



**HERNANDO COUNTY WATERWAYS ADVISORY COMMITTEE
MEETING MINUTES – AUGUST 17, 2022**



Date: Wednesday, August 17, 2022

Time: 7:00 P.M.

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

Advertised: Friday, August 12, 2022, The Hernando Sun (CLK22-139)

The meeting agenda and back-up material are available online at:
<https://www.hernandocounty.us/departments/departments-n-z/public-works/aquatic-services/waterways-advisory-committee/agendas-and-minutes>

CALL TO ORDER

Chairman Kathryn Birren called the meeting to order at 7:02 p.m.

Attendee Name	Title	Attendance
Kathryn Birren	Chairman	Present
Sarah Hill	Vice Chairman	Present
Mike Fulford	Member	Present
Mike Senker	Member	Absent
Chris Licata	Member	Absent
Wayne Dukes	Commissioner / Liaison	Absent
Scott Herring	Department of Public Works Director / County Engineer	Present
Keith Kolasa	Aquatic / Waterways Services Manager	Present
Eric Davis	Waterways Project Manager	Present
Steve Snell	Marine Patrol Officer	Present
Matt Lapalme	Marine Patrol Officer	Present
Dominique Holmes	Public Information Coordinator	Present
Tina Duenninger	DPW Executive Office Manager	Present

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL / MODIFICATION OF AGENDA (Limited to Staff and Committee Only)

New Business Item 5, Hunters Lake Canal, was moved up on the agenda following the Approval of Minutes – June 15, 2022. There were no other changes made to the agenda.

APPROVAL OF MINUTES – June 15, 2022

MOTION: Mr. Mike Fulford motioned to approve the minutes of the June 15, 2022 Waterways Advisory Committee meeting. Vice Chairman Sarah Hill seconded. The motion carried and was approved unanimously.

NEW BUSINESS

5. Hunters Lake Canal

Mr. Keith Kolasa advised the bid specifications for the Hunters Lake Canal project were completed and in the Purchasing Department for review. Ms. Dawn Roth provided photos for the record, indicating she resides next to the boat ramp and would like the canal dredged. She suggested the ramp be opened from dusk until dawn rather than 24-hours daily and expressed the Sheriff's Office was not helpful in enforcing the law on the canal as shooting occurs near her home and not within the designated parameters.

At the request of Mr. Mike Fulford, Mr. Keith Kolasa noted the Florida Fish and Wildlife Conservation Commission (FWC) 2019 Ordinance established for Hunters Lake related to hunting, indicating there are 10 canals with signage posted prohibiting hunting to keep hunters away from residences. Mr. Kolasa believed ducks could be hunted in the main lake early in the morning and early evening, not during the night.

Deputy Lapalme stated he would run the issue up the chain of command to see if a plan could be put in place to work with FWC and address the issues. He advised FWC is the enforcing agency and the Sheriff's Office is the backup, noting the hunters need to get caught in the act. Discussion ensued. Mr. Scott Herring advised Hunters Lake Boat Ramp was scheduled for discussion on the Board of County Commissioners' meeting agenda on August 23, 2022.

Mr. Erik Walasek queried what was next regarding tussocks. Mr. Keith Kolasa responded Mosquito Control had gone out for the past two years spraying, with the most recent one week ago, and there was funding allocated in the fiscal year 2023 budget for tussock maintenance.

Discussion ensued bringing back a homeowners' association for Hunters Lake. At the request of Mr. Mike Fulford, Mr. Scott Herring provided a brief overview of the Municipal Service Benefit Unit (MSBU) process available for property owners on Hunters Lake. Mr. Fulford noted that Hunters Lake is owned by the FWC and that our future state representatives should be lobbied for funding.

MARINE PATROL REPORT – Steve Snell

Deputy Lapalme stated it was his first time at the Waterways Advisory Committee meeting. He noted Hernando County had a lot of water and he and his partner were trying to switch up hours to work more evening hours for boaters coming back into the docks. During the weekend, their time was pressed spent patrolling the flats, canals, Weeki Wachee River, etc. Deputy Lapalme requested citizens bring any concerns directly to him or Deputy Snell.

