



## HERNANDO COUNTY WATERWAYS ADVISORY COMMITTEE REGULAR MEETING AGENDA



Date: Wednesday, April 21, 2021

Time: 6:00 p.m.

Location: Hernando Beach Marine Group, Inc. Training Center  
4340 Calienta Street, Hernando Beach, FL 34607

Advertised: Friday, April 9, 2021, Hernando Sun (CLK21-64)

Agenda Available Online: <https://www.hernandocounty.us/departments/departments-n-z/public-works/aquatic-services/port-authority/agendas-and-minutes/-folder-1499>

Hernando County Government continues to monitor COVID-19 (Coronavirus) and are taking precautionary measures as recommended by the Florida Department of Health (DOH) and the Centers for Disease Control and Prevention (CDC). The following measures have been implemented for the Port Authority meetings and will apply to all persons entering the building:

- Social Distancing Required – Persons must maintain 6 feet from each other while waiting to enter the Meeting Hall and during their stay in the Meeting Hall.
- Face Coverings Recommended – Face coverings (masks) should be worn in the Meeting Hall.
- Temperature Check Required – Persons will receive a temperature check upon entering the Meeting Hall. Persons who have a fever of 100.4 degrees or greater will not be allowed to enter the building.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Teena Dagliere, Hernando County Department of Public Works, 1525 E. Jefferson Street, Brooksville, Florida 34601, (352) 754-4060. If hearing impaired, please call 1-800-676-3777.

The agenda and attachments are finalized the Friday prior to the meeting. The meeting agenda and back-up material are available online at: <http://www.hernandocounty.us/departments/departments-n-z/public-works/aquatic-services>

Hernando County Government provides resources for citizens wishing to provide public comment remotely, with the exception of quasi-judicial public hearing items. Citizens' comments for quasi-judicial public hearing items must be submitted in person at the meeting under oath. For all other items, citizens may provide comment via email to [portauthoritycitizencomments@co.hernando.fl.us](mailto:portauthoritycitizencomments@co.hernando.fl.us). Comments will be accepted up until noon on the day of the meeting. Emails submitted should contain the sender's name and identify the agenda item topic in the subject line. Citizens' comments will be provided to the Department of Public Works. Citizens' comments will not be read at the meeting.

If a person decides to appeal any quasi-judicial decision made by the Hernando County Port Authority with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based.

### Upcoming Meeting(s)

The date and location of the next regular meeting of the Waterways Advisory Committee will be determined at the April 21, 2021 meeting.



**HERNANDO COUNTY WATERWAYS ADVISORY COMMITTEE  
REGULAR MEETING AGENDA  
April 21, 2021**



---

**CALL TO ORDER**

1. Pledge of Allegiance
2. Approval/Modification of Agenda (Limited to Staff and Waterways Advisory Committee Only)
3. Approval of Minutes – February 17, 2021

**MARINE PATROL REPORT – Corporal Steve Kelly**

**OLD BUSINESS**

None

**NEW BUSINESS**

1. Vote for Vice Chairman
2. Schedule and Meeting Location for Meetings
3. Restore Funding
4. Derelict Vessel Procedure
5. Mitigation Bank Proposal

**CITIZENS COMMENTS**

**WATERWAYS ADVISORY COMMITTEE/STAFF COMMENTS**

1. Chuck Morton, Chairman
2. Mike Fulford, Member
3. Mike Senker, Member
4. Kathryn Birren, Member
5. Sarah Hill, Member
6. Keith Kolasa, Aquatic/Waterway Services Manager
7. Scott Herring, Department of Public Works Director/County Engineer

**OTHER – Waterways Advisory Committee Agenda Requests for Future Meetings**

**ADJOURNMENT**

# Hernando County Waterways Advisory Committee

## Meeting Schedule-- 6 Meetings Per Year

Location: Hernando Beach Marine Group, Inc Training Center, Hernando Beach Florida

Meeting 1	January 20, 2021
Meeting 2	February 17, 2021
	March 17, 2021
Meeting 3	April 21, 2021
	May 19, 2021
	June 16, 2021
	July 21, 2021
	August 18, 2021
	September 15, 2021
	October 20, 2021
	November 17, 2021
	December 15, 2021
	January 21, 1900

