MINUTES OF THE COLLIER COUNTY COASTAL ADVISORY COMMITTEE MEETING

Naples, Florida April 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, 3rd 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 (Zoom)

Dr. Judith Hushon

Steve Koziar Robert Raymond Robert Roth

ALSO PRESENT:

Andy Miller, Director, Coastal Zone Management Colleen Greene, Assistant County Attorney Maria Becerra, liaison, Coastal Zone Management 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 at http://tv.colliergov.net/

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; a ninth joined later via Zoom.

Mr. Miller announced that Councilman Christman said he'd call in on Zoom. [Councilman Christman participated via Zoom but due to technical problems, was unable to speak/unmute until 1:20 p.m.]

IV. Changes and Approval of Agenda

Mr. Miller said the speaker, Eugene Wordehoff, will be added as 5.a.

Councilor Brechnitz said he thought this was supposed to be when the City of Marco Island would make a presentation on the Tigertail Critical Wildlife Area.

Mr. Miller said it was initially scheduled for this month, but we were backed up trying to get documents processed through city and county employees. Since it was a FY25 grant application, meaning construction wouldn't happen until November, we decided to push it out.

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

V. Public Comments

Patrick J. Wack, president of the Seagate HOA, provided a map and told the CAC:

- He's joined by Brett Cohan, who represents Naples Cay, a 300-unit condominium complex.
- Our community is about Clam Bay.
- We're here to request that the CAC discuss implementing a review of the inlet management of the clam blight at its next meeting. This is imperative for a couple of reasons.
- Over many years, the system's water quality and ecological health have been degrading. The waters have been impaired for many years and are not improving.
- These waters feed our canals and waterfront and are very important to us. The bay also is home to ecotourism activities, including kayaking, fishing, mangrove adventures, some of which are touted on the Naples Grande (Beach Resort) website.
- This degradation is partly due to inadequate tidal flushing, which in turn, according to our experts, is due to a sub-optimal dredging paradigm. These hydrodynamics have led to more frequent dredges every two years over the last six to seven years versus five to six years under a different plan that was previously

- implemented.
- Dredging issues are compounded by beach re-nourishment programs, which should probably more adequately be considered for inlet stability.
- The next issue is the shoaling of the channel from the bay to the gulf, where the inlet jogs to the right or left depending on your orientation.
- This has led to some impediments for watercraft access, whether non-motorized, motorized, recreational, commercial or emergency. The bay is a navigable waterway with riparian rights.
- The final issue is there isn't just one county entity responsible for the entire inlet bay system. Per county ordinance, Pelican Bay Services Division's mandate applies to the dredging of the inlet and the health of the mangroves, not to the bay in its entirety or directly to water quality.
- County taxpayers would be spending \$500,000-\$600,000 every two years to dredge the inlet.
- We think that Seagate, Naples and county taxpayers deserve an independent engineering examination of a more comprehensive inlet management program that considers dredging, water quality and beach re-nourishment.

Mr. Roth told the CAC:

- Patrick spoke at our last meeting and indicated he'd like to reach out to CAC members, which he did.
- He and Patrick met and visited Clam Pass. Visually, the water looks pretty compromised.
- The issue, as presented, is that the county has some testing programs that indicate there's an issue with nutrients, which he could see just by looking at the water. It's pretty green and is not supposed to be that way.
- He supports what Mr. Wack is asking, that the CAC get more involved.

Vice Chair Trecker said he lives in Clam Bay and was involved through the Pelican Bay Services Division for many years with dredging and the responsibility for maintaining the bay, the inner bays and the mangroves. He appreciates what Mr. Wack is saying. ... It silts up fast. There are no jetties, nothing to prevent the silting and it's been an ongoing problem. It's paid for by taxpayers, not Pelican Bay, and we're delighted with that.

Dr. Hushon told the CAC:

- She lived in Naples Cay for many years and lived next door to this.
- One problem was when they dredged, they put the dredging spoils back into Clam Pass, straight into some channels. They've used the dredging back there and they slip off and go back into the channel.
- She suggests not putting dredging materials back into Clam Pass.
- The other problem is when they replenish beaches to the north. The sand tends to move from north to south. That's the pattern. When the Pelican Bay Services Division replenishes beaches to the north, that sand moves down, right into the pass and that's also part of the problem.
- A jetty may be needed to keep it from going in with the next high tide, which is what happens.
- We've looked at it a lot over the years. One of the things they did was to put the dredgings inside the pass to create a straight channel from the shore back to the bay. That was a mistake.

Vice Chair Trecker said he doesn't want to preempt one of the major reasons for the meeting, but they have to reconsider hardening. If we had been able to put in rock jetties, he can't say this wouldn't have occurred, but it wouldn't have occurred as frequently as it does now. Judy is right. That's a long-standing problem.

Mr. Burke asked if the Seagate HOA met with the Pelican Bay Services Division.

Mr. Wack said we met with them extensively, as recently as a few weeks ago.

Mr. Burke noted that until a few years ago, the county was dredging every five to six years.

Mr. Wack replied:

- Was that dredging just for the pass, the inlet, or was it the whole?
- The first dredge went past the drawbridge, the second dredge didn't go that far, but it went farther than it does today.
- That addressed some problems. Shoals had a deeper and wider profile, its orientation was different, so many things were changed with the new plan when Pelican Bay Services Division took over.
- It needs a fresh, independent look and not from the engineer who wrote the plan.

Vice Chair Trecker said it seems like a reasonable request.

Councilor Brechnitz asked what another independent opinion about the area and potential solutions would cost.

Chairman Burke noted that Mr. Wack mentioned he'd retained an independent, third party.

Mr. Wack replied:

- We retained a coastal engineer but he hasn't done a rigorous amount of work. He's looked at and is familiar with the system.
- He looked at the past plan, the current plan and is considered knowledgeable enough to offer his assessment.
- The county spent \$500,000-\$600,000 every two years on this and \$150,000-\$200,000 could be well spent in addition to that to address serious concerns and rights that we have for water quality and reasonable access to the Gulf.
- We're not going to let that die.

Councilor Brechnitz said he's concerned about the process and if we're required by state law to do a request for proposals.