Deputy Lapalme indicated there had been issues with getting repair parts for vessels due to manufacturing delays and everything was fixed for now. He advised there was a new shallow water vessel coming in which would eventually replace the skis, and an additional position (third) for a marine patrol officer had been funded in the next budget proposal.

NEW BUSINESS

1. Update on State Road Canal Dredging (County) and Weeki Wachee River Dredging (SWFWMD) <https://www.swfwmd.state.fl.us/projects/springs/weeki-wachee-channel-restoration-project>

Mr. Keith Kolasa noted the State Road Canal Dredging project was 95% dredged and cleanup of overflow needed to be completed. The Weeki Wachee River Dredging project was on hold due to permitting.

2. Florida Fish and Wildlife Conservation Commission (FWC) Public Workshop on Weeki Wachee River Springs Protection Zone – August 2, 2022

Mr. Mike Fulford attended the Florida Fish and Wildlife Conservation Commission (FWC) Public Workshop on the Weeki Wachee River Springs Protection Zone held on August 2, 2022. He

provided an overview on how the application for the Springs Protection Zone began and the FWC process. It was unknown at this time when the FWC hearing would be held. Mr. Fulford indicated Hernando County had made a substantive case there was damage to the Weeki Wachee River to prohibit mooring, beaching, and anchoring from the headwaters of the springs to Rogers Park. The residential portion of the river run was not grandfathered but was not considered to be in that river zone. Residents living along the proposed Springs Protection Zone would not be affected.

3. Pine Island Dredge – Design and Permitting

Mr. Scott Herring stated the first budget hearing was scheduled to be held on September 13, 2022, and design and permitting for the Pine Island Dredge project was to be included in the budget. He explained Pine Island Dredge was funded in Pot 3 of the Restore Act, but if you have design and construction and any modifications are needed, it triggers the amendment process anywhere from three months to one year. Therefore, it is quicker for the County to pay for design and permitting while working on the application for construction in Pot 3 funds.

Upon query, Mr. Keith Kolasa responded the Pine Island canal is to be restored to where it's navigable.

4. Boat Ramp Dock Replacements

Mr. Eric Davis announced approval to replace the boat ramp docks was received, a contractor was selected, and he was waiting for the plans from the contractor to move forward with permitting. He noted that once permitting was approved, Aquatics/Waterways Department would be installing the docks at Hernando Beach county ramps (both courtesy docks), and Bayport ramp (western most courtesy dock).

OLD BUSINESS – Adopted Ordinance on Mooring of Commercial Vessels at Boat Ramps – BOCC Adopted June 28, 2022

The Ordinance on Mooring of Commercial Vessels at Boat Ramps was adopted by the Board of County Commissioners (BOCC) on June 28, 2022. A copy of the adopted Ordinance was included in the agenda packet for the Committee's information. Chairman Kathryn Birren noted she had attended the BOCC meeting. She advised the sign at the Hernando Beach boat ramp specifying the old Ordinance and penalties for docking had been removed. Mr. Kolasa provided a review of the changes made to the adopted Ordinance.

INFORMATIONAL ITEMS – FWC Vessel Turn-In Program, Derelict Vessel Prevention Efforts

<https://myfwc.com/news/all-news/vtip-722/>

Mr. Keith Kolasa announced the program was established to have boats turned in before they become derelict vessels in canals and out in waters. He expressed this was a great program as Hernando County has derelict vessels that have been in the water for years. Mr. Mike Fulford inquired if the County's Public Information Office could issue a media release to the coastal residents advising them of the program. Mr. Scott Herring advised the FWC approved the program at its last meeting, but he was not sure whether the rule had been finalized and promulgated, so we would need to wait prior to issuing a media release. He indicated there was \$36.4 million in funding over four years and once the program was finalized by the FWC, the Committee would be advised, and a media release would be issued advising of the program and contact information. Mr. Fulford requested the item be brought back at the next meeting and have Mr. Herring provide an update on the program's enactment. Chairman Birren concurred.

It was noted the FWC was aware of the current derelict vessels on the coastline in Hernando and already had a list. Upon query by Chairman Birren, it was further noted Lieutenant Grover at the FWC would most likely have the current list.