# RESTORE Act Trust Fund Components



**Pot 1 - Direct County Allocation - County Multi-Year Plan (\$1.9B);  
(\$373M to FL)**

**Pot 2 - Gulf Coast Ecosystem Restoration Council (\$1.6B)**

**Pot 3 - Spill Impact Allocation (Gulf Consortium) (\$1.6B);  
(\$293M to FL)**

**Pot 4 - NOAA Science Program (\$133M)**

**Pot 5 - Centers of Excellence (\$133M)**

# RESTORE Act Trust Fund Components



## Pot 1 - Direct County Allocation - County Multi-Year Plan

- \$ 1,987,585 currently available to Hernando County
- Administered through U.S. Treasury Department
- County's Multi-Year Plan was approved in 2015

## Pot 3 - Spill Impact Allocation (Gulf Consortium)

- \$ 12.7 million spread out in annual payments over 15 years
- Projects must be included within the State Expenditure Plan
- State Expenditure Plan under development with Hernando County submitting projects in September 2016 and refining over past five months.

25% limit on *infrastructure*



## What is Infrastructure?

Infrastructure means the public facilities or systems needed to support commerce and economic development. These installations and facilities span a wide range, including highways, airports, roads, buildings, transit systems, *port facilities*, railways, telecommunications, *water and sewer systems*, public electric and gas utilities, *levees, seawalls, breakwaters, major pumping stations, and flood gates*. Infrastructure encompasses new construction, upgrades and repairs to existing facilities or systems, and associated land acquisition and planning.

*U.S. Department of Treasury*

# Hernando County - Pot 1 Project Funding

Project	Funding Allocation
Bayou Drive Restoration	\$ 750,000
Linda Pedersen Park Improvements	\$ 600,000
Unobligated at this Time – TBD after Linda Pedersen Completion	\$ 637,585
TOTAL Available	\$ 1,987,585

- Additional deposits on \$264,562 per year through 2031
- Accumulates to \$4,633,199





# State of Florida

## STATE EXPENDITURE PLAN



Submitted Pursuant to  
the Spill Impact Component  
of the RESTORE Act

33 U.S.C. § 1321(t)(3)

Prepared by the Gulf Consortium  
for the State of Florida





# Approved Program RESTORE Funds (Pot 3) for Hernando County

Program	Funds Allocated in FEP
Marine and Coastal Habitat Enhancement	\$3.1 M
Waterway/Gulf Access	\$4.56 M
Water Quality	\$5.0 M



# Hernando County - Pot 3 Project Funding

Project	Funding Allocation
Artificial Reef Program	\$ 2,350,000
Oyster Reefs and Living Shorelines	\$ 750,000
Boat Ramp and Coastal Park Amenities	\$ 1,165,000
Channel Improvements	\$ 3,135,000
Paddling Trails	\$ 260,000
Water Quality – Calienta Street	\$ 2,400,000
Septic to Sewer	\$ 2,600,000
<b>TOTAL</b>	<b>\$12,660,000</b>



# A Strategic Marine Area Plan for Hernando County

Alexandra Barshel, J.D. Cand.  
Samantha Sanders, J.D. Cand.

Conservation Clinic, University of Florida College of Law  
Thomas T. Ankersen, Legal Skills Professor and Director,  
Statewide Legal Specialist, Florida Sea Grant

Emma Pistole, M.S. Cand.