Attorney Greene explained:

- Some procedural steps need to happen before procurement and before this board can take action.
- This board can vote to bring this back as an action item. This is just public comment so you can't take action today.
- If the majority of the board agrees, you can ask staff to bring back an item that we can discuss and take action on, including reviewing procedural matters and the requirement for competitive solicitation, if that's appropriate.

Mr. Roth said that sounds fair.

A discussion ensued and the following points were made:

- If this is a Google Earth photo, it shows blue tarps on roofs so it's probably from after Hurricane Ian.
- We need to know when this was taken and get a new photo.
- There are historic photos of this area going back eons.
- It's not appropriate to make a decision based on an old photo.
- We can put this on the agenda as a New Business item next month and discuss it.
- We need to vote on whether this should be studied.
- Vice Chair Trecker said he was canoeing in that area and it's still impaired. This photo may not be completely up to date, but the problems are indicated here.
- We need to instruct staff to give us up-to-date information and then put it on the agenda.
- This involves three tasks: The county does beach renourishment, leading to more frequent dredging or silting of that inland. There a better solution. A jetty would enhance or mitigate some of that.
- The dredging is a second issue and whether there have been improvements. If we're just taking the dredge, putting it on the slope and it's washing back in, there are probably nutrients in that sediment, and we're returning those nutrients back into the soil or into the pass.
- The third issue is water quality.
- A fourth issue is that during the last Army Corps of Engineers call, Clam Pass is now a topic with the Corps, which is coming here next week.
- They need to see the area to the left of the area they're coming to inspect.
- We can get their input on this next week.
- The Pelican Bay Services Division has some legal responsibility for this.

Attorney Greene said the Pelican Bay MSTU ordinance about the Pelican Bay Services Division (PBSD) says it has the sole responsibility for advising the county on dredging and maintaining Clam Pass for the purpose of enhancing the health of the affected mangroves for us and will manage such activities for the county. This needs to be reviewed before we can bring it back to determine whether the CAC can take action based on the ordinance's language.

Chairman Burke asked for her recommendation.

Attorney Greene recommended giving staff the opportunity to review the new information. She and Andy will look at it and will have to speak to the PBSD. She'll work with the County Attorney on the language in the ordinance and bring back a recommendation in May or June. We need to review this because this is just public comment and you can't take action. It requires additional information.

Mr. Roth noted that Attorney Greene mentioned the responsibility involving mangroves, but it didn't say anything about water quality, which is a new issue that occurred after that agreement.

Attorney Greene said yes, this is 2013 language: Dredging and maintaining Clam Pass for the purpose of enhancing the health of the affected mangrove forest and will manage such activities for the county. It says "sole responsibility" so we need time to review this issue.

Chairman Burke said if the county is doing something with beach renourishment that's impacting the inlet, we need to know that.

Mr. Roth said the county possibly has a role in causing this problem.

Mr. Miller noted that Councilman Christman is online and is having trouble with being able to speak or unmuting himself. He told him to try calling in on another phone number. **Councilor Brechnitz** said if he's there, this is an item he may be interested in.

Chairman Burke made a motion to allow Councilman Christman to participate via Zoom due to an extraordinary circumstance. Second by Councilor Brechnitz. The motion passed unanimously, 8-0.

Chairman Burke made a motion to instruct county staff to determine the CAC's ability to be involved in Clam Pass issues. Second by Councilor Brechnitz. The motion passed unanimously, 8-0.

a. Presentation: Effects of wastewater reuse irrigation pollution [Eugene Wordehoff]

- Mr. Roth introduced Eugene Wordehoff and his wife, Nanette Rivera:
- They're retired engineers and residents of Marco Island who are very active in water quality.
- Nanette is on the Conservancy's board and was on the Big Cypress board.
- He asked them to give a presentation because the CAC discussed advancedwastewater treatment at the last meeting and about three years ago, the CAC made a recommendation to county commissioners but no action was taken. That could be due to a lack of follow-up on our part.
- It's time to focus on that issue. Gene is the perfect person to present this because he's studied it in Collier County.

Mr. Wordehoff told the CAC:

- He and Nanette have been working on water quality for four years, first on Marco Island and then we expanded the focus to Collier County, so we've got extensive information to share.
- Last year, Collier County Pollution Control recommended that reducing nutrients at the source is a more cost-effective way to improve water quality than going downstream, specifically converting existing wastewater plants to advanced-wastewater treatment (AWT) technologies.
- That's the first time they ever made that recommendation so that's monumental and it's coming from a county department.
- We support that idea and we're going to show you why that's a good idea.
- That's the same recommendation the CAC made three years ago and now an internal county department, Pollution Control, made the same recommendation.
- The scope of this project is to unify sewage treatment plants that have AWT management.
- On Marco Island, we compared re-use phosphorus to the water body's oxygen over a five-year period and after looking at other possible causes, we found a strong correlation showing that phosphorus has the strongest relationship with oxygen depletion.
- Phosphorus stimulates algae growth. We see that all over Marco Island and the algae decomposition consumes the oxygen, so when we have less phosphorus in