CITIZENS' COMMENTS

Ms. Valerie Shelter inquired on the status of the Hernando Beach Channel Seagrass Mitigation permit status. Mr. Keith Kolasa responded the Department of Environmental Protection (DEP) monitoring results showed there were some growth areas and some offset areas that didn't work mitigation; however, DEP had released the County from monitoring. The Army Corps of Engineers report was being worked on for the offset areas and once released, then the permit application could be filed.

Discussion ensued.

Mr. Chuck Morton stated the County received credit from the seagrass that grew back in the channel and that funding from hurricanes was appropriated by event.

There were no other citizens' comments.

WATERWAYS ADVISORY COMMITTEE / STAFF COMMENTS

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

Mr. Mike Fulford thanked the marine patrol unit for their attendance at the meeting and the residents of the Hunters Lake community, expressing appreciation for their input and feedback.

Chairman Kathryn Birren thanked everyone for their attendance at the meeting. She requested citizens attending the next meeting bring a neighbor as discussion was to be held on having the meeting again at the Hernando County Building Division Training Facility, noting there were other issues and lakes to be addressed in other areas of the county.

OTHER – Waterways Advisory Committee Agenda Requests for Future Meetings

Mr. Mike Fulford requested the FWC Vessel Turn-In Program, Derelict Vessel Prevention Efforts be brought back and added to the next meeting agenda.

There was no other business.

ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

Upcoming Meeting(s):

The next regular meeting of the Waterways Advisory Committee will be held on Wednesday, October 19, 2022, at 7:00 P.M., location to be determined.



**HERNANDO COUNTY WATERWAYS ADVISORY COMMITTEE
MEETING MINUTES – JUNE 15, 2022**



Date: Wednesday, June 15, 2022

Time: 7:00 P.M.

Location: Hernando County Building Division Training Facility
789 Providence Boulevard, Brooksville, FL 34601

Advertised: Friday, June 3, 2022, The Hernando Sun (CLK22-103)

The meeting agenda and back-up material are available online at:
<https://www.hernandocounty.us/departments/departments-n-z/public-works/aquatic-services/waterways-advisory-committee/agendas-and-minutes>

CALL TO ORDER

Chairman Kathryn Birren called the meeting to order at 7:00 p.m.

Attendee Name	Title	Attendance
Kathryn Birren	Chairman	Present
Sarah Hill	Vice Chairman	Present
Mike Fulford	Member	Present
Mike Senker	Member	Present
Chris Licata	Member	Present
Wayne Dukes	Commissioner / Liaison	Absent
Scott Herring	Department of Public Works Director / County Engineer	Present
Keith Kolasa	Aquatic / Waterways Services Manager	Present
Eric Davis	Waterway Project Manager	Present
Steve Snell	Marine Patrol Officer	Absent
Tina Duenninger	Co. Administration / DPW Executive Office Manager	Present

PLEDGE OF ALLEGIANCE

APPROVAL / MODIFICATION OF AGENDA (Limited to Staff and Committee Only)

There were no changes made to the agenda.

APPROVAL OF MINUTES – February 16, 2022

MOTION: Mr. Mike Fulford motioned to approve the minutes of the February 16, 2022 Waterways Advisory Committee meeting. Mr. Chris Licata seconded. The motion carried and was approved unanimously.

MARINE PATROL REPORT – Steve Snell

Mr. Keith Kolasa indicated Mr. Steve Snell had informed him he was not able to attend the meeting.

NEW BUSINESS

1. Update on State Road Canal Dredging (County) and Weeki Wachee River Dredging (SWFWMD) <https://www.swfwmd.state.fl.us/projects/springs/weeki-wachee-channel-restoration-project>

Mr. Keith Kolasa advised Rogers Park would be closed for one month as dredging was to start next week on the State Road Canal. The Weeki Wachee River dredging would start afterwards, with both projects anticipated to be completed in November 2022. Mr. Eric Davis, new Waterways Project Manager, was in attendance at the meeting and would be overseeing both dredging projects.

Vice Chairman Sarah Hill queried why dredging was being started up the river instead of at the bottom. Mr. Kolasa responded they originally had plans to start up the river; based on changes in plans, they were starting on the west. Upon query by Mr. Mike Fulford, Mr. Kolasa responded Rogers Park was a dewatering site. Upon further query by Mr. Fulford, Mr. Kolasa responded the Southwest Florida Water Management District (SWFWMD) was fully funding the Weeki Wachee River Dredging project.

