

MINUTES OF THE COLLIER COUNTY  
COASTAL ADVISORY COMMITTEE MEETING

Naples, Florida, January 11, 2024

LET IT BE REMEMBERED, the Collier County Coastal Advisory Committee, in and for the County of Collier, having conducted business herein, met on this date at 1 P.M. in REGULAR SESSION at Administrative Building F, 3<sup>rd</sup> Floor, Collier County Government Complex, Naples, Florida, with the following members present:

CHAIRMAN:	Joseph Burke
VICE CHAIRMAN:	David Trecker
	Councilor Erik Brechnitz
	Jim Burke
	Councilman Raymond Christman (excused)
	Dr. Judith Hushon
	Steve Koziar
	Robert Raymond
	Robert Roth

ALSO PRESENT:

Andy Miller, Director, Coastal Zone  
Management  
Colleen Greene, Assistant County Attorney

*Anyone in need of a verbatim record of the meeting may request a copy of the video from the Communications, Government & Public Affairs Division or view it online.*

**I. Call to Order**

**Chairman Burke** called the meeting to order at 1 p.m.

**II. Pledge of Allegiance**

The Pledge of Allegiance was recited.

**III. Roll Call**

Roll call was taken and a quorum of eight was established in the board room.

**Vice Chair Trecker** said several members must leave early.

**IV. Changes and Approval of Agenda**

*Councilor Brechnitz moved to approve the agenda. Second by Vice Chair Trecker. The motion passed unanimously, 8-0.*

**Chairman Burke** noted that several members need to leave by 2:30 p.m., but based on the agenda, he didn't think the meeting would go over that.

**V. Public Comments**

*Patrick J. Wack, a Seagate resident, told the CAC:*

- He's been coming to Naples for 40 years and keeps a boat at Wiggins Pass, so he has a lot of interest in what's happening.
- He's appointed himself to be the head of Seagate's waterway management, so he wanted to introduce himself.
- He understands there's a lot of history there but is looking forward to any advice the CAC can provide.
- If any CAC member could, he'd like them to reach out offline to educate him on what's going on. He'd appreciate that.

**VI. Approval of CAC Minutes**

**November 9, 2023**

**Mr. Roth** said he'll make a motion to approve the minutes on the condition that they discuss the Action Items listed on the November minutes that aren't reflected under Old Business on the agenda. He'd like to bring them up under Old Business so they can go through them.

**Chairman Burke** agreed they can cover those in Old Business.

*Mr. Roth moved approve the November 9, 2023, meeting minutes. Second by Mr. Raymond. The motion passed unanimously, 8-0.*

**VII. Staff Reports**

**Extended Revenue Report**

*["FY24 TDT Collections Revenue Report"](#) dated Nov. 30, 2023.*

*Mr. Miller detailed a PowerPoint presentation and told the CAC:*

- This is actually the October collections. The list on the side starts in November, so this is the November reporting for October collections.
- He superimposed in shaded black last year's 2022 revenues and we're slightly above what we did last October and well above what we did the year prior.
- We reached 69.1% above our budgeted collections for October. The November reporting is essentially parallel to what we did last year.
- We probably will report this with some updates for the next several months in March, but the percentage above our projected budget is 69.2%, so we're well above what we anticipate. We hope the recent weather doesn't take a toll on those numbers.

***A discussion ensued and the following points were made:***

- The fund numbers changed. Instead of 195, Coastal Beach Management is now 1105. Nothing changed except that prefix.
- The red line represents collections, and the blue line represents this year's budget, which increased over last year.
- The increase was due to the cost of living.
- Collections are greater than expenditures, so the money rolls over into the reserves. Coastal Zone management has a healthy reserve, but Hurricane Ian took its toll on that, taking about \$20 million from our reserves and we're trying to get some money back from FEMA and FDEP.
- Coastal Zone will be building on those reserves this year.

**VIII. New Business**

**[APTIM Environmental & Infrastructure Inc.](#)**

**2025-2026 Local Government Funding Request (LGFR) [Work Order](#)**

**Recommendation to approve a work order with APTIM Environmental & Infrastructure Inc. to provide professional engineering services for 2025-2026 Local Government Funding Request under Contract No. 18-7432-CZ for time and material not to exceed \$27,010.00, authorize the chairman to execute the work order, and make a finding that this item promotes tourism (Fund 195, Project No. 90065).**

***Mr. Miller detailed the item:***

- This action item is brought forth every year and involves hiring and paying a consultant to assist the county and Coastal Zone in applications for state funding of coastal management projects, inlets and beaches.
- The consultant is APTIM Environmental & Infrastructure Inc., which we have used year after year and they've been very successful.