- the re-use water, we have more oxygen.
- This shows the response risk profile over a two-year period. In early 2020, due to the "COVID excursion," phosphorus dropped to almost zero. The hypothesis is that COVID hit, people were afraid, they stayed home and didn't come to Marco Island and they weren't flushing their toilets. But there is still a demand for reuse water so they blended raw water and that blend takes the phosphorus concentration down.
- Whatever the reason, it went down.
- In November 2019, we were at reuse of about 4 mg/L (mg per liter) for phosphorus and oxygen was about 5 mg/L and in December and January, the reused phosphorus went way down and oxygen went way up.
- When we started reintroducing phosphorus, the oxygen went back down, so this is a direct link between phosphorus in the reused water and the water body's oxygen. This is our evidence.
- The question is: Is the wastewater-treatment plant in violation of its permit? This is a standard clause in the permit. The permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life.
- He believes the permit is being violated.
- As a comparison, we looked at Monroe County's mainland, south of Everglades
 City, where there are no people, no sewage, no fertilizer and there's excellent
 water quality there, while we see depleted water quality in Collier County.
- For an area with no people or nutrient sources, we see excellent water quality. That's our control group. We looked at Collier County in total and the green bar at the top is Monroe County's mainland.
- Over the last 20 years, that's maintained very healthy levels of oxygen but if you look at the blue line, Collier County, that shows we've lost 30% of our oxygen in the last 20 years.
- When you split that by the watersheds, you see there's a hypoxic dead zone that's formed in Collier County with oxygen levels below 1 mg/L, so it's a dead zone and hardly anything can live there.
- If you compare relative numbers, the Marco reuse has a level of nitrogen, 8 mg/L, and phosphorus is about 4 mg/L.
- The advanced-wastewater treatment plants, the Grizzle-Figg Statute (403.086) specifies limits of 3 mg/L and 1 mg/L, so you'll hear that repeatedly. We're way above the Grizzle-Figg limits and why is that? We have a permit that allows that. It's legal and the wastewater-treatment plant is operating within its permit.
- If you look at the Marco numeric nutrient criterion (NNC), our water quality standards, they're much lower than that. The reuse nitrogen is 27 times what's allowed in the water body. The reuse phosphorus is 80 times what's allowed, so we're dumping highly concentrated pollutants into our water body.
- Last is the limits of technology, which can strip phosphorus and nitrogen out of that reuse water to meet the NNC limits. We can basically polish that reuse water.
- The Florida Keys has advanced-wastewater treatment up and down the Keys.

Dr. Hushon asked if they looked at natural sources of phosphorus in the soil. There's a very strong phosphate mine north of us and our soil contains a fair amount. When you do a typical soil sample, you get fairly high phosphorus levels, which is not something you'd expect, but it's true here. We also have phosphorus in our soil so we always tell people

never to put phosphate fertilizers down. Do you know where your phosphate is coming from? Is it all fertilizer or is it also from soil?

Mr. Wordehoff said in Monroe County's mainland, they have phosphorus in that pristine area, but at trace levels. It exists everywhere, but at trace/minute levels. As you come up into Collier County, it builds and when you get to Marco Island, the only source for phosphorus is the wastewater-treatment plant. They've banned fertilizer all year long. There's only one source.

- The COVID excursion conundrum is our smoking gun. That's when we found the linkage. When we look at the literature, this is commonly known. We haven't discovered new scientific principles. This is a known, common problem and we have it on Marco Island.
- Marco Island has been through this issue and hired Jacobs Engineering to study the
 reuse water and their conclusion was that any adverse effect by reuse water was de
 minimis, primarily because single-family residents don't have access to reuse
 water, which is used on the golf courses and road medians on Marco Island. But
 others believe it's the cause of the phosphorus.
- Harper never did water testing but issued a long report. (Dr. Harvey H.) Harper didn't test the water in a dozen different spots like Marco did with the Jacobs report.
- Mr. Wordehoff said when the Harper and Jacobs reports were done, we thought we
 were impaired for total nitrogen and we were historically, but we came out of that
 impairment. What's happened over the last two years is data they don't have in
 those reports. We've got more current data and it shows oxygen started dropping
 in 2019 and dropped 65% in August.
- The main reason was the sewage treatment plant dropped the nitrogen in the reuse water by 50%, which solved the problem. We've been out of impairment for nitrogen for three years.
- Marco Island was not impaired per FDEP (Florida Department of Environmental Protection) for anything, but our oxygen is dropping. We're still on the list and will be delisted because oxygen has been dropping.
- If it continues this trend for two years, we will be impaired for low oxygen.
- The City of Naples has had advanced-wastewater treatment for decades. Everglades City converted to advanced-wastewater treatment with its new plant upgrade and all the Florida Keys have advanced-wastewater treatment.
- Lee County has four large AWT plants in Fort Myers but many Lee County plants aren't AWT.
- In Collier County, there's no phosphorus control in the five main plants. They're dumping phosphorus by the ton. It's a potent pollutant.
- Not only is Lee County going in that direction now, but Sarasota and Tampa did. That was the solution to Tampa Bay years ago, reducing nitrogen and phosphorus in the wastewater. That's where the Grizzle-Figg Statute came from 44 years ago. The numbers could be a lot better with today's technology.
- There's money in the state budget for wastewater treatment every year. Would upgrading sewage treatment plants be eligible for those grants? It seems the answer would be yes. We just need to do it.
- On Marco Island, we could virtually pay for the upgrade with an FDEP grant, the

- Innovative Technologies Portal.
- We did an RFI (Request for Information) about a year ago and received a couple of valid responses. The estimate for the upgrade was about \$3 million for Marco Island, which could 100% be covered by an Innovative Technologies Grant. There also are operating costs for the lease that would be offset because there are cost reductions: 90% of chlorine in that process goes away and that would save Marco \$140,000 a year, so there's a return on investment associated with operating AWT.
- That's in addition to the default injection.
- We're not talking about Marco Island, we're talking about Collier County and its own recommendation. We need staff to look further into this to answer those questions.
- In January, the CAC decided we'd get more educated on the topic. The CAC Water Quality Subcommittee made this recommendation about three years ago.
- The CAC ordinance was amended in 2019 to include the opportunity to review water-quality issues.
- There's a confluence of interest here and the CAC Water-Quality Subcommittee should be focused on this.

Mr. Christman told the CAC:

- He's been listening to the meeting since 1 p.m., but couldn't unmute for 20 minutes.
- He's heard about this through other sources and as a member of the Water Quality Subcommittee, which recommended this.
- The work has continued since then and this is clearly within our purview. It's a central issue for coastal water quality in Collier County.
- We're talking as much about political will as science. County wastewater plants don't have AWT and the world is moving in that direction. It's a question whether county leadership is interested in engaging in an effort to study it and consider how to move these plans to AWT and what the benefits would be.
- If the CAC can help push that along by gathering information and evidence on the benefits, that would be a real service to the residents of Collier County.
- This is definitely within our charter and we should engage in a further discussion to identify what the benefits would be, unless county leadership isn't interested. If they are, the CAC can be of service to them.