Discussion ensued. It was noted that sediment material was clean.

Chairman Kathryn Birren stated she had attended the Board of County Commissioners' (BOCC) meeting on June 14 and had voiced her concerns regarding persons floating in inner tubes and bumping and climbing onto the dredging equipment. She advised the BOCC's consensus was to speak to the dredging contractor and require them to hire security to keep people back and off the equipment. Upon query by Chairman Birren, Mr. Kolasa responded an inquiry could be made to find out if SWFWMD was requiring the contractor to have security. He referenced the SWFWMD link indicated on the agenda for project information while dredging was ongoing.

2. Lake Lindsey Tussock Control

Mr. Keith Kolasa noted many complaints had been received regarding Lake Lindsey being blocked with tussock. He displayed photos of Lake Lindsey boat ramp included in the agenda packet, which had been recently tussock maintained by Aquatics/Waterways. Mr. Kolasa indicated funding has been requested in next year's budget for tussock maintenance.

Chairman Kathryn Birren advised she spoke with local residents at Mountain Lake, and they indicated seeing dead fish and unable to catch any fish. They had suggested if restocking could be done at the lake. Mr. Kolasa responded they should reach out to the Florida Fish and Wildlife Conservation Commission (FWC) and request restocking.

3. Overview of East Side Boat Ramps – Lakes and Withlacoochee River

Mr. Keith Kolasa continued with the display of photos included in the agenda packet, including Lake Townsen, Nobleton, Mountain Lake, and Bystre Lake ramps. Mr. Kolasa noted the ramps were paid for by Waterways through a boating improvement grant and the parking lots were paid for by Parks & Recreation, along with the docks and fishing piers.

Chairman Kathryn Birren advised there was no signage leading up to Bystre Lake. Mr. Kolasa responded he would follow up with the Florida Department of Transportation (FDOT) and the Department of Public Works for signage to be placed.

Chairman Birren informed she took a trip out to Lake Townsen and displayed a video of the conditions of the ramp and fishing pier. There was a family at the site which Chairman Birren interviewed and they shared their concerns. Concerns noted on the dock were saggy, rotted wood, planks of wood missing, and that it was very dark out by the water. Mr. Kolasa advised funding for design and permitting was scheduled in the FY 25 Capital Improvement Program (CIP) with construction anticipated in FY 26 CIP.

Vice Chairman Sarah Hill indicated Lake Townsen boat ramp was not listed on the Hernando County Waterways website. Mr. Kolasa responded he would follow up and have it added.

4. Personal Flotation Device Zone Signage at Boat Ramps

Mr. Keith Kolasa announced stencil was purchased and all life jacket zones at boat ramps would be updated.

5. Signage at Boat Ramps

Mr. Keith Kolasa noted signage at the various boat ramps displayed restrictions and regulations on the use of vessels, and as Chairman Kathryn Birren had previously indicated, Hernando Beach was the only one displaying signage specifying the Ordinance and penalties for docking. Chairman Birren expressed concern over the Ordinance's validity and whether it should be countywide. Mr. Kolasa advised further research on the Ordinance would be needed and that it was separate from the mooring of vessels Ordinance to be presented to the BOCC.

Mrs. Diane Greenwell requested signage indicating the noise level be displayed as she is still concerned with the airboat at night. Mr. Kolasa noted the sign was displayed at Hernando Beach.

Mr. Mike Fulford suggested to invite Marine Captain Jeff Kraft to attend the next Waterways Advisory Committee meeting to discuss noise concerns and the Ordinance in place regarding marine patrolling. Chairman Birren agreed.

OLD BUSINESS

1. Draft Letter in Support of Additional Law Enforcement for Springs Protection and Waterways

Chairman Kathryn Birren inquired on the status of the draft letter in support of additional law enforcement for springs protection and waterways. Mr. Scott Herring informed of the current process for the establishment of the Springs Protection Zones, and a response to Hernando County's presentation was anticipated at the July 13-14 FWC meeting in Jacksonville. Mr. Herring further informed the meeting agenda was not available as of the Committee meeting date. He advised the Hernando County Sheriff's Office had allocated one additional marine patrol officer in next year's budget and if that was the intent of the draft support letter, then it was already accomplished. The Committee concurred to hold off on forwarding the letter through to the BOCC at this time.

