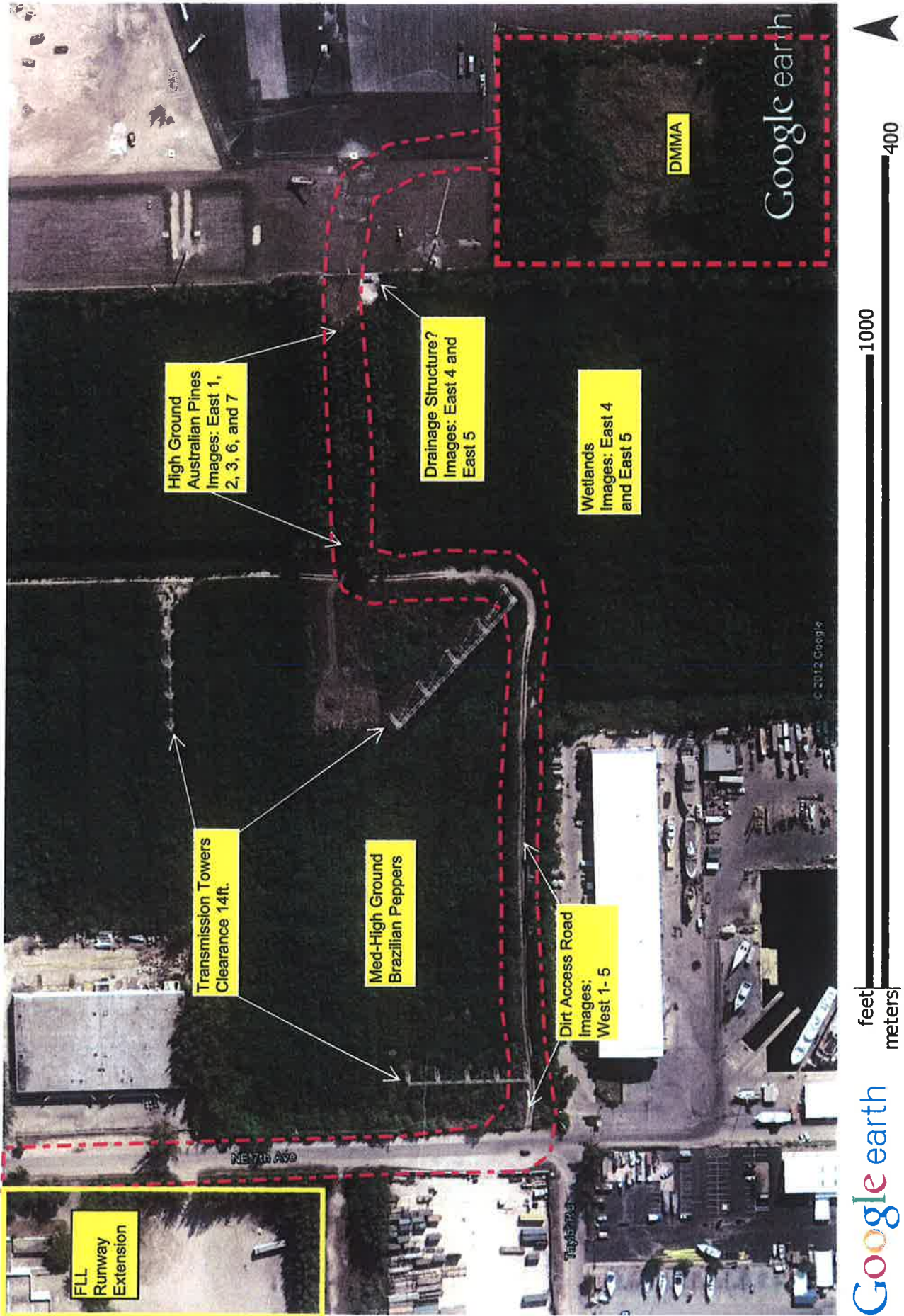
Douglas S. Dunkelberger, P.E.
Principal

Attachments: Scope and Fee Breakdown
Agreement for Services

**SCOPE AND FEE BREAKDOWN
DMMA HAUL ROAD
BROWARD COUNTY, FLORIDA
Proposal No. PHB140138**

ITEM DESCRIPTION	UNITS	NUMBER OF UNITS	STANDARD UNIT RATE	FEE
I. PROJECT START-UP & MOBILIZATION				
A. Site Recon, Stake Borings and Utility Clearance				
1. Senior Engineering Technician	hour	16	\$ 75.00	\$ 1,200.00
B. Drill Rig Mobilization				
1. Truck mounted mini-rig	each	1	\$ 350.00	\$ 350.00
SUBTOTAL - PROJECT START UP & MOBILIZATION:				\$ 1,550.00
II. FIELD WORK				
A. SPT Borings (3 @ 25' deep)				
1. 0 to 50 feet deep	foot	75	\$ 13.00	\$ 975.00
B. Piezometers (3 @ 5' deep and 3 @ 15' deep)	foot	0	\$ 18.00	\$ -
C. Grout Seal Boreholes	foot	75	\$ 4.00	\$ 300.00
D. Casing Installation				
1. 0 to 50 feet deep	foot	0	\$ 5.00	\$ -
E. Hand Auger Borings	foot	0	\$ 9.00	\$ -
SUBTOTAL - FIELD WORK				\$ 1,275.00
III. LABORATORY WORK				
A. Visual Engineering Classification				
1. Staff Engineer	hours	2	\$ 85.00	\$ 170.00
B. Moisture Content Test	each	8	\$ 10.00	\$ 80.00
C. Organic Content Test	each	2	\$ 35.00	\$ 70.00
D. Sieve Analysis Test	each	2	\$ 65.00	\$ 130.00
E. Limerock Bearing Ratio (LBR)	each	2	\$ 300.00	\$ 600.00
SUBTOTAL - LABORATORY WORK				\$ 1,050.00
IV. GEOTECHNICAL ENGINEERING & REPORT PREPARATION				
A. Senior Geotechnical Engineer	hours	2	\$ 160.00	\$ 320.00
B. Geotechnical Engineer	hours	6	\$ 120.00	\$ 720.00
C. CADD Drafting	hours	2	\$ 70.00	\$ 140.00
D. Word Processing and Clerical	hours	2	\$ 50.00	\$ 100.00
SUBTOTAL - GEOTECHNICAL ENGINEERING & REPORT PREPARATION				\$ 1,280.00
ESTIMATED TOTAL:				\$ 5,155.00
SAY, NOT-TO-EXCEED FEE OF: \$5,155.00				





FLORIDA INLAND NAVIGATION DISTRICT



TO: All FIND Commissioners, Executive Director

FROM: Janet Zimmerman, Assistant Executive Director

DATE: October 6, 2014

SUBJECT: MSA-726, Exchange Club Park, Pompano Beach, FL

COMMISSIONERS

E. TYLER CHAPPELL
CHAIR
BROWARD COUNTY

J. CARL BLOW
VICE-CHAIR
ST. JOHNS COUNTY

DONALD J. CUOZZO
TREASURER
MARTIN COUNTY

JONATHAN S. NETTS
SECRETARY
FLAGLER COUNTY

AARON L. BOWMAN
DUVAL COUNTY

T. SPENCER CROWLEY, III
MIAMI-DADE COUNTY

PAUL U. DRITENBAS
INDIAN RIVER COUNTY

CHARLES C. ISIMINGER
PALM BEACH COUNTY

GAIL KAVANAGH
ST. LUCIE COUNTY

SUSANNE McCABE
VOLUSIA COUNTY

JERRY H. SANSOM
BREVARD COUNTY

LYNN A. WILLIAMS
NASSAU COUNTY

MARK T. CROSLEY
EXECUTIVE DIRECTOR

JANET ZIMMERMAN
ASSISTANT EXECUTIVE
DIRECTOR

The District's Long-Range Dredge Material Management Area MSA-726 located in Pompano Beach near the Hillsboro Inlet will be required for the forthcoming Broward Reach 1 dredging project. The District will need to use its property for a short duration for staging during dredging operation of the ICW. After which the property will be leased back to the City of Pompano Beach for an open space, passive park.

This property has been leased by the District to the City of Pompano Beach since 1981. The current 5 year lease extension will expire August 25, 2016. The City of Pompano Beach and the City of Lighthouse Point have an Interlocal Agreement regarding the operation and maintenance of the park. Recently, issues with the use of the park and enforcement have been raised by residents that live adjacent to the site. Staff is of the opinion that these issues are enforcement issues for the two cities, but we would like to bring the issues to the Board's attention.

In February 2014, the Board approved a Scope of Services and Cost Proposal from Taylor Engineering for Clearing & Grubbing Design and Bidding Assistance Services of MSA-726.