Dr. Wordehoff said it would be useful if we conducted a cost-benefit analysis of the Marco Island plant upgrade to AWT. We've got the most information on Marco Island and it's the cleanest test case we'll find because Marco is isolated in the middle of a pristine estuary. Up in Collier County, it gets more complicated. Marco is a single source of pollutants and it's contained within Marco, so a cost-benefit analysis of the Marco upgrade would be useful.

- The CAC Water-Quality Subcommittee recommended the county conduct a costbenefit analysis on installing advanced-wastewater treatment countywide.
- This would be an appropriate direction for us to take. It's in our purview to make suggestions and recommendations to county commissioners.
- The county ordinance says the CAC can report to the Board of County Commissioners on issues of critical importance that will positively impact Collier

- County coastal water quality.
- The CAC has no budget to conduct studies, so it can make a recommendation and work through staff to make a recommendation to the BCC.
- Mr. Wordehoff said he and his wife could work with the CAC on a cost-benefit analysis because we've got all the information and just need to put together a report.
- The concern is that it relates to Marco Island, not the county. We might recommend hiring a consultant to look at the county plans so the county can make a decision. The county might not be able to take Marco Island numbers as evidence and will need an internal review of its own facilities. The CAC might recommend that.
- Historically, upgrades to AWT were very expensive, but with new technologies available today, it's cost effective and reduces the operating costs of sewage treatment plants.
- State money is available if the anyone applies for it.
- This is analogous to what happened at Piney Point. They had a big phosphorus problem and used technology to zero it out. They made it go away.
- That problem was self-resolved but the state took that on its own. They call it polishing the reuse water. You can polish it to the point where 90% of pollutants are removed.

Mr. Roth said he'll make a motion to put it on next month's agenda under New Business and hopes Mr. Wordehoff is available.

Councilman Christman asked him to amend the motion to ensure that the appropriate staff and county leadership who need to be involved in the AWT investigation and late-implementation strategies can provide their views on the feasibility of the county making this a priority going forward.

Mr. Roth agreed and amended his motion, saying he'd leave it up to Mr. Miller to determine the staff and leadership that needs to be involved.

- The next step would be a presentation from a county wastewater treatment employee, something similar to this in terms of what they're doing, what their volume is, the nitrogen and phosphorus levels, etc.
- Not all the water is being reused; some is being discharged.
- Marco data would be useful for correlating that population and population growth. The county's population is increasing dramatically, while Marco is static now.
- The data will show when people aren't here off-season and what the impacts are.
- The last Census showed Marco had more than 17,000 permanent residents and Naples had about 23,000 permanent residents. There's a chance that's undercounted but we can't prove that.
- Our population has not been growing, but our tourist population has been growing dramatically. The way the state works is that we get very little benefit from sales taxes. That 83% of our revenue comes from property taxes so we welcome the tourists because they're great for businesses.
- This costs us money because they're stressing our systems and we're getting no revenue because they happen to be there so it's a problem.
- Marco's total general fund budget is only \$26 million, a small amount of revenue

for a city.

- There also are people who disagree with Gene's hypothesis and we need to look at that and see if an opposing opinion can be presented.
- Will AWT make any difference in the Gulf's water? The Caloosahatchee and the Army Corps of Engineers in Lake Okeechobee are sending all this water down and communities like Marco and Naples won't get any better than the water in the Gulf, no matter what's done.
- From a scientific perspective, a study completed a few years ago showed the direct linkage between the nutrients from the Caloosahatchee feeding the red tide, making red tide blooms worse and making them last longer. That's evidence.
- We could do many things here but it won't make any difference because a giant amount of pollutants is coming down into the Gulf.
- If you take Marco as an example, the depleted oxygen is only on Marco Island. When you get off Marco Island, the oxygen returns to normal oxygen. Marco Island City Council chose to start testing offshore so we'd have a more compliant picture and we found that out. That was a very good one.
- We need to move the focus away from Marco. This is clearly a wider problem.
- We need to bring the Collier County wastewater employees here to give a presentation. They may be defensive and say we are meeting current standards.
- Those standards aren't very high.
- The county is following its permits and does a good job of adhering to the permits.
- Collier County needs to take notice that surrounding counties and cities, including
 the Florida Keys, Lee County, Sarasota and Tampa are doing this, and upgrade its
 wastewater beyond what the state requires. That's the right thing to do, regardless
 of the effects of the Caloosahatchee.
- We already have the Collier County Pollution Control & Maintenance's recommendation and should hear from them.

Mr. Roth made a motion to put this on the next available agenda for a discussion about advanced-wastewater treatment so the committee can make a recommendation about AWT to the Board of County Commissioners. Second by Vice Chair Trecker. The motion passed unanimously, 8-0.

Action Item: Mr. Miller will determine what divisions, county leadership and employees should be at the CAC meeting to discuss the AWT issue.

VI. Approval of CAC Minutes

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Mr. Roth noted that on page 3, when Andy presents the budget, it says the increase of the red line over the blue line was due to the cost of living. He doesn't believe it's due to the cost of living, it's from greater than expected revenues through tourism taxes. He'd strike "cost of living."

Chairman Burke said that on page 5, under his remarks, the sentence about Naval yards should say what was originally proposed.

Dr. Hushon said "we" can be changed to "was" and it would correct that.

[A discussion ensued over how minutes are written, what's said shouldn't be changed, but the minutes taker can check what was said to make any changes.]

Councilor Brechnitz made a motion to approve the January 11, 2024, meeting

minutes, as amended. Second by Vice Chair Trecker. The motion passed unanimously, 8-0.

VII. Staff Reports

Extended Revenue Report dated March 31, 2024

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

- The bottom line number is 53.2% above the adopted budget, which has been the trend for a long time.
- The trajectory of the revenues decreased slightly, but it's still above last year, a great year. We'll see what next month brings but the news is good.

VIII. New Business

1. BCC Executive Summary-2025-2026 Park Shore Renourishment [APTIM] Recommendation to approve a work order with APTIM Environmental & Infrastructure Inc. to provide professional engineering services for the 2024-2025 Park Shore Renourishment Project under Contract No. 18-7432-CZ for time and materials not to exceed \$102,117.70 and make a finding that this item promotes tourism (Fund 1105, Project No. 90067).