2. Florida Fish and Wildlife Conservation Commission Final Meeting to Review Establishment of Springs Protection Zones – July 13-14, 2022, Jacksonville, Florida

Discussion continued regarding Springs Protection Zones, the FWC meeting scheduled on July 13-14 in Jacksonville, and access by residents to the Weeki Wachee River. Mr. Scott Herring provided a brief overview of the intent of the Springs Protection Zones and noted it was not guaranteed to be on the July 13-14 agenda. He advised a public workshop was scheduled in the future and he would get the FWC information to the Committee.

3. Hunters Lake Aquatic Plant Maintenance

Mr. Keith Kolasa noted spraying and aquatic plant maintenance was ongoing at Hunters Lake.

4. Hunters Lake Access Canal Dredging

Mr. Keith Kolasa advised the bid packet for the Hunters Lake canal dredging project was being compiled and would be out to bid in the next few months.

5. Coastal Conservation Association Donation for 2022 Artificial Reef Project

Mr. Keith Kolasa stated the donation from the Coastal Conservation Association (CCA) for the artificial reef project was approved by the BOCC on June 14, 2022.

- 6. Coastal Conservation Association Donation for Living Shoreline Project at Jenkins Creek**
Mr. Keith Kolasa indicated he had recommended the donation from CCA for the living shoreline project be handled through UF/IFAS, which was approved by the BOCC on June 14, 2022. Chairman Kathryn Birren shared she had attended the BOCC meeting and thanked CCA for their donations. She noted CCA had encouraged Waterways to submit projects for consideration.

INFORMATIONAL ITEM – Revisions to Proposed Ordinance on Mooring of Commercial Vessels at Boat Ramps – BOCC Public Hearing June 28, 2022

Mr. Keith Kolasa stated the requested revisions to the proposed Ordinance on Mooring of Commercial Vessels at Boat Ramps had been made and was scheduled for public hearing before the BOCC on June 28, 2022. A copy of the proposed Ordinance was included in the agenda packet for the Committee's information. Chairman Kathryn Birren advised she would be present at the BOCC meeting to express her concerns regarding temporarily tying a vessel to a dock to get vehicle and being cited for mooring.

CITIZENS' COMMENTS

Mr. Steve Barton inquired on the status of the Engineering reef contracts. Mr. Keith Kolasa responded GIS data collection was complete and 15 sites had been identified from 30. He informed request for quotes were out and should be back in next week.

There were no other citizens' comments.

WATERWAYS ADVISORY COMMITTEE / STAFF COMMENTS

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

OTHER – Waterways Advisory Committee Agenda Requests for Future Meetings

Mr. Keith Kolasa reiterated the Springs Protection Zone information would be added to the next meeting agenda, and an invitation would be extended to Captain Jeff Kraft to attend the next meeting. Chairman Kathryn Birren reminded to add airboats to the next meeting agenda.

Mr. Mike Fulford queried on the status of the Calienta Street/Petit Lane project. Mr. Scott Herring responded 60% Plans were reviewed and submitted back to the Contractor. It was anticipated nine months for receipt of Restore Act funds and therefore, the project would not be out for bid until sometime next Spring. Mr. Fulford inquired whether the entire parcel of land adjacent to Zig Zags would be used and the balance excess. Mr. Herring responded he would have to review the Plans and get back to Mr. Fulford with a response.

Mrs. Diane Greenwell inquired on the previously issued funds by the Legislature for Calienta Street. Mr. Herring replied those funds by the Legislature were for the design of the project and construction was funded through the Restore Act.

Mr. Charles Greenwell queried how much money was used for the design of Calienta Street. Mr. Herring responded he did not have those numbers, but they were most likely published in the CIP available on the County Budget's webpage.

Upon query by Chairman Birren, Mr. Herring responded construction on the project could potentially not commence until next Fall due to materials and contractor shortages.