Most of the site is currently overgrown with exotic vegetation and a portion of the site is currently in use by the City of Pompano Beach (and Lighthouse Point) as a recreational community park. In order to prepare this site for the dredging event, it must be cleared. The Scope of Services and Cost Proposal is to design the plan to remove the invasive plants (Australian pine, Brazilian pepper), plant a native plant buffer around the perimeter of the site, and possibly include a walking trail.

During the past few months, District staff have given presentations to both City Commissions and held a public meeting to inform interested citizens and gather comments regarding this project.

MSA-726, Exchange Club Park, Pompano Beach, FL

FIND is moving forward with improvements for District property MSA-726, also known as Exchange Club Park, in preparation for upcoming dredging of Broward Reach I. The District will need to use its property for a short duration for staging during dredging operation of the ICW. After which the property could be leased back to the City of Pompano Beach for an open space, passive park.

In order to prepare this site for the dredging event, it must be cleared. The design plan is to remove the invasive plants (Australian pine, Brazilian pepper), clear center for a working open space with surrounding berm, plant a native plant buffer around the perimeter of the site, and possibly include a walking trail.

During the past few months, District staff have given presentations to both City Commissions (Pompano Beach and Lighthouse Point) and held a public meeting to inform interested citizens and gather comments regarding this project. Feedback received from the cities and citizens has been separated into three columns; items within the scope of FIND's project, Pompano Beach and/or Lighthouse Point responsibility and items not appropriate to the site/project.

FIND

- No walking trail
- Nicer fencing of property (FIND/City)
- High fence with no top rail
- Smaller open space/wild flowers or higher grasses in open space instead of lawn
- Nature/walking trail
- Concerned about dredge material odor
- Concern for wildlife that currently use site
- Trap animals/critters (fox/rodents)
- Natural habitat planted for wildlife
- No coconut trees (hazard and maintenance cost)
- Use CPTED requirements for underbrush (view through plants for safety)
- Concern for replanted tree height

City (Pompano Beach and/or Lighthouse Point)

- Safety review of intersection of Lighthouse Point Dr & NE 24th Street
- Nicer Fencing (FIND/City)
- Move entrance to west end of NE 24th Street
- Maintain picnic area, beach, trail and landscaping
- Expanded parking
- Fence off some of the field/open space
- Enforcement – speed on NE 24th, unruly behavior, drinking, dogs on beach, noise, trash
- Small dock on beach front/Enhance kayak launch (FIND Waterway Assistance grant)
- Exercise equipment
- Speed bumps on NE 24th
- No parking on south side of NE 24th St
- Site signage as per FIND lease (property of FIND)

Not appropriate to site or project

Would like trees planted in center of open space

Park lighting

Boat ramp

Increase useable beach area

Two entrances- one on NE 24th and one on the south Pompano Beach side/Move entrance to Pompano Beach side

Place dredge material on beach and not at this site

Breton, Lynch, Eubanks & Suarez-Murias, P.A.

Memo

To: Commissioner Tyler Chappell and Executive Director Mark Crosley

From: Peter L. Breton, FIND General Counsel

Date: October 8, 2014

Re: Exchange Club Park (MSA 726) Background Information

Recently, some Lighthouse Point residents living on NE 24th Street have sent emails complaining about activities in Exchange Club Park. Here is the relevant history of the park, also known as MSA 726, as I have been able to determine from the available documents.

In 1979, the City of Lighthouse Point ("LHP") needed 7 acres of open space to get the Lighthouse Point Land Use Plan certified by the Broward County Planning Council. The City of Pompano Beach ("PB") passed a resolution in 1979 (PB Res. 79-92) to allow LHP to include as open space in its land use plan 7 acres of the MSA 726 site lying within the city limits of PB. The two cities further entered into an interlocal agreement in December 1980, under the terms of which (1) PB would lease the MSA 726 site from FIND and (2) the two cities would jointly establish, develop, operate and maintain a public park on MSA 726. Copies of the lease and the interlocal agreement are attached.

The interlocal agreement provides, among other things, that:

- PB would enter into a lease agreement with FIND "upon the usual terms and conditions established by F.I.N.D. for leases of its spoils areas." (Para. 2)
- The interlocal agreement would have a term concurrent with the term of the lease, including any extensions or renewals of the lease. The Interlocal Agreement automatically terminates when the lease terminates. (Para. 3)
- The park facilities would include, but not be limited to, a picnic area, playfield, walking/jogging path, parking area, restrooms and nature trail. Additional or substitute facilities may be provided upon approval by the governing bodies of the respective cities. (Para. 4)
- Design and layout of the park would be the responsibility of the PB Planning Dept. Final design and layout was subject to approval by the Administrative Assistant to the Mayor of LHP or his designee. (Para. 5)
- PB and LPH would jointly undertake the improvements to the park. Overall control and supervision of the construction would be the responsibility of the PB Public Works Director. (Para. 6)
- All repair and replacement costs (Para. 7) were to be borne equally by the cities.

- LHP would be responsible for all routine park maintenance, including cleaning restrooms, emptying trash containers, grounds maintenance, and to open and close the park at such times as mutually agreed upon by the cities. (Para. 8)
- The PB Police Department would have responsibility within the park, since it lies within PB's corporate limits. However, LHP would undertake to provide routine patrol and surveillance by the LHP Police Department and to promptly notify the PB Police Dept. whenever the situation required the PB Police. (Para. 9)

The Interlocal Agreement was recorded in the Public Records of Broward County.

I do not know if the cities have ever amended this Interlocal Agreement.

The lease agreement between FIND and the City of Pompano Beach was initially entered into in August 1981 with an initial term of 25 years. It has been extended by FIND for two additional 5 year terms, with the current term expiring on August 25, 2016.

The lease, as amended, grants full possession of MSA 726, subject to the rights of the Corps and FIND to take back possession for the purpose of maintaining the ICW, after which the possession would be returned to the city. Either party may terminate the lease upon 90 days written notice. Upon termination of the lease, or at any time upon 90 days notice from FIND, PB must remove all of its improvements from the property.

The original lease allowed the city to use the property for recreational and conservation purposes. When it was extended the second time, the conservation use was deleted, so it may only be used for recreational purposes.

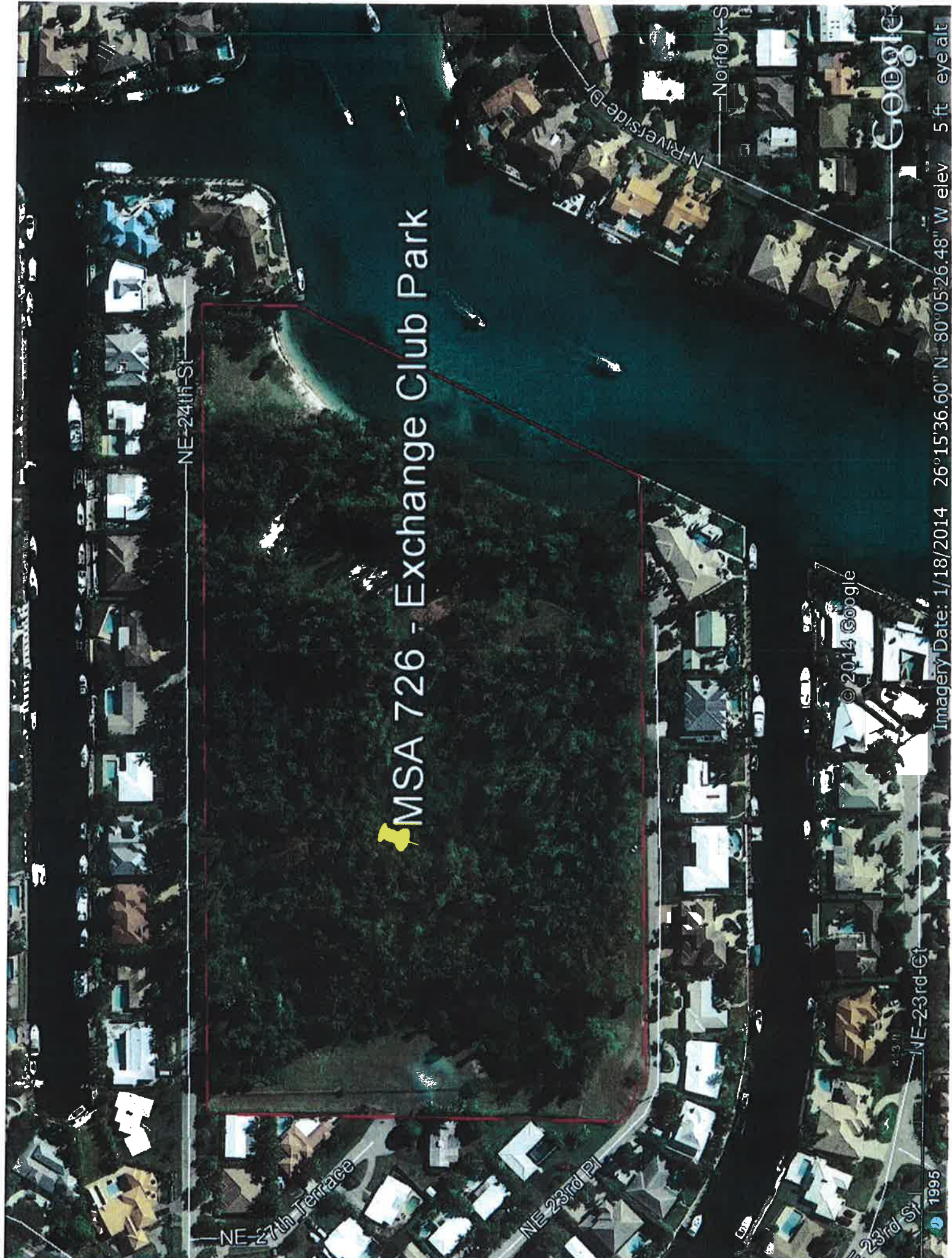
Also, the original lease excluded the east 100 feet of MSA 726 which was leased to the Hillsboro Improvement and Maintenance District. The 100 feet was added to the lease during the first lease extension.

