

**JANUARY 29, 2009**

The Board of County Commissioners, Manatee County, Florida, met in JOINT SESSION with the Longboat Key Town Commission in the Town Hall, 501 Bay Isles Road, Longboat Key, Florida, at 2:00 p.m.

Present were:

**MANATEE COUNTY COMMISSIONERS**

Gwendolyn Y. Brown, Chairman  
Carol Whitmore, First Vice-Chairman  
Donna Hayes, Second Vice-Chairman  
(entered during meeting)  
Lawrence E. Bustle, Jr., Third Vice-Chairman  
John R. Chappie

Present were:

**LONGBOAT KEY COMMISSIONERS**

Hal Lenobel, Mayor  
Bob Siekmann, Vice-Mayor  
Randy Clair  
Peter O'Connor  
Lee Rothenberg  
George Spoll  
Joan Webster

Absent were:

Ron Getman  
Joe McClash

Also present were:

Ed Hunzeker, County Administrator  
Tedd Williams, Jr., County Attorney  
Bruce St. Denis, Longboat Key Town Manager  
Susan G. Romine, Board Records Manager,  
representing R. B. Shore, Clerk of Circuit Court

**AGENDA**

Agenda of January 29, 2009.

[BC20090129DOC001](#)

**CITIZEN'S COMMENT**

**Protecting the Bay**

**Rusty Channis**, Sarasota Bay Watch President, spoke of the non-profit organization's efforts to preserve and restore the ecosystem of Sarasota Bay. The Bay Watch program reaches from Sarasota to Tampa Bay and partners with many other environmental organizations to try to advance the health of the Bay. He noted the importance of the program to maintain the beaches and local economy, and expressed a willingness to work with the County to promote the health of the Bay. [BC20090129DOC002](#)

**SISTER KEYS GRASSFLATS PROTECTION**

**Bruce St. Denis**, Longboat Key Town Manager, explained Sister Keys is on the north end of the island, and a restoration project has been successful; however, there is still concern regarding the preservation of the grassflats. He suggested a protection zone for the grassflats but found limited jurisdiction by the Town of Longboat Key and the Florida Department of Environmental Protection (FDEP). Legislation has failed to set up a program, and Manatee County support is being sought.

Discussion: Bradenton Beach developed a similar program by extending its jurisdiction; establish a mooring field; no right to post the area; slow speed zone to prevent scarring the grassflats; help from Sarasota Bay Estuary Program; make this a protected area; etc.

Ms. Brown suggested the County agenda the item to write a letter in support of the interest of trying to protect the area.

**Captain Rick Grasset**, local fishing guide, commented on the need to protect the bay and particularly the grassflats. He supported a non-motorized zone to protect the sea grasses, and explained it takes years for the areas to heal from damage caused by boat propellers. Motorized vessels disrupt the behavior of sea life such as fish and manatees, as well as birds and wildlife. He urged united support to protect the area.

Mr. Channis narrated a slide show on the Sister Keys grassflats, stressing the need to protect the sea grass beds. He pointed out the diversity of the area, the abundant sea life, and how boat propellers disrupt and scar the grassflats. He noted many surrounding bay communities have designated no-motor, or pole and troll zones that can be accessed by push poles, trolling motors, or paddles.

Discussion: Talk to other communities that have restricted areas; restrict the area; Fish and Wildlife, FDEP jurisdiction to place markers; work with County staff to resolve issue in all the bay areas; island cities and neighboring County participation; turn over to Charlie Hunsicker and make this part of the Legislative agenda; contact Pinellas County to review its program; look around the state to see how the areas are protected; Hillsborough Port Authority provides protection for their County; etc.

[BC20090129DOC003](#)

**LONGBOAT PASS/GREER ISLAND**

Mr. St. Denis displayed an aerial of Longboat Pass and explained the littoral drift is primarily to the south. Sand is normally placed at the north end of Longboat Key and it drifts to the south, but due to changes in the shoals, the sand has been going from the south to the north. Longboat Pass has migrated south of its original position which is close to the end of the island and sand is being lost. Longboat Pass has not been dredged since 1998 and Congressman Buchanan's office has been contacted to conduct a survey for dredging. A terminal groin could be placed in the area but would need to be monitored to make sure enough sand could pass to nourish Greer Island. The sand source is disappearing and Longboat Key is requesting a long term plan from the County.

Discussion: Greer Island extends to the Longboat Bridge now; did not know the Island was County owned; spot dredging; water flow not good in that area; hyper-saline environment has been created; may not be able to dredge inside shoals, just off-shore shoals; study by West Coast Inland Navigation District (WCIND) favored a terminal groin; off-shore breakwater; etc.

Ms. Brown suggested Natural Resources Director, Charlie Hunsicker, make a presentation to the Board. Ed Hunzeker, County Administrator, added that he will request a written report be supplied to the Board on the history of the area before a presentation is brought forward.

Mr. St. Denis noted WCIND has done a preliminary study, and the consultants have met with the Longboat Key Commission. A study paid for by FDEP recommended one solution but upon meeting, they recommended something different. FDEP would be the permitting authority. If the pass is dredged by the Army Corps of Engineers as in the past, Longboat Key is requesting an agreement with the County to divide the sand equally.