Mr. Miller told the CAC:

- We conduct annual surveys of beaches starting in January through February and we received our draft report, which shows they're in great shape, except for a small portion in Park Shore.
- What we want to do in November or December, after turtle season is over, is renourish Park Shore Beach. That requires bringing on our consultant, APTIM Environmental & Infrastructure, to do the design and preparation of our bid documents.
- This is a big rush and we have to get done in November, so we need to get this item approved and get our consultant on board as soon as possible.

[He read the recommendation.]

Vice Chair Trecker asked if this is the tail end of the restoration after the hurricane or is this part of a regular rotation of nourishing beaches?

Mr. Miller explained:

- This is part of our regular rotation. We typically do re-nourishment projects on four- or five-year cycles for the beaches because we don't want to tackle all county beaches at once.
- Park Shore already was next on the list to be re-nourished before the hurricane.
- The tail end of the emergency-berm project in south Naples, still has to be done.
- We'd like to do both construction projects simultaneously to save mobilization costs and impacts to the community.

Vice Chair Trecker asked if it involves a truck haul after the next turtle season. **Mr. Miller** said it's a truck haul in November or December 2024.

Councilman Christman moved to recommend approving a work order with APTIM Environmental & Infrastructure Inc. to provide professional engineering services for the 2024-2025 Park Shore Renourishment Project under Contract No.

18-7432-CZ for time and materials not to exceed \$102,117.70 and made a finding that this item promotes tourism. Second by Mr. Raymond. The motion passed unanimously, 8-0.

2. Executive Summary City of Naples Amended TDC Grant Applications
Recommendation to approve the First Amendment to the Tourist Development
Council Grant Agreement based on updated requests from the City of Naples
for FY 2023-2024 in the amount of \$2,500,000, budget these expenditures,
approve any required budget amendments, and make a finding that these
expenditures promote tourism.

First Amendment TDC Grant Agreement Pier and maintenance

TDC Grant Application - Beach Maintenance

TDC Grant Application - Lowdermilk Park

TDC Grant Application - Naples Pier

Mr. Miller introduced Chad Merritt, director of the City of Naples' Parks, Recreation & Facilities Department.

Mr. Merritt told the CAC:

- He thanked Andy, Colleen and the team for helping us through this grant application for the past three years. They've been outstanding to work with.
- Naples has three requests. This is the TDC Category A Grant application. What was previously approved was \$200,000 for beach maintenance and another \$200,000 for the Naples Pier, which changed due to Hurricane Ian.
- Our newest request is for one of our main beach parks, Lowdermilk Park.
 Hurricane Ian caused pretty extensive damage there, as it did at all of our beach accesses.
- This park is heavily used by county residents, city residents, tourists, etc. We've done a lot of work to bring it back to ensure it was usable within two months after the hurricane. We're looking at doing about \$200,000 in maintenance to the parking lot area.
- We have to put some new vegetation back in to replace what we lost. We also had to repair the accesses, restroom facility, concession area and some amenities.
- The new request is \$200,000 for this application, which is for Lowdermilk Park maintenance and repairs.
- The second application is the traditional one, Naples Beach Maintenance, which covers beach raking and removing litter. We maintain 40 beach accesses and we have staff who remove trash, etc. The maintenance budget for that item is about \$1.3 million.
- We also have to repair beach accesses. The architect's current OPC (opinion of probable construction cost) is about \$2 million. This is a very important project because we want to maintain access for city and county residents and this application has traditionally been a \$200,000 request but a lot has changed since this application was started and that occurred before he got here.
- We're requesting that we increase the \$200,000 to \$500,000 due to costs that have increased with inflation and some staffing costs.
- Our third request is the one in the spotlight, the Naples Pier. Originally, we requested \$200,000 to help maintain the pier and to help with structural issues for maintaining the restrooms, etc.

- We opened about 50% of the pier, 150 feet, and that was signed off on by the engineers.
- We're awaiting construction bids, which close on May 7. At that time, we'll know the exact amount, but the OPC from the architects and engineers was \$20 million.
- This could come in lower or higher. We're trying to put together pieces of how this will look. When we put it out to bid, the timeline is still unknown. We're hoping that we get an award in the summer.
- This will be for the next five years and we're going to be under construction for at least 18 months of that. We don't anticipate many maintenance costs, so we're requesting an advance for five years.
- We also asked to increase the amount from \$200,000 to \$400,000 during those five years, which is how we calculated the \$2 million.
- We all know how iconic the pier is and what it does for tourism. Half of it was closed last year and we still got over 1 million visitors at the pier, with only 150 feet of it open for use. That's significant and shows it's a very important part of this community.
- Since Hurricane Ian, many people have shared their thoughts, feelings and memories about the Naples Pier. It's important to the community, the city and county residents and tourists who come yearly.

Vice Chair Trecker said these are significant numbers and the pier is a big one. Do you have other funding sources?

Mr. Merritt replied:

- We're working with the state and some funding was budgeted but still hasn't been signed off on and approved by the governor, but we're trying to work through that
- The Naples Pier will be rebuilt before we see any FEMA funding. We have to pay first and it's all reimbursable, just like with TDC funds.
- We're trying to put everything together, but every little bit helps. We felt this would be a good use of TDC funds because it's one of the biggest tourist attractions in the county.

Vice Chair Trecker asked if Naples received state funding, would the TDC funding be restored?

Mr. Merritt said with state funding, when you look at a \$20 million project, we're only getting \$5 million at the state level. This would be \$2.2 million and we're at \$7.4 million. We would still have a pretty significant gap to close.

Councilman Christman explained:

- As a City Council member, we've carefully considered and discussed this request.
- Beyond damage to the pier, what we've seen for years is a steady, significant increase of visitation and tourism directed toward our beaches and pier.
- We're a city of 22,000 residents, according to the census, but it's been suggested that we double during season. Now we know it's much more. When Naples Community Hospital was before City Council recently for the expansion of the Heart Institute that we approved, their data showed Naples grew in season to as many as 100,000 people when you consider visitation, seasonal visitation, seasonal residents and tourists.