PB agreed "to make no unlawful, improper, or offensive use of the premises." PB also agreed to post signs at the entrances and other appropriate points indicating that the property was being leased from and owned by FIND. They appear not to have complied with the signage requirement.

CONCLUSIONS:

- As the Lessee, the City of Pompano Beach has possession and control of MSA 726. FIND does not have possession or control. FIND's rights are limited to inspecting the property and, when necessary to prepare and use the site for ICW maintenance, to take back possession and control on a temporary basis.
- Accordingly, PB is responsible for controlling the public's activities within the park.
- Inasmuch as PB has possession and control of the park, the decision to open the beach to the public (which is one of the complaints received) was made by PB or by PB and LHP jointly, not by FIND.
- The design of the park, including the location of the entrance on 24th Street, the small number of parking spaces, fencing, landscaping and the amenities provided (or not provided) was jointly decided upon by the two cities pursuant to the Interlocal Agreement, not dictated by FIND.

- The Interlocal Agreement between PB and LHP makes it clear that law enforcement within the park is the responsibility of the PB Police Dept. Since PB no longer has its own police department and has subcontracted with the County Sheriff for police protection, PB needs to work with BSO to police the park. At the same time, LHP has responsibility for 24th street itself and for patrolling and surveillance of the park (from outside the park) and notifying BSO as needed.
- The Interlocal Agreement does not seem to clearly establish which city's parks and recreation department will actually operate the park on a day to day basis. Maintenance and opening and closing the gates is assigned to LHP, but not the responsibility for setting and enforcing the park rules.
- FIND is not responsible for any illegal or illicit activity that may be occurring in the park. It is the primary responsibility of the City of Pompano Beach as both the lessee of MSA 726 and because the park is located within its jurisdiction for police purposes. The secondary responsibility belongs to the City of LHP as one of the parties to the Interlocal Agreement, in which both cities agreed to construct and maintain the park "to a high standard of quality."