UF/IFAS Nature Coast Biological Station  
Mike Allen, Professor and Director

Brittany Hall-Scharf, Extension Agent  
Florida Sea Grant

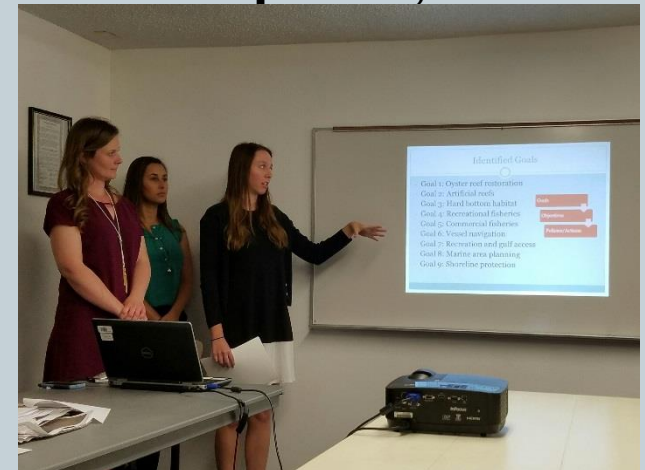
Keith Kolasa  
Aquatic Services Manager, Hernando County



# Plan Timeline



- 1. Goal Ranking Workshop** April 20, 2017
- 2. Policy, Strategy, and Action Discussion** Nov 2, 2017
- 3. Policy, Strategy, and Action Discussion** Dec 7, 2017
- 4. Policy, Strategy, and Action Discussion** Jan 23, 2018
- 5. Final Plan Approval and Approval of Comp Plan Language** Feb 21, 2018
- 6. Comp Plan Amendments – BOCC** March 6, 2018
- 7. Resolution Supporting SMAP** April 18, 2018



# Identified Goals



- Goal 1: Shoreline stabilization
- Goal 2: Oyster reefs
- Goal 3: Artificial reefs
- Goal 4: Recreational and commercial fisheries
- Goal 5: Vessel navigation and gulf access
- Goal 6: Hard bottom habitat and seagrass

Goals

Objectives

Strategies



# Strategic Marine Area Plan Goals



1. To ensure that all estuarine shoreline interfaces in Hernando County contribute to the health and resiliency of the County's coastal and estuarine ecosystems
2. To establish/reestablish a robust system of **oyster reefs** that contributes to estuarine health and coastal resiliency
3. To enhance Hernando County's recreational fishery by maximizing available structure for recreationally important fish species at all life history stages through **artificial reef deployment**.
4. To maintain a robust and economically and ecologically sustainable **recreational and commercial fishery**
5. To develop, maintain and enhance a resilient program of land-based and in-water **maritime access** infrastructure to support the sustainable commercial and recreational use of the marine and estuarine waters of Hernando County.
6. To ensure the ecological integrity of Hernando County's unique assemblage of **hard bottom habitats** and interspersed **seagrass beds**.

**GOAL 11.04 – Protection of Marine Resources**

**Hernando County’s marine area, which exhibits unique biophysical and ecological characteristics, supports a rich assemblage of marine biota that drive the marine resource-based economy. The County commits to planning for marine resources that conserves natural resources, supports recreation, promotes strategic land conservation, protects water quality, and promotes coastal resiliency through shoreline stabilization, oyster reef restoration, and artificial reefs; recreational and commercial fisheries; vessel navigation and water access; and protects hardbottom and seagrass.**

**Strategic Marine Area Plan**

**Objective 11.04A: The County will prepare, implement, and periodically update a Strategic Marine Area Plan (S MAP) to maintain, restore, or create stabilized shorelines, nearshore oyster reefs, and artificial reefs; to sustain economic and ecologic recreational and commercial fisheries; to develop, maintain, and enhance a resilient program of infrastructure to support the sustainable commercial and recreational use of the marine and estuarine waters; and to ensure the ecological integrity of Hernando County’s unique assemblage of seagrass bed habitats and interspersed hardbottom.**

**Shoreline Stabilization, Oyster Reef Restoration, and Artificial Reefs**

**Strategy 11.04A(1): As set forth in the S MAP, adopt programs that promote estuarine shoreline interfaces that contribute to the ecological health and resiliency of the County’s coastal and estuarine ecosystems.**

**Strategy 11.04A(2): As set forth in the S MAP, implement a program to restore nearshore oyster reefs that contribute to estuarine health, productive fisheries, and coastal resiliency.**

**Strategy 11.04A(3): As set forth in the S MAP, implement a program to enhance Hernando County’s fisheries by maximizing available structure for recreationally important fish species at all life history stages through artificial reef deployment.**