*[Mr. Miller read the recommendation.]*

***A discussion ensued between Vice Chair Trecker and Mr. Miller and the following points were made:***

- This is a DEP requirement and we're asked to do this to qualify for reimbursement.
- APTIM is invited to do this. If the county doesn't do this, we don't get funds, so we want to apply.

- The cost is consistent with past work orders but is about \$1,000 more than last year. The primary reason is because we asked APTIM to conduct an after-the-fact review of the points that we scored, the amount of funds we get and to detail what we can do better next year to see if they can find anything that might increase next year's allotment.
- The county increased the tasks by that amount and APTIM increased the fee by about \$1,000.
- The items covered can change from year to year, but this is an annual requirement.

***A discussion ensued between Dr. Hushon and Mr. Miller and the following points were made:***

- There are some bills in the state legislature that probably will pass, which would provide money for feasibility studies. Some relate to beaches. How do we get considered?
- Mr. Miller said he could discuss it offline if she could provide information on the bills. He can send the information to his grant team.
- More information will be available in about two months, at the end of the legislative session, when the Budget Committee meets and cuts the state budget. It's a work in progress until it's released.
- Mr. Miller said he'll follow that legislation and noted that the County Manager's Office sends a notice to management staff to ensure we're aware of what the legislature passes that may affect our divisions.
- Dr. Hushon noted that there's also money for wastewater treatment, which is causing some issues involving releasing pollutants in fairly high levels to our estuaries. There was money available in past years and it will be available this year.

***Vice Chair Trecker moved to recommend approval of a work order with APTIM Environmental & Infrastructure Inc. to provide professional engineering services for 2025-2026 Local Government Funding Request under Contract No. 18-7432-CZ for time and material not to exceed \$27,010.00, authorize the chairman to execute the work order, and found that this item promotes tourism. Second by Mr. Raymond. The motion passed unanimously, 8-0.***

**IX. Old Business**

***Mr. Roth discussed Action Items listed in the minutes:***

- He spoke to (Resiliency Director) Chris Mason about why Marco Island was pretty much dropped from the study Army Corps of Engineers study because the federal government, since the 1980s, decided it won't spend money in erodible areas/areas that are subject to change. His emailed conversation with Chris was provided to the CAC.
- Why can't the county spend the money in those areas as we did with Tiger Tail Beach's ecological restoration last year? That's in one of these zones.
- At least the Army Corps of Engineers could study it for us and maybe we don't need to use federal funds for the work. We can use county monies.
- There may be an update from Chris Mason on that.
- We have a January 24<sup>th</sup> Zoom meeting with the Corps of Engineers, but he's not expecting to hear a lot of news because they're crunching numbers now.

- After the Corps dropped Marco Island, we accepted it, but it should be challenged. That's a significant thing.

**Mr. Miller** agreed but said he won't weigh in on what projects the Corps is or isn't doing. He suggested staying abreast of the Corps' available monthly public meetings. They're going to be in town next week and he'll send them that information so they can speak to the Corps about it.

**Dr. Hushon** said the purpose of those meetings was mainly to target environmental justice. We were inviting people in the poorer areas who were inundated to tell the Corps what they needed.

**Mr. Miller** said the Corps will be here next week or you may be able to catch them offline to ask questions. He plans to ask questions. There's also the monthly Zoom meeting at the end of January. He suggested keeping conversations with the Corps separate from the Coastal Advisory Committee, unless we invite the Corps here directly. They can speak for themselves. He can't do that.

**Mr. Roth** said he's just trying to fight for Marco Island.

**Dr. Hushon** said she understood. The Corps has made it very clear that some of the things may have to be paid for by the county, not the Corps, and we will share the payment on some, maybe a 65%-35% split. Others may have to be totally done by the county and may be complementary to some of those things we're sharing.

***A discussion ensued and the following points were made:***

- The sharing rate is 65% for the Army Corps of Engineers and 35% county for Corps-driven projects.
- The plan won't come out for a while, so it's not going to be a fast fix. It could take four or five years.
- At a previous CAC meeting, we talked about CAC taking a position if we reach a consensus.
- Mr. Roth was trying to contact the other committee (Coastal Storm Risk Management Feasibility Study Advisory Committee), but there are no meetings pending.
- It comes out in June and Collier could get cut short.
- We should put something together before that.