NE-24th St

MSA 726 - Exchange Club Park

N-Riverside Dr

Norfolk St

Google

© 2014 Google

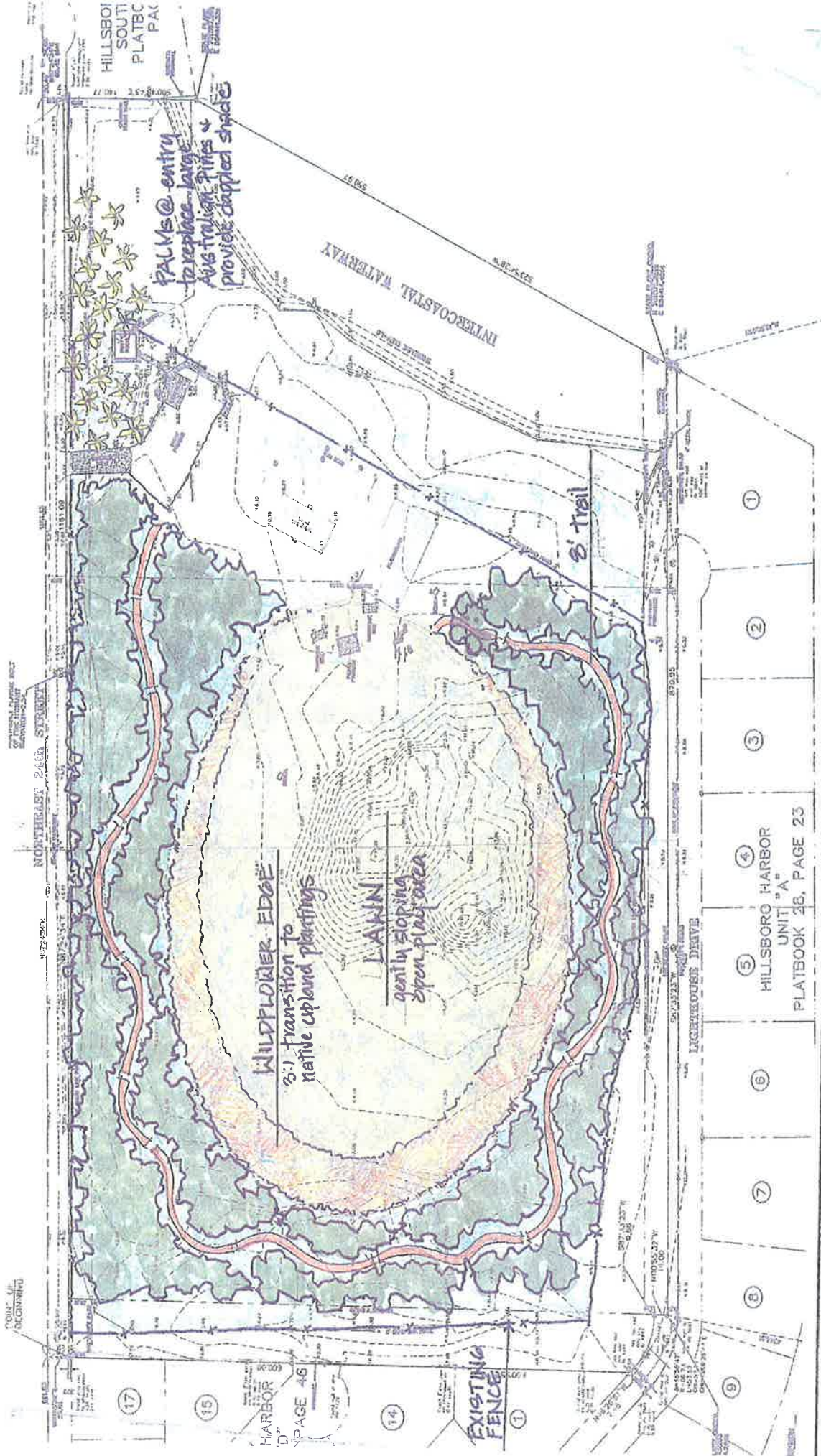
NE-27th Terrace

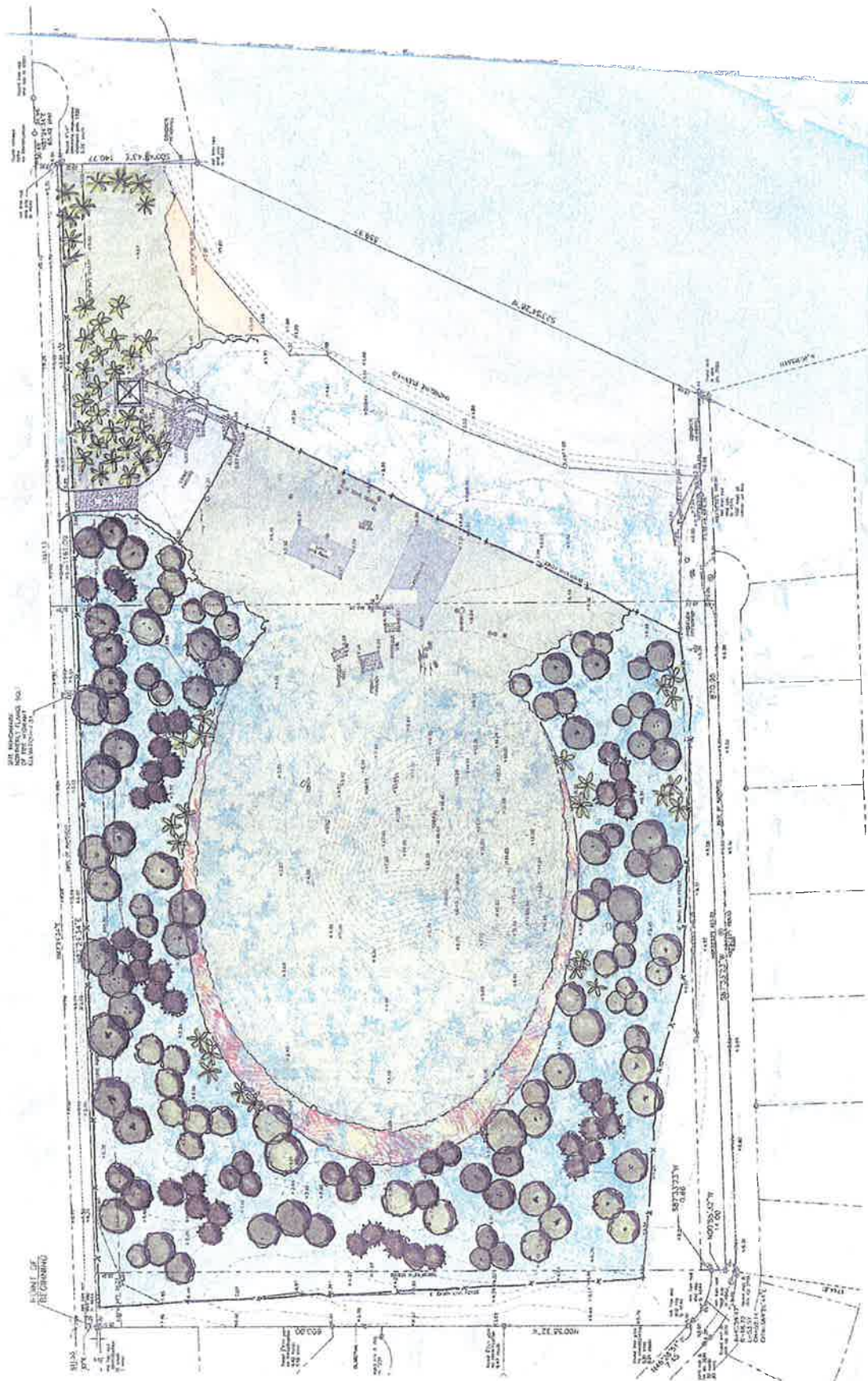
NE-23rd Pl

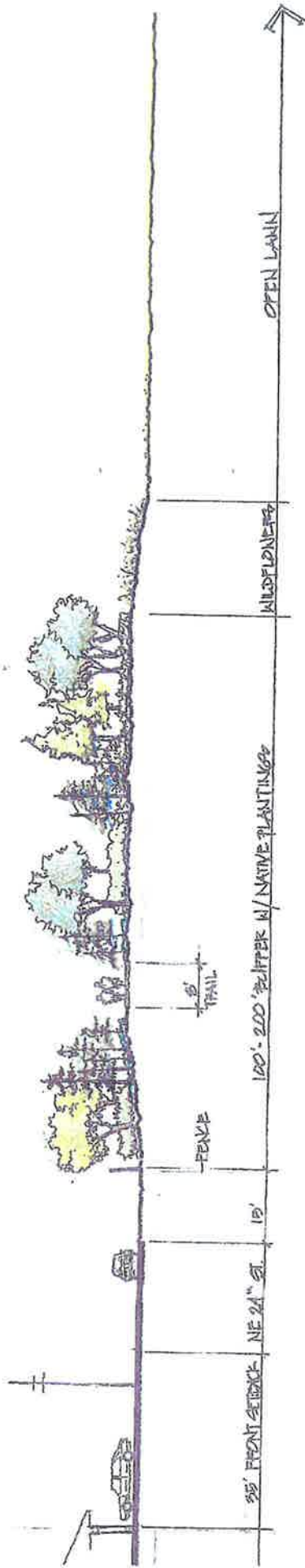
NE-23rd Ct

1995

Imagery Date: 1/18/2014 26°15'36.60" N -80°05'26.48" W elev 5 ft eye alt







Preliminary Plant Palette

Trees

Pinus elliottii -
Slash Pine



Coccoloba diversifolia -
Pigeon Plum



Bursera simaruba -
Gumbo Limbo



Shrubs

Serenoa repens -
Saw Palmetto



Hamelia patens -
Firebush



Groundcovers

Helianthus debilis -
Beach Sunflower



Myrsine fraxinifolia -
Simpson's Stopper



Psychotria nervosa -
Wild Coffee



Myrica cerifera -
Wax Myrtle



Ipomoea imperati -
Beach Morning Glory



Mimosa strigillosa -
Powderpuff



Quercus virginiana -
Live Oak



Conocarpus erectus -
Buttonwood



Ilex cassine -
Dahoon Holly



Cocos nucifera -
Coconut Palm



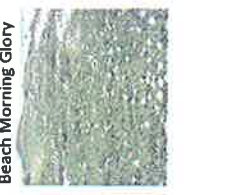
Myrica cerifera -
Wax Myrtle



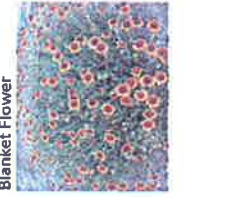
Viburnum obovatum -
Walter's Viburnum



Ipomoea imperati -
Beach Morning Glory



Gaillardia pulchella -
Blanket Flower



Exchange Club Park

N

RESOLUTION NO. 2012- 96

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE EXTENSION AGREEMENT NO. 2 BETWEEN THE BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT AND THE CITY OF POMPANO BEACH RELATING TO EXCHANGE CLUB PARK; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That a Lease Extension Agreement No. 2 between the Board of Commissioners of the Florida Inland Navigation District and the City of Pompano Beach relating to Exchange Club Park, a copy of which Agreement is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

SECTION 2. That the proper City officials are hereby authorized to execute said Agreement between the Board of Commissioners of the Florida Inland Navigation District and the City of Pompano Beach.

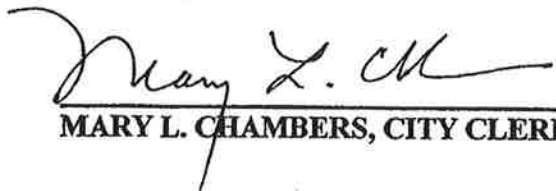
SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 10th day of January, 2012.



LAMAR FISHER, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

PLEASE RETURN TO:

Mary L. Chambers, MMC

City Clerk

P.O. Drawer 1300, Suite 253

Pompano Beach, FL 33061

LEASE EXTENSION AGREEMENT No. 2

WHEREAS, by Lease Agreement dated the 25th day of August, 1981 the BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT (LESSOR"), an independent district of the State of Florida, did lease to the CITY OF POMPAÑO BEACH ("LESSEE"), a municipal corporation under the Laws of the State of Florida, a parcel of land in the City of Pompano Beach, Broward County, Florida designated as MSA 726 (partial), 726B and 726C, to permit the use of said parcel for recreational and conservation purposes, subject to all prior rights of LESSOR and the easement of the United States of America for the management of dredge material; and

WHEREAS, the LESSEE requested that LESSOR modify and extend the aforementioned Lease Agreement for an additional term of five (5) years, that Paragraph 4 be stricken in its entirety and a Revised Paragraph 4 be inserted, that the that Lease area be expanded to include all of MSA 726 and Lease Extension Agreement No. 1 was entered into by the parties on February 17, 2007: and

WHEREAS, the LESSEE has requested that LESSOR extend the aforementioned Lease Agreement for an additional term of five (5) years: and

WHEREAS, the LESSOR would like to modify Paragraph 1 of the Lease Agreement to remove the conservation purpose of the Lease Agreement: and

WHEREAS, the LESSEE acknowledges that the LESSOR has identified that MSA 726, 726B and 726C are necessary for the continued long term management of dredged material from the Intracoastal Waterway Project and that periodically the LESSEE may require the full use of MSA 726, 726B and 726C for such use at which time the LESSOR, after being duly noticed by LESSEE, shall vacate MSA 726, 726B and 726C in accordance with the provisions of the Lease.

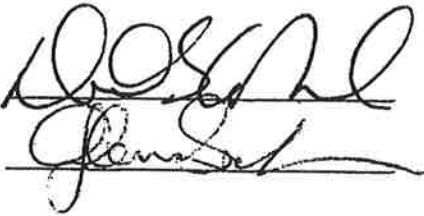
NOW THEREFORE, IT IS AGREED between the parties hereto that subject to the conditions stated herein, the aforementioned Lease Agreement is extended for

an additional term of five (5) years to August 25, 2016 and that the conservation purpose is removed from Paragraph 1 of the Lease Agreement.