- When Andy did his report on Tourist Development Revenues, which are pouring
 into this county, and the tens of thousands of people who get off planes at RSW
 every month to come here, they're coming to go to beaches. Most beaches are
 publicly accessible beaches or in the City of Naples, so the pressures are growing.
- These requests come after many City Council discussions with management, city and county staff. They're beyond our interlocal agreement, which provides a relatively modest amount of money yearly to deal with free beach parking access for county residents and other issues.
- We discussed how we can fairly get more money to maintain our beaches and other things. That's why the increase is being sought.
- There's no single bigger tourist icon in Collier County than Naples Pier. We're looking at about \$20 million and it probably will be much higher.
- We're hoping to get \$5 million from the state budget this year, but the TDC money is very important to us, and everything we do has to be justified in terms of the promotion of tourism.
- There isn't anything that fits that description better than the Naples Pier.

Vice Chair Trecker noted that at the end of one of the additional sheets, there's a question that says if the full amount requested cannot be awarded, can the program or project be restructured to accommodate a lower award and the answer was yes, it could be scaled down.

Mr. Merritt said anytime you're requesting funds, you don't want to receive nothing. The answer is if we can't get \$2.2 million, we'd like some amount. That's why we typically don't answer "no." We won't be requesting this grant again for five years, so these funds would be advanced. After this \$2.2 million request, we're saying the pier won't need maintenance because it's going to be under construction. We're asking for an advanced amount so we can put it toward the big item, rebuilding.

Dr. Hushon said Lowdermilk Park is now open. Is this above what's been done or is this refilling the coffer for what was spent to get it to where it is today?

Mr. Merritt said this is mainly focused on park maintenance, the parking lot area, which is used by city and county residents, as well as tourists, and we have to do resurfacing and restriping. We still have some work to do, but some of those things may fall under the TDC, which the parking lot does. Replenishing vegetation and repairing the playground that was destroyed also is included, but the playground most likely isn't covered by TDC funds. We've acknowledged that we've got other expenses so we're identifying the ones the TDC could help with.

Attorney Greene noted that these grant funds are not available until they are approved by the Board of County Commissioners, so they are going forward expenditures, reimbursable expenditures.

Councilor Brechnitz asked if FEMA reimburses after the project is done (yes). You're talking about increased operating costs. How much of this request for Lowdermilk Park is infrastructure and how much is annual operating expenses to run the park?

During questioning, Mr. Merritt explained:

• The request shows that the maintenance request is for parking lot maintenance

- and restriping, which was \$200,000 and that's not an ongoing expense.
- It's a capital cost, a maintenance cost. This is included in our operating costs and it's a maintenance item because we're not putting a new structure in or building a new parking lot. This is maintenance of the current parking lot, a \$200,000 expenditure.
- It costs \$100,000 in operating costs to operate Lowdermilk Park annually. That's not part of this request.

Councilor Brechnitz asked how the city will pay for the rest of the project.

Councilman Christman responded:

- We'd be doing a bond to secure funding in the short-term.
- We have a couple of other major projects unrelated to our beaches that are moving forward, including the Gulfshore Playhouse's parking garage.
- We're looking in real time at how we can bundle a couple of big capital projects and the timing for borrowing money for that.
- By securing grants before we do that from the state and TDC, that will lower the amount we need to borrow.
- Once the Naples Pier reimbursement comes from FEMA we'll be able to pay off that debt more quickly.
- That's the city's general plan and strategy for financing.

A discussion ensued and the following points were made:

- If the CAC approves this, that would lower the amount of money the city has to borrow.
- What's unknown is the FEMA amount because the pier project qualifies for a certain percentage, but there's an equation they use for mitigation.
- We've outlined some mitigation items within the design and when the bid comes back and we know the exact number, we have to sit down to come up with the numbers that are eligible for FEMA, etc. That number could be higher or lower.
- We know it's not going to be the full amount and we're trying to figure out how we're going to piece together the amount, which is why TDC funding is important.
- The city spent a portion of the 1% sales surtax on public facilities and other items. The bulk of the remaining 1% surtax monies that have not been allocated are being earmarked for the Beach Outfalls Project, the major stormwater management improvement project the city is carrying out along Gulfshore Boulevard between the new Naples Beach Hotel to the north and south into Old Naples. We're also seeking state money for that.
- The city also began the process of applying to the TDC to help fund that. If it proceeds, we'd need CAC and BCC approval.

Dr. Hushon moved to recommend approval of the First Amendment to the Tourist Development Council Grant Agreement based on updated requests from the City of Naples for FY 2023-2024 in the amount of \$2,500,000 to budget these expenditures and approve any required budget amendments and made a finding that this item promotes tourism. Second by Mr. Raymond. The motion passed unanimously, 9-0.

IX. Old Business

Dr. Hushon asked whether Mr. Miller has information on the survey of the beaches for underwater hazards. Things are still coming up.

Mr. Miller said that's because we've had front after front. Our dive teams would like to be going into the water to do salvage operations, but they can't see because of the turbidity, so we're waiting for it to calm down. In the summer, we get clear water.

Councilor Brechnitz asked for an update on the Collier Creek dredging. It continues to be a navigational hazard. We've been in the permit mode for about two years.

Mr. Miller said it's been more than two years. We send emails to the Army Corps office in Fort Myers every month and sometimes get a response, but we have not received a positive response. They have a stack of applications like ours and their policy is to take them one at a time, so we're still waiting on the Army Corps of Engineers to give us a permit for that work. The design is finished and we're ready to go to bid.

Councilor Brechnitz asked about the Big Marco Pass channel by Isles of Capri. It's moving all the time and where the current markers are is not where the channel is. Boats get stuck. They're well within the channel, but the deep water is not in the channel so we need to have those markers moved.

Dr. Hushon said that's a Coast Guard request.

Mr. Miller responded:

- It's federal waters and we've corresponded with the Coast Guard and the Army Corps of Engineers.
- There are discussions ongoing and the Army Corps plans to do a dredge for Gordon Pass and parts of the channel behind Keewaydin Island and Sand Dollar Island.
- With construction next year, they're also going to be doing surveying this summer and will survey bank to bank from Keewaydin Island to Sand Dollar Island to explore the depths of the waters you're talking about.
- They're going to coordinate and work with U.S. Coast Guard. When they find good water, will coordinate moving the markers to where they need to be.