**Recreational and Commercial Fisheries**

**Strategy 11.04A(4): Determine the relative health and economic value of both fisheries in Hernando County and their relationship to the marine resources they depend on.**

**Strategy 11.04A(5): Develop and implement a holistic approach to recreational and commercial fisheries management.**

Goals 1,  
2, and 3

Goal 4

## Goal 5

### Vessel Navigation and Water Access

**Strategy 11.04A(6):** Adopt strategies that improve motorized, non-motorized, and motor-assisted vessel navigation in and through the waters of Hernando County.

**Strategy 11.04 A(7):** Implement robust education, compliance and funding programs to ensure the sustainable use of waterways in Hernando County.

**Strategy 11.04A(8):** Maintain and improve land-based motorized and non-motorized boating access infrastructure based upon expected growth.

### Hardbottom and Seagrass

**Strategy 11.04 A(9):** As set forth in the S MAP, protect and enhance the quality and quantity of seagrass and hardbottom habitat within Hernando County.

**Strategy 11.04 A(10):** Protect and enhance water quality to protect marine resources through programs that protect wetlands, reduce erosion through stormwater management controls and protect native vegetation and preserve upland habitat.

**Strategy 11.04 A(11):** Conduct surveys to document the biodiversity of the seagrass and hardbottom habitats and implement monitoring as set forth in the S MAP.

## Goal 6



**RESOLUTION NO. 2018-1**

**A RESOLUTION OF THE HERNANDO COUNTY PORT AUTHORITY, ACCEPTING THE HERNANDO COUNTY STRATEGIC MARINE AREA SCIENCE PLAN AND STRATEGIC MARINE AREA POLICY PLAN; RECOMMENDING THE STRATEGIC MARINE AREA SCIENCE AND POLICY PLAN AS A REFERENCE DOCUMENT WITHIN THE COASTAL MANAGEMENT ELEMENT OF THE HERNANDO COUNTY LOCAL GOVERNMENT COMPREHENSIVE PLAN**

**WHEREAS**, pursuant to Chapter 7.27, Florida Statutes, Hernando County’s marine area includes all waters within the Gulf of Mexico that also lie within the state of Florida measured from the seaward extension of the boundaries of Citrus County to the north and Pasco County to the south to the seaward boundary of the state of Florida, a distance of 9 miles; and

**WHEREAS**, the marine area of Hernando County exhibits unique biophysical and ecological characteristics including an expansive low wave energy shallow shelf that supports extensive sea grass beds interspersed with isolated limestone outcroppings that support a rich assemblage of marine biota, including hard and soft corals, sponges, and other invertebrates, commercially and recreationally important fish species, marine mammals and several species of sea turtles; and

**WHEREAS**, Hernando County seeks to develop its marine resource-based economy while conserving the ecosystem services on which that economy depends, promote coastal resilience through hazard mitigation and develop proactive and innovative approaches to fisheries management and enhancement; and

**WHEREAS**, Hernando County has been designated as an “affected county” under the Restore Act, and hence will receive significant annual funding over a period of at least 15 years in order to “restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast region.”; and

**WHEREAS**, Hernando County benefits from strong community involvement and multiple research and educational partnerships, which it seeks to fully engage in the restoration, management, and enhancement of its marine area resources; and

**WHEREAS**, Hernando County wishes to take full advantage of the opportunities provided by this dedicated revenue stream to plan for the long-term restoration, enhancement and management of its marine area by creating this Strategic Marine Area Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE PORT AUTHORITY OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:**

1. The Strategic Marine Area Science and Policy Plan is accepted by the Hernando County Port Authority to help guide and plan marine resource management and marine and coastal enhancement projects.

2. The Strategic Marine Area Science and Policy Plan is referenced within the Coastal Management Element of the Hernando County Comprehensive Plan to establish Goals and Objective specific to the protection and management of the marine resources within Hernando County.
3. The Strategic Marine Area Science and Policy Plan will be used to help guide implementation of RESTORE Act funded projects to efficiently allocate these funds towards projects designed to restore and manage the County's coastal and marine resources.