In all other respects, the terms and conditions of the original Lease Agreement between the parties dated August 25, 1981 and the Lease Agreement Extension No.1 dated February 17, 2007 shall remain in full force and effect during this extended term of the Lease.

IN WITNESS WHEREOF the parties hereto have set their hands and seals this 22nd day of February, 2012.

Witnessed and Attested to by:



Florida Inland Navigation District



By: It's Chair

City of Pompano Beach

See Attached Signature Page

By: _____
Title: _____

"CITY":

Witnesses:

CITY OF POMPANO BEACH

Christene WodkaBy: [Signature]
LAMAR FISHER, MAYORShelly R. BartholomewBy: [Signature]
DENNIS W. BEACH, CITY MANAGER

Attest:

[Signature]
MARY L. CHAMBERS, CITY CLERK

(SEAL)

Approved As To Form:

[Signature]
GORDON B. LINN, CITY ATTORNEYSTATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 13th day
of January, 2012 by **LAMAR FISHER**, as Mayor, **DENNIS W. BEACH**
as City Manager and **MARY L. CHAMBERS**, as City Clerk of the City of
Pompano Beach, Florida, a municipal corporation, on behalf of the municipal
corporation, who are personally known to me.

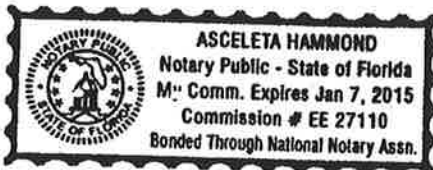
NOTARY'S SEAL:

[Signature]
NOTARY PUBLIC, STATE OF FLORIDA

Asceletha Hammond

(Name of Acknowledger Typed, Printed or
Stamped)

Commission Number



RESOLUTION NO. 2007-107

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE EXTENSION AGREEMENT NO. 1 BETWEEN THE BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT AND THE CITY OF POMPANO BEACH RELATING TO EXCHANGE CLUB PARK; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That a Lease Extension Agreement No. 1 between the Board of Commissioners of the Florida Inland Navigation District and the City of Pompano Beach relating to Exchange Club Park, a copy of which Agreement is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

SECTION 2. That the proper City officials are hereby authorized to execute said Agreement between the Board of Commissioners of the Florida Inland Navigation District and the City of Pompano Beach.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 23rd day of January, 2007.



JOHN C. RAYSON, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

City Clerk
City of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, FL 33060

LEASE EXTENSION AGREEMENT No. 1

WHEREAS, by Lease Agreement dated the 25th day of August, 1981 the BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT (LESSOR"), an independent district of the State of Florida, did lease to the CITY OF POMPANO BEACH ("LESSEE"), a municipal corporation under the Laws of the State of Florida, a parcel of land in the City of Pompano Beach, Broward County, Florida designated as MSA 726 (partial), 726B and 726C, to permit the use of said parcel for recreational and conservation purposes, subject to all prior rights of LESSOR and the easement of the United States of America for the management of dredge material; and

WHEREAS, the LESSEE has requested that LESSOR modify and extend the aforementioned Lease Agreement for an additional term of five (5) years, that Paragraph 4 be stricken in its entirety and a Revised Paragraph 4 be inserted to read as shown below, and that the that Lease area be expanded to include all of MSA 726: and

WHEREAS, the LESSEE acknowledges that the LESSOR has identified that MSA 726, 726B and 726C are necessary for the continued long term management of dredged material from the Intracoastal Waterway Project and that periodically the LESSEE may require the full use of MSA 726, 726B and 726C for such use at which time the LESSOR, after being duly noticed by LESSEE, shall vacate MSA 726, 726B and 726C in accordance with the provisions of the Lease.

NOW THEREFORE, IT IS AGREED between the parties hereto that subject to the conditions stated herein, the aforementioned Lease Agreement is extended for an additional term of five (5) years to August 25, 2011 and that the full extent of MSA 726 is included in the Lease Agreement, pursuant to the Revised Schedule A attached hereto, for use by the LESSEE for recreational and conservation purposes and upon the condition that no structures or improvements of any kind are to be

placed on said land without prior written consent of LESSOR and that any structures or improvements placed thereon with LESSOR's consent are to be completely removed at LESSEE's expense within ninety (90) days after request therefore. Additionally, the existing Paragraph 4 is stricken in its entirety and the following Revised Paragraph 4 is inserted:

4. INDEMNIFICATION – The Lessee is a state agency or subdivision as defined in Chapter 768.28, Florida Statutes, and agrees to be fully responsible for acts and omissions of its agents, contractors, or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any party to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties, in any matter, arising out of this Agreement or any other contract. INSURANCE - Lessee is a state agency as defined by Section 768.28, Florida Statutes, and shall furnish Lessor with written verification of liability protection, in the minimum amount of \$1,000,000 and in accordance with state law, prior to final execution of said agreement.

In all other respects the terms and conditions of the original Lease Agreement between the parties dated August 25, 1981 shall remain in full force and effect during this extended term of the Lease.

[intentionally left blank]

IN WITNESS WHEREOF the parties hereto have set their hands and seals
this 17th day of February, 2007.

Witnessed and Attested to by:



Florida Inland Navigation District


By: Charles A. Padera, Chair

City of Pompano Beach

See Attached Signature Pages

By: _____

Title: _____

"CITY":

Witnesses:

Elizabeth J. Jorda
Signature

Shelley R. Bratholme
Signature

CITY OF POMPANO BEACH

By: John C. Rayson
JOHN C. RAYSON, MAYOR

By: C. William Hargett, Jr.
C. WILLIAM HARGETT, JR.,
CITY MANAGER

Attest:

Mary L. Chambers
MARY L. CHAMBERS
CITY CLERK

(SEAL)

Approved As To Form:

Gordon B. Linn
GORDON B. LINN
CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

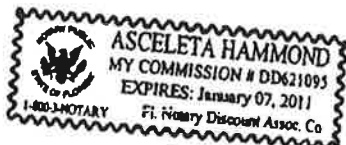
The foregoing instrument was acknowledged before me this 26th day of January, 2007 by JOHN C. RAYSON, as Mayor of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

Asceletha Hammond
NOTARY PUBLIC, STATE OF FLORIDA

Asceletha Hammond

(Name of Acknowledger Typed, Printed or Stamped)



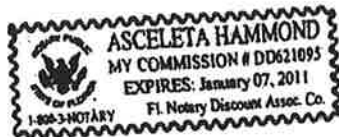
Commission Number

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 26th day of January, 2007 by **C. WILLIAM HARGETT, JR.**, as City Manager of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:



Asceletha Hammond
NOTARY PUBLIC, STATE OF FLORIDA

Asceletha Hammond

(Name of Acknowledger Typed, Printed or Stamped)

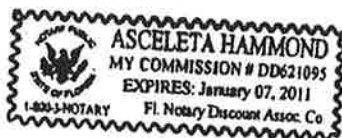
Commission Number

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 26th day of January, 2007 by **MARY L. CHAMBERS** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:



Asceletha Hammond
NOTARY PUBLIC, STATE OF FLORIDA

Asceletha Hammond

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

SCHEDULE A REVISED

MSA 726

That portion of the northwest quarter of the northeast quarter of the northeast quarter of Section 30, Township 48 South, Range 43 East, Broward County, Florida, lying west of the westerly right of way line of the Intracoastal Waterway from Jacksonville to Miami, Florida, as that right of way line is shown on the plat recorded in Plat Book 17 at Page 6-A, of the public records of said Broward County, Florida, EXCLUDING therefrom the North 22 feet and the South 11 feet of the above described parcel:

MSA 726-B

The Northeast quarter (NE $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 30, Township 48 South, Range 43 East, containing 10 acres more or less, according to the U.S. Public Land Surveys, and adjoining on the West that certain tract of land designated as MSA 726, as deeded to the Board of Commissioners of the Florida Inland Navigation District by the Model Land Company and recorded in Deed Book 276, Page 239, of the Public Records of and in Broward County, Florida. EXCLUDING therefrom the North 22 feet and the South 11 feet of the above described parcel.

MSA 726-C

That portion of Block 1, Hillsboro Harbor, Unit "A", according to the plat thereof, recorded in Plat Book 28, Page 23, of the public records of Broward County, Florida, described as follows:

Beginning at a point on the East boundary of said Block 1, said point being 22 feet South of the Northeast corner of said Block 1; thence West and parallel with the north boundary of said Block 1, a distance of 54.5 feet; thence South and parallel to the said East boundary of Block 1, to an intersection with the southerly boundary of said Block 1; thence southeasterly along said southerly boundary to the Southeast corner of said Block 1; thence north along the said east boundary of Block 1, a distance of 626.89 feet, more or less, to the point of beginning.