Mr. Chris Licata expressed concern with improvements to the public access ramp on Bystre Lake as it impeded onto private lake and suggested taking possession of the lake. Mr. Kolasa responded these issues have been brought up in the past and he would need to review.

There was no other business.

ADJOURNMENT

The Committee concurred to have the next meeting back in Hernando Beach.

The meeting was adjourned at 8:40 p.m.

Upcoming Meeting(s):

The next regular meeting of the Waterways Advisory Committee will be held on Wednesday, August 17, 2022, at 7:00 P.M., in the Hernando Beach Marine Group Inc. Training Center, 4340 Calienta Street, Hernando Beach, FL 34607.



07.20.2022



06.20.2022





07.07.2022



06.29.2022



New Business Item 2

Select Year: 2021

The 2021 Florida Statutes

[Title XXIV](#)
VESSELS

[Chapter 327](#)
VESSEL SAFETY

[View Entire Chapter](#)

327.45 Protection zones for springs.—

(1) As used in this section, the term “navigable waters of the United States” means the waters of the United States, including the territorial seas, as referenced in the Clean Water Act, 33 U.S.C. ss. 1251 et seq., and the federal rules and regulations promulgated thereunder.

(2) The commission may establish by rule protection zones that restrict the speed and operation of vessels, or that prohibit the anchoring, mooring, beaching, or grounding of vessels, to protect and prevent harm to first, second, and third magnitude springs and springs groups, including their associated spring runs, as determined by the commission using the most recent Florida Geological Survey springs bulletin. This harm includes negative impacts to water quality, water quantity, hydrology, wetlands, and aquatic and wetland-dependent species.

(3) When developing a protection zone, the commission shall do so in consultation and coordination with the water management district, the Department of Environmental Protection, and the governing bodies of the county and municipality, if applicable, in which the zone is located. If the zone includes navigable waters of the United States, the commission shall additionally coordinate with the United States Coast Guard and the United States Army Corps of Engineers.

(4) Any individual who operates a vessel in violation of a spring protection zone rule adopted pursuant to this section shall be charged on a uniform boating citation as provided in s. [327.74](#) and is subject to the penalties provided in s. [327.73\(1\)\(y\)](#).

(5) Restrictions in a protection zone do not apply:

(a) To law enforcement, firefighting, or rescue personnel operating a vessel in the course of performing their official duties; or

(b) In emergency situations. However, the emergency operation of a vessel must be a reasonable response given the circumstances.

(6) The commission is responsible for the posting and maintenance of regulatory markers identifying protection zones.

(7) The commission may adopt rules to implement this section.

History.—s. 1, ch. 2016-233; s. 15, ch. 2021-184.

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Colonel Roger Young, Director, Division of Law Enforcement
Date: December 15, 2021
Subject: Proposed Final Rule – Springs Protection Zones

Purpose: Obtain approval to create guidelines and criteria for the establishment of Springs Protection Zones.

Why: Pursuant to Section 327.45, F.S., it is necessary to create clear criteria for the establishment of Springs Protection Zones.

Top Points:

- 1) The proposed final rule outlines criteria the Commission will use to create Springs Protection Zones.
- 2) Any person may provide evidence to the Commission to determine if a springs protection zone should be established.
- 3) The Commission will consult with the Department of Environmental Protection (DEP), the relevant Water Management District, and other entities as appropriate when establishing these zones.

Affected Parties: The boating public, Floridians, and visitors to the state.

Summary: Section 327.45, F.S. grants authority to the Commission to establish Springs Protection Zones that restrict the speed or operation of vessels or that prohibit anchoring, mooring, beaching, or grounding of vessels to protect or prevent specified harm to first, second, and third magnitude springs and spring groups, and their associated spring runs. The proposed rule will create clear guidelines and criteria for the establishment of Springs Protection Zones. Evidence will be required, showing the specific harm that may occur as a result of vessel speed or operation, or the anchoring, mooring, beaching, or grounding of vessels. Any person may provide evidence to the Commission for use in the evaluation. The Commission will consult with DEP, the relevant Water Management District, local governing bodies, the U.S. Coast Guard and the Army Corps of Engineers where appropriate, when evaluating the evidence.