Discussion: County was not aware of ownership; not aware of WCIND study; need formal agreement; work together; great opportunity to obtain sand; etc.

Mr. St. Denis noted Florida Beaches and Shores will be holding a conference on February 17, 2009, in St. Petersburg on beach processes. A luncheon will also be held with Lobbyist Debbie Flack who tracks projects through Beach Watch, with current State and Federal grants, on the status of beaches.

[BC20090129DOC004](#)

(Enter Mrs. Hayes)

**PORT DOLPHIN PROJECT**

Mr. St. Denis displayed an aerial of the pipeline route noting the potential impact to current and future sand resources. The original alignment would impact borrow area 9, which is Longboat's current site for fine, white sand, and it would also impact the overall sand source for Manatee County. Longboat Key filed comments objecting to the route, and a minor adjustment was made to avoid the current sand sources but it would impact future resources. Beach compatible sand tends to congregate in sand hills off the coast, which have not been mapped, so Port Dolphin should conduct surveys while taking steps to avoid those routes. Preliminary information suggests an alternate route from the Gulfstream Natural Gas pipeline could be used that may not impact sand sources, and Port Dolphin could connect to an existing gas line. Buffers are needed for anchoring and for easements, which could extend for 2,000 feet and impact a large source of sand. No information has been provided by Port Dolphin on the quality of sand found through the geological surveys of the area.

Discussion: Polygon areas; do not know sand quality in all polygons; radar can identify the bottom and what sand hills are there; still have to check sand quality; find corridor with least impact; Port Dolphin has not made data available; legal discussion; two weeks for an engineering study; etc.

Sarah Schenk, Assistant County Attorney, spoke with Port Dolphin legal counsel and found they will file a co-location report within two weeks. Early applications did not explain why they could not co-locate with Gulfstream, but an engineering report will be filed explaining the reason. It will be difficult to oppose Port Dolphin if they do not co-locate, but they could be forced to supply a burden of proof. Port Dolphin is willing to meet with staff and the County Attorney's office to provide a report from an independent sand consultant on the quality of sand in each area. They are offering to move the sand before the pipeline is installed or to pay for the sand that will be impacted. The Coast Guard will reactivate the clock in February, and once the final Environmental Impact Statement (EIS) is issued, there will be only 30 days to comment and 45 days for a public hearing. Port Dolphin must inform the County of their final position in the month of February.

Discussion: Proposed route is to co-locate; Port Dolphin is not sharing information; trying to keep Port Dolphin from starting the clock; money already spent; looking at sand sources for the next 50 to 70 years; value of sand; Port Dolphin stalling and requesting no comments be filed; communities should join forces; Pinellas, Sarasota, and Manatee Counties are united; sand hills in deeper, federal waters; Tom's Hill in federal waters in Naples has excellent sand; cannot halt any actions of Port Dolphin until the engineering report is filed; etc.

Motion was made by Ms. Whitmore that Manatee County support that Port Dolphin have an independent opinion that could be agreed upon by Port Dolphin and Manatee County that could be agreed upon to give us data supporting why they are using the route that they proposed. The motion **died** for lack of a second.

Discussion: Need to identify the sand resources; have not received any reports; was a two-year process to permit small section; very expensive, limited time; Port Dolphin is moving forward; will have to come before the Port Authority; etc.

Ms. Schenk noted three points to consider include the buffer, how to pin Port Dolphin down, and how to bar any regulatory approval, if possible. She also noted the need to identify the quality of the sand and how to preserve those sands by avoiding pipeline impact. A report will be brought to the Board as soon as any information is released, hopefully before the February 24 Board meeting.

Discussion: Port Dolphin on hold but will respond to the Coast Guard by February 17, 2009; further research; establish a Standstill Agreement; Port Dolphin plans to move forward with its submittal; starting the clock to establish deadlines; do not have needed information yet; only one percent of the sand is usable for renourishment; may not have sufficient time to respond; request Standstill Agreement within seven days or file an objection to the route; legal dialogue; etc.

Ms. Brown suggested notifying Port Dolphin that the County wants information and will not wait too much longer before moving forward.

Motion was made by Mr. Bustle, seconded by Mr. Chappie, and carried 5 to 0, to voice Manatee County's support of the efforts of Longboat Key in seeking a solution to the routing that would provide for the long term, best preserve of the sand source. [BC20090129DOC005](#)

**COMMISSIONERS' COMMENTS**

**Joint Meetings**

Ms. Whitmore expressed her appreciation to Vice-Mayor Bob Siekmann for attending the County Commission meetings.

Mr. Chappie commented on the importance of joint meetings with all of the municipalities and applauded the efforts of working together.

Mr. Siekmann thanked the Commissioners for attending the meeting and suggested the next joint meeting be held in County Chambers. [BC20090129DOC006](#)

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Adj: 3:31 p.m.  
/mh

Minutes Approved: March 5, 2009