RESOLUTION NO. 81- 233

CITY OF POMPANO BEACH
Broward County, Florida

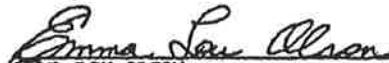
A RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT WHEREBY THE CITY LEASES FROM THE DISTRICT A PARCEL OF LAND IN THE VICINITY OF NORTHEAST 24TH STREET AND THE INTRACOASTAL WATERWAY FOR DEVELOPMENT AS A PUBLIC PARK IN COOPERATION WITH THE CITY OF LIGHTHOUSE POINT; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH,
 FLORIDA:

SECTION 1: That the proper City officials are hereby authorized to execute a Lease Agreement between the City of Pompano Beach and the Board of Commissioners of the Florida Inland Navigation District (F.I.N.D.), whereby the City leases from F.I.N.D. a parcel of land in the vicinity of Northeast 24th Street and the Intracoastal Waterway designated as MSA 726, 726-B and 726-C, for a term of Twenty-five (25) years at a rental of One (\$1.00) Dollar per year, said parcel of land to be developed as a Public Park in cooperation with the City of Lighthouse Point pursuant to that certain Interlocal Agreement between the City of Pompano Beach and the City of Lighthouse Point recorded at O. R. Book 9343, Page 270, Public Records of Broward County.

SECTION 2: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 25th day of August, 1981.


 EMMA LOU OLSON MAYOR

ATTEST:


 CHARLOTTE LUNZ

CITY CLERK

DCR/mv
 8/19/81
 #330

FOR

1781-430
File

MSA 726 (less the easterly 100 feet), MSA 726-B and 726-C

THIS LEASE AGREEMENT made this 25th day of August, 1981, between the BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT, a body corporate under the laws of Florida, hereinafter referred to as Lessor, and the CITY OF POMPANO BEACH, a municipal corporation under the laws of Florida, hereinafter referred to as Lessee.

WHEREAS, the Lessor is the owner in fee of a parcel of land in Broward County, Florida, designated as MSA 726, 726-B and 726-C, for the use by the United States in connection with the improvement and maintenance of the Intracoastal Waterway from Jacksonville to Miami, Florida and now holds the title thereto subject to an easement heretofore granted by it to the United States of America for such use; and

WHEREAS, said parcel of land is subject to immediate occupancy and use at any time by the United States pursuant to said easement; and

WHEREAS, the Florida Inland Navigation District now leases to the Hillsboro Inlet Improvement and Maintenance District the easterly 100 feet of MSA 726; and

WHEREAS, the City of Pompano Beach has requested the Florida Inland Navigation District to permit it to use MSA 726 (less the easterly 100 feet), MSA 726-B and 726-C, a description of which is attached hereto as Exhibit A and made a part hereof, for recreational or conservational purposes subject to said prior right and easement of the United States and to the terms and conditions of this lease; and

WHEREAS, the Lessor is of the opinion that such use by the Lessee is in the public interest and should be granted for a limited term at a nominal rental subject only to the terms and conditions stated herein.

NOW THEREFORE, in consideration of the premises and mutual covenants and agreements herein contained, it is agreed by the parties hereto:

1. SUBJECT to conditions stated herein, the Lessor does hereby lease the above-mentioned parcel of land as is and in its existing condition to the Lessee for a term of twenty-five (25) years from the date hereof for use by the City of Pompano Beach solely for recreational and conservation purposes and upon condition that no structures, fences, or improvements of any kind are to be placed upon said land without prior written consent of the Lessor and that any such structures, fences, or improvements placed thereon with the Lessor's consent are to be completely removed at Lessee's expense within ninety (90) days after request therefore by the Lessor.

2. Upon and SUBJECT to the terms and conditions stated herein, which it agrees to perform and abide by, the Lessee does hereby lease said parcel of land from the Lessor and further agrees:

(a) To accept the leased premises as is and in its existing condition, subject to the use by the United States for spoil disposal in accordance with the aforesaid easement.

(b) To pay One Dollar (\$1.00) a year rental making payment of a lump sum total of Twenty-five Dollars (\$25.00) upon execution of this lease.

(c) Not to permit or suffer any waste in or upon said premises; to strictly comply with any and all rules, regulations and requirements that may be imposed from time to time by virtue of the laws of the State of Florida, or any rules and regulations of any governmental agency having jurisdiction over the leased premises.

(d) To permit the Lessor, or its duly authorized agents, free access to the leased premises at any and all reasonable times for the purpose of examining and inspecting same.

(e) Not to assign or sublet this lease, or any portion of the leased premises, without the written consent of the Lessor, except as herein provided.

(f) Not to permit the use of said premises for purposes other than for recreational and conservation purposes as herein provided.

(g) To make no unlawful, improper, or offensive use of the premises.

(h) At the termination of this lease, by lapse of time or otherwise, to yield immediate possession to the Lessor.

(i) To pay any and all taxes levied upon the leased premises during the terms of this lease.

(j) To cause the recreation area to be posted at entrances and other appropriate points indicating the property as being leased from and owned by the Florida Inland Navigation District.

3. This lease may be terminated by notice in writing by one party thereto to the other upon ninety (90) days notice.

4. The Lessee agrees to save the Lessor harmless from any liability by reason of property damages or personal liability to any person or persons, firm or corporation on or about said premises, and to carry indemnity insurance as protection against said liability for the protection of the Lessor with a reputable insurance company to be approved by the Treasurer of the Lessor, with \$250,000.00 - \$500,000.00 limits, such policies to be deposited with and receipted payment of premiums thereof sent to the said Treasurer during the term of this lease, or any extension thereof. It is also mutually agreed that the policy limits above referred to shall be reviewed every five (5) years and, if the Lessor finds the limits inadequate, that they will be increased to an amount satisfactory to the Lessor in order to secure adequate coverage for the protection of the Lessor.

WHEREOF, the parties have hereunto
day and at first above written.

the hands and seals on the

Signed, sealed and delivered in our presence:

[Signature]

[Signature] 7.13.22

[Signature]
City Manager
[Signature]
City Attorney

BOARD OF COMMISSIONERS OF THE
FLORIDA INLAND NAVIGATION DISTRICT

By: [Signature] (SEA)
Chairman

Attest: [Signature] (SEA)
Secretary

CITY OF POMPANO BEACH

By: [Signature] (SEA)
Mayor

Attest: [Signature] (SEA)
City Clerk

Schedule A

MSA 726 (Partial)

That portion of the northwest quarter of the northeast quarter of the northeast quarter of Section 30, Township 48 South, Range 43 East, Broward County, Florida, lying west of the westerly right of way line of the Intracoastal Waterway from Jacksonville to Miami, Florida, as that right of way line is shown on the plat recorded in Plat Book 17 at Page 6-A, of the public records of said Broward County, Florida. EXCLUDING therefrom the North 22 feet and the South 11 feet of the above described parcel. ALSO EXCLUDING therefrom the easterly 100 feet now under lease to the Hillsboro Improvement and Maintenance District.

MSA 726-B

The Northeast quarter (NE $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 30, Township 48 South, Range 43 East, containing 10 acres more or less, according to the U.S. Public Land Surveys, and adjoining on the West that certain tract of land designated as MSA 726, as deeded to the Board of Commissioners of the Florida Inland Navigation District by the Model Land Company and recorded in Deed Book 276, Page 239, of the Public Records of and in Broward County, Florida. EXCLUDING therefrom the North 22 feet and the South 11 feet of the above described parcel.

MSA 726-C

That portion of Block 1, Hillsboro Harbor, Unit "A", according to the plat thereof, recorded in Plat Book 28, Page 23, of the public records of Broward County, Florida, described as follows:

Beginning at a point on the East boundary of said Block 1, said point being 22 feet South of the Northeast corner of said Block 1; thence West and parallel with the north boundary of said Block 1, a distance of 54.5 feet; thence South and parallel to the said East boundary of Block 1, to an intersection with the southerly boundary of said Block 1; thence southeasterly along said southerly boundary to the Southeast corner of said Block 1; thence north along the said east boundary of Block 1, a distance of 626.89 feet, more or less, to the point of beginning.

RESOLUTION NO. 81- 52

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE CITY OF LIGHTHOUSE POINT PROVIDING FOR JOINT DEVELOPMENT, OPERATION AND MAINTENANCE OF A PUBLIC PARK; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH,
FLORIDA:

SECTION 1: That the proper City officials are hereby authorized to enter into an Interlocal Agreement between the City of Pompano Beach and the City of Lighthouse Point providing for joint development, operation and maintenance of a public park, a copy of which Agreement is attached hereto and made a part hereof as if set forth in full.

SECTION 2: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 9th day of December,
1980.