**Chairman Burke** offered to draft some bullet points based upon his experience.

**Dr. Hushon** suggested adding maps to the draft because some issues are map related.

**Chairman Burke** said this is what the Corps does. They're feeling time pressure and even more money pressure. The money is driving the time, so we're rushing to a solution that nobody will be happy with. He noted that the military magazine he receives just published an article showing that what's being proposed in Newport News to protect the naval yards is what we proposed for Doctor's Pass.

**Dr. Hushon** said the Hampton Roads crew was doing the designing there. There may be something in that.

**Chairman Burke** said the Corps is implementing these strategies at military bases, so he'd be happy to put together a draft we can work on. The county needs to be more involved and needs to be front and center, driving the conversation toward a solution that will work and be accepted.

**Vice Chair Trecker** noted that the CAC is an advisory group for the county.

**Chairman Burke** noted that they have the CAC and a separate committee (Coastal Storm Risk Management Feasibility Study Advisory Committee) working with the Corps.

**Mr. Roth** said it would be great if the chairman could put together a bullet-point memo.

**Attorney Greene** advised the chair to send it to Mr. Miller, not the entire CAC, so it will adhere to the Sunshine Act.

**Action Item: Chairman Burke will draft a bulleted memo for Mr. Miller to send to the Army Corps of Engineers, including maps. Mr. Miller will send it to CAC members for review first.**

**Mr. Roth** asked about the Office of Management & Budget and the loan to the Paradise Coast Sports Complex.

**Mr. Miller** said he sent some documents to all CAC members. One is a December 2020 executive summary detailing the methods, means and logic for payback of the \$10 million. He encouraged them all to read it.

**Chairman Burke** said he didn't understand it.

**Mr. Miller** agreed he didn't either.

**Attorney Greene** said she has the ordinance and sent out a document with a table of the distribution of the various percentages of each penny. It's not her expertise, so if they have questions, she can bring back answers. The distribution of the pennies, as identified in the table, is part of the ordinance and is set pursuant to state statute, which defines how each penny may be spent. That's how our shore's development tax plan is set up.

*[The percentage table was displayed on the overhead projector for the CAC.]*

**Dr. Hushon** said if they were to be spent on beaches and were spent on the sports park, how does that line up?

**Attorney Greene** said it could be a loan. She hasn't reviewed it yet, but it was set up through the County Attorney's Office and the OMG to detail the way the funds are collected and distributed pursuant to statute.

**Dr. Hushon** said she understands that, but there was a diversion of funds, whether it was a loan or not. What guarantees are there that these funds are going to come back through this fund?

**Attorney Greene** said she'll review that with the OMB.

**Councilor Brechnitz** said it's the strangest loan document he's ever read. The bottom line is that if they choose, they don't have to pay it back.

**Dr. Hushon** said that's her concern. She doesn't think that's just asking for a donation.

It's a taking from one fund to put into another to offset a debt. Is that appropriate?

**Attorney Greene** said she'll review it. That's a complicated question. Before it went to the Board of County Commissioners, it was reviewed by OMB and the county. She'll work on this with Andy for the next meeting. She didn't realize it was on the agenda.

**Dr. Hushon** said it's an action item from the last meeting.

***A discussion ensued and the following points were made:***

- The infrastructure penny sales surtax that just ended wasn't intended for the Paradise Sports Complex. The fifth penny of the surtax was dedicated to the sports complex.
- The 1% sales surtax was for a period of seven years or \$490 million, whichever occurred first, and was for other infrastructure and capital improvements. The \$490 million was reached before the year ended, so year-end collections exceeded that amount.
- There was a gap in the budget and county commissioners looked for money, decided we had a lot of money and that we were a convenient source, so that's a concern.

***A discussion between Mr. Roth and Attorney Greene occurred over another Action Item and the following points were made:***

- Tiger Tail Park is a county park owned and maintained by the county.
- The county purchased it from one of Marco Island's developers, Marco Island Development Corporation, an affiliate of Deltona Corporation.
- Sand Dollar Island is state-owned and state-maintained and the county does not have jurisdiction to work on Sand Dollar Island.
- The money awarded last year for the Sand Dollar Island project was for an island under state jurisdiction, but there was a benefit to a county lagoon in a county park.