Dr. Hushon said the Coast Guard is really responsive. They're easier to get a hold of than the Corps in terms of moving markers, etc., because they understand. They also realize that markers age and they have to repair them. A lot of markers have to be totally replaced because they deteriorated.

Mr. Miller said that's correct. They'll also be inspecting for that.

X. Announcements

Vice Chair Trecker said Naples City Councilwoman Linda Penniman will be rejoining the CAC and replacing Councilman Christman.

- After the recent City Council election, City Council went through its regular process of appointing members to various positions, from vice mayor to head of our Community Redevelopment Agency, to various boards and committees.
- These positions rotate periodically, so Councilman Christman will be stepping down from the CAC and Councilwoman Penniman will take over his term.
- County commissioners have to approve the recommendation by Naples City

Council.

- Councilman Christman's term ends in late May, so Councilwoman Penniman will start in June.
- City staff will notify the county about the change.
- The recommendations for the appointments are scheduled for the next TDC meeting, April 16, and will be approved at a BCC meeting in May.

XI. Committee Member Discussion

1. CAC - USACE CSRM Position Paper

Councilman Christman's Comments

Dr. Hushon's Comments

Mr. Roth's Comments

Vice Chair Trecker's Comments

Chairman Burke said he drafted a USACE position paper after offering to do it in January and incorporated comments from Judy, Bob and Dave.

Mr. Miller noted that Dr. Hushon's comments aren't on the printed agenda packet, which isn't the updated agenda, but they are online.

- Vice Chair Trecker said he supports this 100% and agrees with the intent, but word-smithed it and didn't make substantial changes.
- It's inappropriate to let the county commissioners think everybody accepts an approach that forbids any hardening. The nature-based approach is not a bad one and can be pursued, but that alone won't provide the needed long-term resiliency. That's a very important point to deliver to commissioners and we don't have much time.
- Some of Judy's comments need to be added.
- The CAC's opinion is that the project is not trending toward the goal of preventing storm-driven coastal flooding.
- Dr. Hushon took exception to that and noted that Marco Island and other portions of the county were excluded from this project. That's what we're trying to get reinstated. Marco can't be ignored. It's a major part of the county, an economic driver. There's a tremendous valuation of property that will be exposed on Marco and things can be done.
- The Coastal Barrier Resource Act of 1983 (CBRA) says the Corps of Engineers is not going to spend federal funds on construction of projects in erodible areas.
- We need to know what the solutions might be and maybe the county can help fund that. To drop Marco Island doesn't sit well with a study this extensive.
- Chairman Burke's comments included Marco and says Marco Island and other portions of the county were excluded.
- It should at least say it's the position of the CAC that it should be included to some degree.
- We need to know why the Corps dismissed it. Was it due to a cost-benefit ratio? Chris Mason said it was because they're in a coastal erodible zone area so they weren't going to do anything.
- That tosses out nature-based solutions because that's all coastal construction that's subject to erosion.
- Dr. Hushon said environmental justice is missing from this position paper.

- Chairman Burke said he focused on only the points of contention and the Army Corps already supports environmental justice. We need to focus on what's not being looked at.
- Dr. Hushon said we need to mention that we think it's good that environmental justice is being considered, pat them on the back.
- Dr. Hushon said part of Marco Island's problem is its geography and geology and when it's at an average of 5 feet above sea level, they're going to have a hard time coming up with a solution. They missed one solution, the shoal at the south corner. If you let that shoal grow, it will ultimately protect Marco from a storm surge. There are things the Corps overlooked and missed. Besides bigger dunes, you're not going to add gates or seawalls, so you must consider what Marco can do.
- Mr. Roth noted that the Corps looked at Marco Island because he was at the charrette and made the recommendation about creating a shoal at the south end of the island to protect Caxambas Pass. He knows firsthand because his house got flooded and knows how the floodwaters came in. There is no protection there and if they let Kice Island develop a shoal or put in some groin there, it would advance it, or put in some mangroves to collect sand that's moving up. That's what we were asking them to study and they said it's in a zone they can't spend money on so we're not going to look at it. That's the problem.
- Dr. Hushon noted there are things the county is allowed to do that the Corps is not allowed to do. This is a joint plan and up until now, it's been what can the Corps do with the county. We need to keep things on the table that the county could do in conjunction with this. That could be something the county could do because the Corps' hands are tied.
- Mr. Miller said the county can work through the CAC, TDC and BCC to do
 projects they feel are beneficial towards resilience. They don't have to wait on the
 Corps to do the projects.
- Dr. Hushon said if the Corps doesn't put this in its plan, it's time to look at it. The Corps can't put much in its plan because of the island's geology and the geography. They didn't forget Marco, they just didn't do a lot for it. They did beach re-nourishment.
- Councilor Brechnitz said the Corps spoke to the city council and the council asked that question. The Corps said we didn't really look at Marco because we assumed we couldn't do anything. They subjectively decided that.
- Dr. Hushon said that's not true because she and others were at the charette and we listed things Marco wanted to do or could do and discussed what the Corps proposed for Marco.
- Mr. Roth said they made that decision because it's in this coastal-zone area. The county could study this on its own. It's analogous to what's going on at the north end of the island with the Sand Dollar Island-Tiger Tail Ecological Restoration Project, at the protected north end of the island. There's nothing happening at the south end of the island so maybe the county can look at this because it's in a zone the Corps said it won't spend federal money on. He asked the Corps to study it because they're engineers and have software and computer programs to figure it out. They could tell us where we could do this and how much it would cost, but say we're not going to give you 35%. The cost won't be known until we get the plan.
- Dr. Hushon said the plan was delayed until September.
- Mr. Koziar said we need to get these comments to the Corps. We can't hold this

- up. We've been told "no" several times but we'll ask again.
- Chairman Burke said he'll redraft this based on everyone's comments and we can consider it at the next meeting. Ray doesn't believe we should do this, but he's leaving the CAC.
- Councilman Christman said he sent his email with comments, which is part of the agenda packet.