EMMA LOU OLSON MAYOR

ATTEST:

CHARLOTTE LUNZ CITY CLERK

Reg. 81-5516

81- 5516

INTERLOCAL AGREEMENT

BETWEEN

CITY OF POMPAÑO BEACH

AND

CITY OF LIGHTHOUSE POINT

PROVIDING FOR

JOINT DEVELOPMENT, OPERATION AND
MAINTENANCE OF A PUBLIC PARK

THIS IS AN INTERLOCAL AGREEMENT in accordance with the Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, providing for joint development, operation and maintenance of a public park, between the City of Pompano Beach, a municipal corporation organized and existing under the laws of the State of Florida, its successors and assigns, hereinafter referred to as "POMPAÑO BEACH" and the City of Lighthouse Point, a municipal corporation organized and existing under the laws of the State of Florida, its successors and assigns, hereinafter referred to as "LIGHTHOUSE POINT";

WHEREAS, by Resolution No. 79-92, passed and adopted January 23, 1979, POMPAÑO BEACH, in order to enable LIGHTHOUSE POINT to meet the open space requirements necessary for certification of the LIGHTHOUSE POINT Land Use Plan, by the Broward County Planning Council, did consent to the inclusion by LIGHTHOUSE POINT as open space in its Land Use Plan a seven (7) acre parcel, being a portion of the larger parcel commonly known as the Northeast 24th Street F.I.N.D. property, located on the South Side of Northeast 24th Street at the Intracoastal Waterway in the City of Pompano Beach; and

WHEREAS, said Resolution further provides that one-half of the cost of any development of the said Northeast 24th Street F.I.N.D. property shall be paid by the City of Lighthouse Point; and

WHEREAS, the governing bodies of POMPAÑO BEACH and LIGHTHOUSE POINT deem it to be to the mutual benefit of both Cities to jointly develop, operate and maintain a public park upon said Northeast 24th Street F.I.N.D. property;

RETURN TO: CHARLOTTE LUNZ, CITY CLERK
CITY OF POMPAÑO BEACH
P. O. BOX 1300
POMPAÑO BEACH, FLA. 33061

25.00

Jan 9 1 02 PM '81

RE 9343 REC 270

NOW, THEREFORE, in consideration of the premises and of the mutual promises, covenants and undertakings hereinafter set forth, said Cities hereby agree as follows:

1. ESTABLISHMENT OF PARK; DESCRIPTION OF SITE.

POMPANO BEACH and LIGHTHOUSE POINT agree to establish, develop, operate and maintain a public park on the site commonly known as the Northeast 24th Street F.I.N.D. property, owned by the Florida Inland Navigation District (F.I.N.D.) and designated by said District as MSA 726, which site is particularly described as follows:

The Northwest One-Quarter of the Northeast One-Quarter of the Northeast One-Quarter lying north and west of canal right of way less the South 36 feet and less:

Beginning at a point on N/L 665.78 feet West of Northeast corner of Section, South 118.75 feet to canal R/W, South-west 231.02 feet, North 162.79 feet to N/L of Section, East 225.42 feet to POB, and less the North 47 feet except the East 225.42 feet, Section 30, Township 48 South, Range 43 East.

LESS the East 100 feet of the above.

AND

The Northeast One-Quarter of the Northwest One-Quarter of the Northeast One-Quarter less the South 36 feet and less the North 47 feet, Section 30, Township 48 South, Range 43 East.

AND

Block 1, Hillsboro Harbor, Unit "A" according to the plat thereof recorded at Plat Book 28, Page 23, Public Records of Broward County, Florida, less the North 47 feet thereof.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida, and containing approximately 14 acres more or less.

2. F.I.N.D. LEASE AGREEMENT.

POMPANO BEACH shall enter into a Lease Agreement with Florida Inland Navigation District (F.I.N.D.), owner of the aforesaid property, providing for lease of said property to the City of Pompano Beach upon the usual terms and conditions established by F.I.N.D.

for leases of its spoils areas. LIGHTHOUSE POINT agrees to reimburse POMPANO BEACH in the amount of one-half of any rental which may be charged for the property by F.I.N.D. It is understood and agreed that this Interlocal Agreement is subject to and subordinate to any applicable terms of the F.I.N.D. Lease Agreement, and that in the event of any conflict between the terms of this Agreement and the terms of the F.I.N.D. Lease, the F.I.N.D. Lease shall be controlling.

3. EFFECTIVE DATE; TERMS; TERMINATION.

This Agreement shall become effective upon the effective date of the aforesaid Lease Agreement between POMPANO BEACH and F.I.N.D., and the term of this Agreement shall be concurrent with the term of said Lease Agreement. Upon termination or expiration of the said F.I.N.D. Lease, this Interlocal Agreement shall automatically terminate and neither party hereto shall have any further obligations hereunder. In the event of renewal of the F.I.N.D. Lease, this Interlocal Agreement shall be automatically renewed for the additional term of any F.I.N.D. Lease renewal, said renewal of this Agreement to be effective as of the effective date of renewal of the F.I.N.D. Lease. Provided, however, if the POMPANO BEACH Land Use Plan ever requires inclusion as POMPANO BEACH open space of the 7 acres of the aforesaid property presently designated as LIGHTHOUSE POINT open space by Resolution No. 79-92 of the City of Pompano Beach, POMPANO BEACH reserves the right to terminate this Interlocal Agreement upon sixty (60) days written notice to LIGHTHOUSE POINT. In the event of such termination, POMPANO BEACH will reimburse LIGHTHOUSE POINT in the amount of one-half of the reasonable value of any permanent improvements located on the site as of the date of termination.

4. PARK FACILITIES.

Facilities to be provided at the proposed park shall include, but are not limited to, a picnic area, playfield, walking/jogging path, parking area, restrooms and nature trail. Additional or sub-

stitute facilities may be provided upon approval by the governing bodies of the respective Cities.

5. DESIGN, LAYOUT, ETC.

Design and layout of the park and any required plans and specifications shall be the responsibility of the POMPANO BEACH Planning Department. Final design and layout shall be subject to approval by the Administrative Assistant to the Mayor of LIGHTHOUSE POINT or his designee. Materials of construction, fixtures, playground equipment, trees and shrubs for landscaping, etc. shall be selected by mutual agreement of officials of each City designated for that purpose by the POMPANO BEACH City Manager and the Administrative Assistant to the Mayor of LIGHTHOUSE POINT.

6. DEVELOPMENT; SUBSEQUENT IMPROVEMENTS.

POMPANO BEACH and LIGHTHOUSE POINT shall jointly undertake, diligently pursue and expeditiously perform and complete on a high standard of quality the improvement of the park contemplated by this Agreement in conformity with the aforesaid design, plans and specifications. Costs of initial development and the costs of any subsequent permanent improvements shall be borne by the respective Cities in equal shares as nearly as is practicable. It is anticipated that such costs will include, but not necessarily be limited to: costs incurred in platting the land and obtaining the necessary plat approvals; any costs involved in obtaining any permits which may be necessary; clearing of land; construction of facilities, fences, parking areas, sodding and landscaping, etc. All necessary materials will be purchased and furnished by POMPANO BEACH; POMPANO BEACH will submit invoices to LIGHTHOUSE POINT in the amount of one-half of the actual cost to POMPANO BEACH of all materials furnished for the project. Necessary equipment and labor will be provided in equal shares, as nearly as practicable, by the respective Cities. Supplying of labor and equipment will be coordinated by the Public Works Directors of the

Respective Cities. Overall control and supervision of the construction of the project shall be the responsibility of the Public Works Director of POMPANO BEACH.

7. REPAIR AND REPLACEMENT OF FACILITIES.

All costs involved in repair or replacement of any park facilities or equipment and costs of any major cleanup and/or emergency repairs made necessary by any natural disaster, major vandalism, public disturbance, etc., shall be borne equally by the respective Cities in the same manner as the aforesaid development costs.

8. MAINTENANCE.

LIGHTHOUSE POINT undertakes, assumes and agrees to perform all routine park maintenance, including but not limited to cleaning of restrooms, emptying of trash containers and ground maintenance, and to otherwise maintain the park and all improvements located thereon to a high standard of quality, and further agrees to open and close the park at such times as may be agreed upon by the respective Cities.

9. LAW ENFORCEMENT.

Inasmuch as the entire park site is located within the corporate limits of POMPANO BEACH, law enforcement within the park shall be the responsibility of the POMPANO BEACH Police Department. However, LIGHTHOUSE POINT undertakes, assumes and agrees to provide routine patrol and surveillance by its Police Department, and further agrees to promptly notify the POMPANO BEACH Police Department whenever, in the judgment of the LIGHTHOUSE POINT Police, the situation requires the presence of the POMPANO BEACH Police.

10. UTILITIES.

Any costs involved in bringing utility lines, to the vicinity of the park premises shall be borne equally by the parties. POMPANO BEACH agrees that it will provide water and, if a septic tank is not utilized, sewer service at no charge to LIGHTHOUSE POINT. LIGHTHOUSE POINT agrees to pay the entire cost of any electricity consumed on the park premises.