***A discussion ensued over another Action Item and the following points were made:***

- The CAC was to consider inviting an environmental group or two to the next meeting for a presentation, possibly on advanced wastewater treatment and the levels to which water is treated.
- Among groups/speakers being considered were the Conservancy of Southwest Florida, the Collier Waterkeeper and Eugene Wardehoff from Marco Island.
- Eugene has published a lot. He just put together a PowerPoint on the oxygen content and phosphate levels of water, where our pollution was coming from and from which plants.
- He knows a lot about what levels Collier is treating water to. He's an expert and has been following it for a long time.
- We could invite Eugene, the Collier County Waterkeeper and someone from the Conservancy.
- Attorney Greene suggested that Mr. Miller invite them on behalf of the CAC.

**Action Item: Mr. Roth will provide Mr. Miller with the contact information and Mr. Miller will reach out to possible speakers for an upcoming CAC meeting, possibly March.**

**Mr. Roth** said the last Action Item asked Colleen to detail the remit on the CAC's

expanded duties involving water quality and she did.

**Attorney Greene** noted that she provided a copy of the Coastal Advisory Committee Ordinance, which was amended in 2019 to add subsections F and G for water quality issues. The board expanded the CAC's functions and duties to include water quality. She understands there is a subcommittee that needs support from county staff.

**Vice Chair Trecker** said after the remit, in May 2021, the CAC submitted a recommendation to the Board of County Commissioners that covered three items. The most relevant was to investigate the cost benefit of fully advanced wastewater treatment to reduce nutrient levels in reclaimed water. It was favorably accepted by the Board of County Commissioners, but we didn't follow up on it and should have. The recommendations were very well thought through. He can provide copies to anyone who wants them.

**Mr. Roth** said if the speakers come to a future meeting, it will continue that discussion and possibly help advance it. Eugene Wardehoff was trying to bring attention to the fact that Collier County's own pollution control division recommended in its last report that its wastewater plants should be upgraded to advanced. In my opinion, rather than just advanced, it should be upgraded to the best available technology because advanced is a 40-year-old statute so there are bigger and better systems that the county should consider.

**Vice Chair Trecker** noted that Lee County already has done this.

**Dr. Hushon** said she has a copy of the CAC Water Quality Subcommittee report, which asked for three items: remote compliance with the county's fertilizer urban landscaping ordinance; to conduct training of lawns and landscape companies; and to investigate the cost benefit of installing advanced wastewater treatment to reduce nutrient levels in reclaimed water.

**Vice Chair Trecker** said they were all accepted and looked upon favorably by the BCC. We made a mistake by not aggressively following up on it right away.

***A discussion ensued and the following points were made:***

- We need to make sure that the Wastewater Treatment Office group within Utilities starts to put together specs so they can request monies to do this. The next thing that must happen is that someone in the county needs to request those modifications to the wastewater treatment plants.
- The CAC's job is not to implement any of this, but to make recommendations to the Board of County Commissioners. We're an advisory group.

***Councilor Brechnitz told the CAC:***

- He has copies of an extensive engineering study that looked at reclaimed water on Marco Island and found that its negative effect on Marco Island waterways was *de minimis*.
- Marco is a boating community, with 100 miles of streets and 120 miles of canals and 70% of the homes have access to the Gulf of Mexico by boat.
- Our waterways are considered impaired by the Florida DEP, so we've been doing lots of work testing our water in 20 different places, including off island to see where pollutants are coming from.
- We also paid for a fairly extensive study on reclaimed water and what effect it may be having on our canals.



- The conclusion was that reclaimed water was having a *de minimis* effect and the cost benefit of changing it didn't make sense.
- The common opinion of most people is that reclaimed water is a problem that needs to be solved, but this report provides a different viewpoint.
- The real problem isn't nitrogen because we're now below that and unless you do isotope testing, you don't know whether the nitrogen is coming from fertilizer or rotting vegetation.
- Weeks after Hurricane Wilma, we had a jump in nitrogen. It could have been due to post-hurricane.
- We're now under the nitrogen level required for impairment and have been for almost two years.
- It's going to take us another year to get off the impaired list.
- The real problem is the lack of oxygenated water, which promotes the growth of sea plants.

**Chairman Burke** noted that it decreases the BOD (biochemical oxygen demand).

**Councilor Brechnitz** said he could provide the report to the CAC. It's a large report and probably doesn't make sense to email it.