ADOPTED this 14 day of May, 2018

**Hernando County Port Authority**

BY: Frank a Santo  
Frank Santo  
Chairman

**From:** Frank McCabe <[frankcm@co.hernando.fl.us](mailto:frankcm@co.hernando.fl.us)>  
**Sent:** Tuesday, February 2, 2021 11:03 AM  
**To:** Scott Herring <[SHerring@co.hernando.fl.us](mailto:SHerring@co.hernando.fl.us)>  
**Cc:** Ronald Pianta <[RPianta@hernandocounty.us](mailto:RPianta@hernandocounty.us)>; Michael Steele <[MSteele@co.hernando.fl.us](mailto:MSteele@co.hernando.fl.us)>  
**Subject:** RE: Derelict vessel procedures.

Scott, after issuing the citation with a specified court date, the violator depending on what was stated on the citation as to mandatory or not, may pay or appear. Of course they could comply as well. In this type of violation, we would probably make it mandatory to appear in order to rectify the problem and not just have them pay a fine without compliance.

Any questions please feel free to give me a call, Thanks

**From:** Frank McCabe  
**Sent:** Tuesday, February 2, 2021 9:54 AM  
**To:** Scott Herring <[SHerring@co.hernando.fl.us](mailto:SHerring@co.hernando.fl.us)>  
**Cc:** Ronald Pianta <[RPianta@hernandocounty.us](mailto:RPianta@hernandocounty.us)>; Michael Steele <[MSteele@co.hernando.fl.us](mailto:MSteele@co.hernando.fl.us)>  
**Subject:** Derelict vessel procedures.

**Scott, here is how we handle a sunken/ derelict vessel.**

**1<sup>st</sup> either we receive a complaint or the Officer observes a vessel that has fully or partially sunk.**  
**2<sup>nd</sup> a 7 day notice of violation would go out to the owner of the property where the violation is occurring.**

**3<sup>rd</sup> a citation would be issued if no compliance is found after a reinspection.**

**Currently that is all we can do to try and rectify the issue.**

**Thanks,**

**Frank McCabe**  
**Code Enforcement Supervisor**  
**(352)540-6258**



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
POST OFFICE BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

February 23, 2020

Regulatory Division  
North Permits Branch  
Mitigation Bank Team  
SAJ-2016-00687

Mr. Ron Carpenter  
Strategic Environmental Lands, LLC  
1501 Doyle Carlton Drive, Suite 408  
Tampa, Florida 33602

Dear Mr. Carpenter:

In accordance with the provisions of the regulations at 33 CFR 332.8(d), the U.S. Army Corps of Engineers (Corps), in consultation with the federal Interagency Review Team (IRT), has reviewed the proposed compensatory mitigation project as defined within the complete prospectus received on February 6, 2019. The prospectus was provided by your agent, Atlantic Ecological Services, LLC, and outlined the establishment of a wetland mitigation bank referred to as the Hernando Beach Mitigation Bank (HBMB). The proposed HBMB totals approximately 181.04 acres and is located north of Minnow Creek, east of the Gulf of Mexico and Coon Key Point, west of Shoal Line Road and Weeki Wachee Preserve, and south of Rice Creek within Sections 11 and 13, Township 23 South, Range 16 East in Hernando County, Florida. The application has been assigned file number SAJ-2016-00687. Please reference this number in all communications regarding this project.

The Corps, in consultation with other members of the IRT, has completed our review of the proposed HBMB project. The evaluation process included a thorough review of the prospectus, posting of a public notice on the Corps' Jacksonville District Regulatory web page on February 7, 2019, and a site inspection conducted on March 14, 2019. Pursuant to our review of the proposed project as described in the prospectus, along with the findings of the site inspection, our initial evaluation has determined that the proposed HBMB project does not have the potential for providing appropriate compensatory mitigation to offset impacts to waters of the United States associated with activities authorized by Department of the Army (DA) permits. Please be advised that as of the date of this letter, the Corps has ended its review of your prospectus for the HBMB and your request has been withdrawn.