Councilman Christman told the CAC:

- He's sympathetic to the view that their level of hardening physical infrastructure elements, combined with a nature-based approach, would provide for a better overall plan.
- It's developed to the current plan and the pendulum has swung completely the other way. To himself and many others, moving to a more nature-based approach made sense.
- From a process and advisory standpoint, the CAC seems to be the logical body to oversee this project. Instead, an *ad hoc* committee was put together that has met infrequently. If they were meeting publicly on a regular basis, it would have been an opportunity for us and others to come forward to talk about specifics.
- Naples residents always ask what infrastructure he's talking about and where.
 Talking about it in the abstract is not productive and raises fears and concerns in people's minds because of what occurred during the first round of the Corps' planning effort.
- He doesn't know how we can proceed as a committee. A majority wants to proceed and agree on some language that makes a generalized recommendation.

Vice Chair Trecker responded:

- The major concern is that the word "hardening" may be offensive to some people but it's completely excluded. Some of us say the alarm should be sounded based on that.
- We're not looking at specific designs.
- Joe's point, which he supports, is that it would be foolhardy to let county commissioners think everything is moving along smoothly, with the complete exclusion of hardening as a comprehensive way of offering resilience.
- You can argue whether the CAC is the appropriate body. We're an important stakeholder, we were the primary citizens advisory group for some time and there's a large composite of knowledge about the subject, so we're an important stakeholder to take a position on this.

Chairman Burke responded:

- As an engineer trained in this, we have three options: we protect the shore, we protect the shoreline, including the inlets, and we raise structures. And you're not going to raise what's there. You'd have to knock it down and build up.
- You can start changing the building code now and make everything 10 feet in the air, which would solve the problem. You won't get flooded, but you would not lose residents.
- Or you can abandon the area.
- The NOAA (National Oceanic and Atmospheric Administration) map showing Category 4 coming in on Naples has 14 feet of water over 90% of the city. It should scare people. The mangroves aren't going to stop that. We're in an

alternate reality.

Mr. Roth responded:

- The purpose of this is bring everything we're talking about to commissioners' attention because he's uncertain what they know individually.
- They know this study is being done and will be presented to them at some time and then they'll get into it.
- We're trying to share our expertise and wisdom.

Vice Chair Trecker said that to present them with a general paper would be a mistake. We need to get their attention so we have to take issue with some items.

Councilman Christman asked if the ideal proposal would be to go back to the original plan from 2019 or 2020 and embrace the hardening recommendations?

Chairman Burke responded:

- If you went back to the original plan, there are certain things like raising the dune height and protecting the inlets. In the original plan, they were looking at a hurricane barrier where U.S. 41 crossed the Gordon River and that would protect all the upland areas along the Gordon River.
- It would basically condemn Port Royal, Royal Harbor, Aqualane Shores and parts of Olde Naples and guarantee they get flooded.
- The only way around that is you must change the building code to elevate the structures or new construction would be 8 feet in the air.
- He doesn't think the plan adequately addressed the city and he tried to raise that when the TSP (tentatively selected plan) first came out. Why was that portion of Naples condemned to be flooded? It's the same with the way they walled off Seagate.

- Plan A had large defects in terms of the implications it presented for much of the City of Naples, which is why the city reacted the way it did.
- With Plan B, the one pending now, some people think it's inadequate for other reasons.
- Plan C would be something that hasn't been broached in detail and could comprise the current version and other options.
- As a committee, the CAC hasn't had a role in trying to shape it as individuals, particularly people with your kind of background.
- At a minimum, the CAC should list for the BCC four examples of things that aren't in the plan now but could be or should be to make it more effective.
- The concern is what is being considered now isn't effective and you'll wind up with limited protection, which will drive the Corps' cost-benefit ratio and decrease what they can do. They may say it's not worth doing anything and walk away, saying we've spent all our money putting together a plan that adhered to what you wanted and we've demonstrated we can't do anything for you.
- Time is of the essence.
- We're squandering an opportunity. With every Corps call, all we hear about is money is driving what they're trying to push through this process within the bureaucracy.

- As someone trained in this, Chairman Burke doesn't see how the fully nature-based solution could protect of the City of Naples. We have lot of coastline. We don't have the coastline available to protect with that type of solution.
- Vice Chair Trecker said he asked Chris Mason if the plan can be delayed past September and he said neither the timing for the selected plan or the overall endpoint is likely to be extended.
- Up until now, hardening has been completely excluded, including jetties, groins and islands.

Chairman Burke asked how they wanted to proceed. Do we want to pursue this?

A discussion ensued and they agreed we should pursue this, improve the draft position paper and present it to county commissioners.

A discussion ensued on the definition of environmental justice and the areas that involves, including River Park.

A discussion ensued and the following points were made:

- Some homes could be raised or moved at a lower cost.
- We need to focus on a statement of concern about using hardening.
- The position paper needs to be short and sweet, with key points.
- In September, the BCC will have to review this plan, so they should be aware of these issues. What they need is to have this information available in a short, concise position paper.
- The politicians need to understand the issue and educate the public to prevent misinformation.
- We need to continue with the position paper and make edits.
- Chairman Burke said he'll redraft it with these comments and if there are more comments, Andy will forward them to him.
- We can't dilute the message. It needs to have a kick and show our concerns.
- What we come up with doesn't have to be acceptable to everyone on the CAC, just a majority.
- Councilman Christman said he may be able to support the final version.
- If it's done quickly, Mr. Miller can provide it to committee members and we can suggested edits.
- Attorney Greene advised that all the information must come out at a publicly
 noticed meeting. You can make edits based on this meeting but you can't use
 Andy as a liaison to share information. Andy will send it out and include the
 additional comments as he did today and it can be approved at the next meeting.
- Chairman Burke agreed to incorporate everyone's suggestions and redo the position paper.

XII. Next Meeting

May 9, 2024, 1 p.m.

XIII. Adjournment

Mr. Raymond moved to adjourn the meeting. Second by Mr. Burke. The motion passed unanimously, 9-0.

There being no further business for the good of the county, the meeting was adjourned by order of the chairman at $3:24~\rm p.m.$

	Collier County Coastal Advisory Committee	
	Joseph Burke, Chairman	
These minutes were approve presented, or as amend	d by the Committee oned	, (check one) as