***Dr. Hushon told the CAC:***

- One of the biggest problems is the phosphates that aren't being removed from the recycled water/gray water we use for irrigation.
- They're doing a better job of removing nitrogen than they are removing phosphate.
- While they both cause problems, we can have issues with red tide from either. Both could cause those problems.
- For comprehensive monitoring, you'd look for levels of phosphate, nitrogen and chlorophyll. How much green there is in the water color reflects algae.
- We're basically talking about that getting stimulated, so they regularly take all three measurements all around. They're taking it from Marco Bay to all the estuaries.
- The county has all that information, so it would be good to examine in detail.
- It also would be worth examining in historic detail what the monthly reclaimed water readings are.
- What does the analysis look like for nitrogen phosphate or chlorophyll from each water plant?

***A discussion ensued and the following points were made:***

- Every sewer plant submits a monthly report containing data.
- Data from each plant could all be pulled into one document so we can make conclusions.
- Dissolved oxygen is the other variable that we need to look at because that's the measure of how healthy the water actually is for wildlife and plants.

**Action Item: Councilor Brechnitz will provide the consultant's reclaimed water report to the CAC at the next meeting.**

**Action Item: Staff was asked to obtain monthly sewer plant reports for the county, Naples, Marco Island and Everglades City to compile a year's worth of data to**

**determine how healthy the water is for plants and wildlife. If possible, provide that data to the CAC before its March meeting.**

**X. Announcements**

**Mr. Miller** said the agenda says we'll have a meeting on February 8<sup>th</sup> but Coastal Zone doesn't have any action items pending for that meeting. We have one pending for March, a fairly important meeting involving the City of Naples and its TDC grant applications.

**XI. Committee Member Discussion**

**Chairman Burke** said no meeting in February will give us some time to line up speakers for the March meeting.

**Dr. Hushon** said if we're going to pull that data together for the county, we also should pull data together for the cities because they run their own water treatment plants in Naples, Marco Island and Everglades City. It would be very nice to have just all of them in one paper. A year's worth of data would be enough to make conclusions.

**Vice Chair Trecker** said it would be good to get that data well in advance of the March meeting. That would be very helpful to everybody.

*[The Action Item above was amended to include the cities and to provide data before the March meeting.]*

**Mr. Roth** said the City of Naples already has advanced wastewater treatment, so it meets that criteria. It has to show that on each monthly report submitted to the DEP. For the county and Marco Island plants, there are no limits. It just has to be reported, so that data can be mined and put into a report.

**Dr. Hushon** said it would be interesting to see the contrast, which will tell a story.

**Mr. Roth** said you don't even need the actual numbers from Naples because you know what their limit is, and you can compare that.

**Dr. Hushon** said it would be worth it. Everglades City is currently meeting the requirements, according to a briefing she saw yesterday, so they may have a new wastewater treatment plant. They have a new plant, so if Everglades City and Naples are meeting the requirement, we have Marco Island and the county. What do their numbers look like?

**Mr. Roth** said putting together that data is more than a summer intern's job. Is there somebody on staff who can do this?

**Mr. Miller** said he'd have to go through Public Utilities or Pollution Control. It would help if someone could formalize the request for information, send it to him and he'll distribute it to the right people.

***A discussion ensued and the following points were made:***

- This data already may be summarized.
- There's federal reporting and annual reports for wastewater treatment plants.
- We're only asking for summary data, not a lot of detail.
- We want volume and concentration.
- Every monthly report has a monthly average of nitrogen and phosphorous. That's

not from the sewer plant. That's a separate water-quality test.

- The sewer plant monthly reports show nitrogen, phosphorus and volume.
- That information is in the DEP database but may not be in a usable form. We may have to pull all the data from each report, the lower-right hand corner, put it on a chart and plot it.
- That would enable us to see the different plants.
- It would be nice to see how far below the minimum standard Naples is.

**XII. Next Meeting**

March 14, 2024, 1 p.m.

**XIII. Adjournment**

*Councilor Brechnitz moved to adjourn the meeting. Second by Mr. Burke. The motion passed unanimously, 8-0.*

**There being no further business for the good of the county, the meeting was adjourned by order of the chairman at 1:52 p.m.**

**Collier County Coastal Advisory Committee**

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**Joseph Burke, Chairman**

These minutes were approved by the Committee on \_\_\_\_\_, (check one) as presented, \_\_\_\_ or as amended \_\_\_\_\_.