11. ORGANIZED ACTIVITIES.

Either City may conduct planned or organized recreational activities at the park upon mutual agreement of the Recreation Directors of the respective Cities.

12. INDEMNIFICATION.

LIGHTHOUSE POINT agrees to indemnify and hold harmless POMPAHO BEACH, to the extent permitted by law, for any and all claims for damage or injury to persons or any damage to property of any kind arising from the failure of LIGHTHOUSE POINT to keep the park facilities in good condition and repair, or arising from the failure of LIGHTHOUSE POINT to provide adequate surveillance of the park area, to the extent that LIGHTHOUSE POINT has assumed such obligations pursuant to the provisions of Paragraphs 8 and 9 above. Each City further agrees to indemnify and hold harmless the other City from any claims for damage or injury to persons or any damage to property arising out of the use of the park premises and caused by any willful or negligent act or omission to act of any employee, agent or contractor of the indemnifying City.

13. STATUS OF EMPLOYEES.

It is expressly understood and agreed that no employee of either City shall ever be considered the employee of the other City for any purpose whatsoever, notwithstanding the fact that, at times, employees of both Cities may be engaged in construction or other activities at the park site under the supervision and control of a supervising employee of one of the Cities.

14. NOTICES.

Unless otherwise specifically provided herein, all notices shall be in writing and sent to the city official designated below at the address designated, postage prepaid, and shall be deemed effective when deposited in the United States Mail.

POMPANO BEACH: City Manager
City of Pompano Beach
Post Office Drawer 1300
Pompano Beach, Florida 33061

LIGHTHOUSE POINT: Administrative Assistant to the Mayor
City of Lighthouse Point
Post Office Box 5100
Lighthouse Point, Florida 33064

15. SOLE AGREEMENT.

It is understood and agreed that this document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Interlocal Agreement which are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

16. MODIFICATION.

It is further agreed that no modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

17. EXECUTION.

This document shall be executed in three (3) counterparts, each of which shall be deemed to be a duplicate original. One such duplicate original shall be retained by each of the parties, and the third shall be filed with the Clerk of the Circuit Court of Broward County in accordance with the requirements of Section 163.01, Florida Statutes.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers and their seals affixed hereto on the

respective dates inserted following each set of signatures.

Witnesses:

Joan Diehl
Edith D. Parsons

CITY OF POMPANO BEACH

BY Emma Lou Olson
EMMA LOU OLSON MAYOR

BY John H. Schoenberg
JOHN H. SCHONBERG CITY MANAGER

ATTESTED:

BY Charlotte Lutz
CHARLOTTE LUTZ CITY CLERK

Approved as to form:

BY Donald C. Roberge
DONALD C. ROBERGE CITY ATTORNEY

this 11th day of December, 1980.

Witnesses:

Vivie C. Marion
Bette B. Hendrick

CITY OF LIGHTHOUSE POINT

BY Frank H. McDonough
FRANK H. McDONOUGH MAYOR

ATTESTED:

BY Frances S. Marsh
FRANCES S. MARSH CITY CLERK

Approved as to form:

BY Richard H. Roth
RICHARD H. ROTH CITY ATTORNEY

this 19th day of December, 1980

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
GRAHAM W. WATT
COUNTY ADMINISTRATOR

-8-

BT 9343 ME277

SCHEDULE A REVISED

MSA 726

That portion of the northwest quarter of the northeast quarter of the northeast quarter of Section 30, Township 48 South, Range 43 East, Broward County, Florida, lying west of the westerly right of way line of the Intracoastal Waterway from Jacksonville to Miami, Florida, as that right of way line is shown on the plat recorded in Plat Book 17 at Page 6-A, of the public records of said Broward County, Florida. EXCLUDING therefrom the North 22 feet and the South 11 feet of the above described parcel.

MSA 726-B

The Northeast quarter (NE $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 30, Township 48 South, Range 43 East, containing 10 acres more or less, according to the U.S. Public Land Surveys, and adjoining on the West that certain tract of land designated as MSA 726, as deeded to the Board of Commissioners of the Florida Inland Navigation District by the Model Land Company and recorded in Deed Book 276, Page 239, of the Public Records of and in Broward County, Florida. EXCLUDING therefrom the North 22 feet and the South 11 feet of the above described parcel.

MSA 726-C

That portion of Block 1, Hillsboro Harbor, Unit "A", according to the plat thereof, recorded in Plat Book 28, Page 23, of the public records of Broward County, Florida, described as follows:

Beginning at a point on the East boundary of said Block 1, said point being 22 feet South of the Northeast corner of said Block 1; thence West and parallel with the north boundary of said Block 1, a distance of 54.5 feet; thence South and parallel to the said East boundary of Block 1, to an intersection with the southerly boundary of said Block 1; thence southeasterly along said southerly boundary to the Southeast corner of said Block 1; thence north along the said east boundary of Block 1, a distance of 626.89 feet, more or less, to the point of beginning.

EXHIBIT "A"

ALCALDE & FAY

GOVERNMENT & PUBLIC AFFAIRS CONSULTANTS

October 7, 2014

MEMORANDUM**TO:** Mark Crosley, Executive Director**FROM:** Jim Davenport**SUBJECT:** Federal Legislative Report**FISCAL YEAR 2015 FUNDING FOR THE INTRACOASTAL WATERWAY**

Congress is in recess until November 12th so that members of Congress can campaign. Before recess, Congress approved a short-term continuing resolution (CR) that would fund the federal government at Fiscal Year (FY) 2014 levels through December 11, 2014. The CR is necessary since Congress has not passed any FY 2015 bills.

Congressional appropriators in both the House and Senate have indicated their intention to use the next two months to begin drafting an omnibus spending bill, similar to the \$1.1 trillion package negotiated earlier this year, to fund the government through the remaining nine months of FY 2015.

As you know, the House Energy and Water Appropriations Bill passed the House on July 10th. The bill includes \$600,000 for the Intracoastal Waterway, \$25.4 million for Navigation, \$45 million for Inland Waterways and \$42.5 million for Small, Remote or Subsistence Navigation.

The Senate bill, which is still in subcommittee draft form, includes \$600,000 for the Intracoastal Waterway, \$20 million for Navigation Maintenance, \$40 million for Inland Waterways and \$35 million for Small, Remote Harbors and Channels.

While Congress begins its work on an omnibus appropriations bill, we will continue working with the House and Senate Energy and Water Appropriations to obtain sufficient funding for the IWW, navigation and inland waterways.

Once an omnibus is finalized, our next step will be to obtain funding for FIND's projects in the Army Corps FY 2015 Work Plan.

ARMY CORPS OF ENGINEERS SOLICITATION OF PROPOSALS FROM PUBLIC ENTITIES FOR PROPOSED FEASIBILITY STUDIES AND PROPOSED MODIFICATIONS TO AUTHORIZED WATER RESOURCE DEVELOPMENT PROJECTS

Per our discussion, the Water Resources Reform and Development Act (WRRDA) of 2014 requires the Army Corps of Engineers, for the first time, to request proposals from non-federal interests (i.e. cities, counties and public entities) for feasibility studies and modifications to authorized Corps of Engineers projects or feasibility studies.

Proposals are due to the Corps of Engineers by **December 3, 2014** and should be submitted to the following address:

U.S. Army Corps of Engineers
Attn: CECW-CE (Lisa Kiefel)
441 G Street NW
Washington, DC 20314-1000.

Proposals should include the following information:

- Provide the name of all non-Federal interests planning to act as the sponsor, including any non-Federal interest that has contributed or is expected to contribute toward the non-Federal share of the proposed feasibility study or modification.
- State if this proposal is for a feasibility study or a modification to an authorized USACE project or feasibility study and, if a modification, specify the authorized project or study.
- State the project purpose of the proposed study or modification.
- Provide an estimate, to the extent practicable, of the total cost of the proposed study or modification.
- Describe, to the extent practicable, the anticipated monetary and nonmonetary benefits of the proposal including benefits to the protection of human life and property; improvement to transportation; the national economy; the environment; or the national security interests of the United States.
- Describe if local support exists for the proposal.
- State if the non-Federal interest has the financial ability to provide for the required cost share.
- Submit a letter or statement of support from each associated non-Federal interest.

Proposals will be reviewed by the Secretary of the Army to determine if the proposals meet the following criteria:

- Are related to the missions and authorities of the USACE;
- Require specific congressional authorization, including by an Act of Congress;
- Have not been congressionally authorized;
- Have not been included in any previous annual report; and
- If authorized, could be carried out by the USACE.

If FIND would like to consider submitting a potential project modification to the AIWW or IWW, please contact me so that we can assist you in preparing a proposal to the Corps.