In accordance with our regulations, more specifically, as stated at 33 CFR 332.8(d)(5)(iii), this letter does not prohibit the submittal of a revised prospectus which addresses the concerns noted below. If you choose to revise and resubmit your prospectus, the evaluation process will be re-initiated. This will include a "completeness" review of the revised prospectus and the preparation and issuance of a public notice in accordance with our regulations.

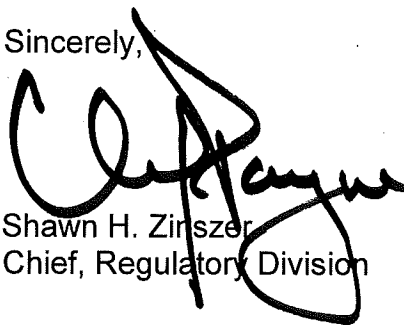
Members of the IRT, including representatives from the Corps, U.S. Environmental Protection Agency, and NOAA's National Marine Fisheries Service, have provided the following comments and/or concerns regarding the proposal.

1. The major component of the bank proposal is preservation of the site. In order for preservation to be used to provide compensatory mitigation for activities authorized by DA permits, there are five criteria, identified at 33 CFR 332.3(h), which must be met. The proposal does not satisfy all five elements, particularly (iv): "The resources are under threat of destruction or adverse modifications" and (v) "The preserved site will be permanently protected through an appropriate real estate or other legal instrument." It does not appear as if there is a significant threat to the aquatic resources which warrant mitigation credit through preservation. In addition, there is concern regarding the ability to permanently protect the property through a conservation easement, establish a "No Motorboat Area" within the bank according to Florida Statute 327.46, and ultimately restrict navigation in navigable waters of the United States.
2. There is concern regarding the proposed removal of the spoil piles in relation to potential increased flood risk to the Hernando Beach community.
3. There is concern regarding the proposed removal of the spoil piles in relation to the potential impact to navigation and dredging operations in the adjacent Minnow Creek channel due to unknown potential changes in sediment dynamics.
4. There is concern that there are limited opportunities for tidal wetland and submerged aquatic vegetation (SAV) enhancement. A majority of the proposed tidal wetland and SAV activities include the preservation of existing high quality habitats, which would not provide additional ecological lift through establishment of the bank.

5. There is concern that the proposed service area is too geographically extensive and contains significantly varying environmental conditions. It is recommended that the service area consist of habitats comparable to the proposed bank site with similar water quality, salinity, depth, etc. in accordance with 33 CFR 332.3(b).
6. There is concern regarding the ability to enforce a "No Motorboat Area" within the bank.
7. There is concern that the proposed removal of spoil areas has the potential to negatively impact compensatory mitigation associated with DA permit SAJ-2005-05553. Particularly, the potential for sedimentation into an area identified as a seagrass protection zone.
8. The title insurance commitment does not contain legible copies of the plat books which are necessary for verification of the legal description of the property boundary.
9. There is concern regarding how rising sea levels will impact the long-term management and viability of the bank.

Should you have any questions or if additional information or assistance is required, please contact Steven Currie at the letterhead address, by telephone at 904-232-3701, or by electronic mail at [steven.j.currie@usace.army.mil](mailto:steven.j.currie@usace.army.mil).

Sincerely,



for Shawn H. Zinszer  
Chief, Regulatory Division

cc:

Jody Sisk, Atlantic Ecological Services, LLC, [jody@atlanticeco.com](mailto:jody@atlanticeco.com)  
Cynthia Van Der Wiele, EPA, [VanDerWiele.Cynthia@epa.gov](mailto:VanDerWiele.Cynthia@epa.gov)  
Mark Sramek, NOAA, [mark.sramek@noaa.gov](mailto:mark.sramek@noaa.gov)  
Jason Wagman, FWC, [Jason.Wagman@myfwc.com](mailto:Jason.Wagman@myfwc.com)  
Erin Gawera, FWS, [Erin\\_Gawera@fws.gov](mailto:Erin_Gawera@fws.gov)