Each Springs Protection Zone will be adopted by separate rule following Commission review of available evidence showing that the zone will protect or prevent specified harms from being done by vessels to the spring, spring group, or spring run. Following adoption of such a zone via rule by the Commission, the FWC will post uniform waterway markers prior to enforcement. The current rule does not create any Springs Protection Zones.

Staff held public workshops on this proposed rule and solicited online comments from interested stakeholders. Staff fielded no opposition to the proposed rule language.

Staff Recommendation: Approval to publish the proposed rule and file for final adoption without further hearing, unless requested.

Staff Contact and/or Presenter: Major Rob Beaton, Section Leader, Boating and Waterways Section

Springs Protection Zones – Final Rule Language F.A.C. 68D-24.0035



Proposed Final Rule
December 15, 2021



Florida Fish & Wildlife Conservation Commission

This presentation will describe proposed rule language for 68D-24.0035 F.A.C. to create guidelines and criteria for the establishment of Springs Protection Zones in accordance with section 327.45, Florida Statutes.

Division: Law Enforcement

Author: Major Rob Beaton, Section Leader, Boating and Waterways

Report Date: December 15, 2021

Photo Credit: FWC Flickr

Section 327.45, Florida Statute

Establish Springs Protection Zones

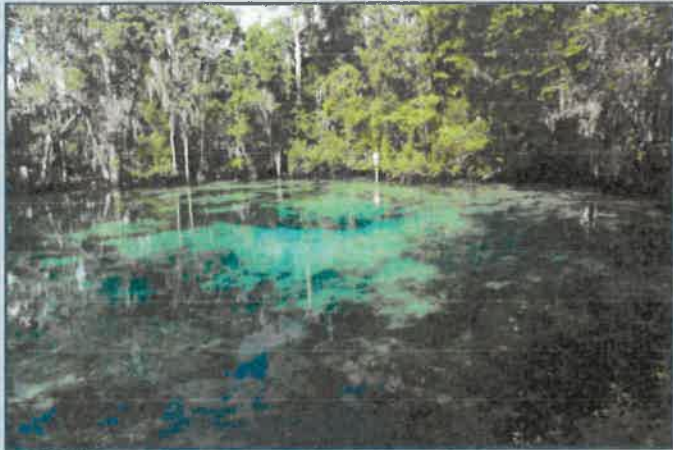
- Purpose of protecting and preventing harm to the springs
- First, second and third magnitude springs and spring groups and their associated spring runs
- May restrict speed and operation
- May prohibit anchoring, mooring, beaching or grounding



Section 327.45, F.S. provides rulemaking authority for the Commission to create Springs Protection Zones that prohibit anchoring, mooring, beaching, and grounding and restrict the speed and operation of vessels within first, second and third magnitude springs and spring groups and their associated spring runs for the purpose of protecting and preventing specific types of harm to the springs.

Photo Credit: FWC Flickr

Criteria



- Requires evidence of harm and that harm is caused by vessels.
- Any person may provide evidence to the Commission for use in evaluation
- May include carrying capacity studies, vessel traffic studies, water quality studies or any facts or data that are of a type reasonably relied upon by scientists, environmental professionals, or engineers.

Evidence will be required for the establishment of a Springs Protection Zone, showing that regulation will protect or prevent specified harms caused by the speed, operation, anchoring, mooring, beaching, or grounding of vessels.

Any person may provide evidence to the Commission for use in evaluation.

Evidence may include carrying capacity studies, vessel traffic studies, water quality studies or any facts or data that are of a type reasonably relied upon by scientists, environmental professionals, boating professionals or engineers.

Photo Credit: FWC Flickr

Review and Approval

- FWC will consult with the relevant water management district, as well as other entities, as necessary
- If evidence demonstrates a springs protection zone will protect or prevent specified harms to a spring or spring group and associated spring runs, staff will recommend the rule be adopted by the Commission
- Upon Commission approval, FWC will mark springs protection zones with uniform waterway markers



FWC will consult with the relevant water management district, as well as other entities, as necessary, to evaluate whether regulation will protect the spring or prevent harm of a specific type identified in the statute. Following adoption of a Springs Protection Zone by the Commission, the FWC will post uniform waterway markers prior to enforcement.

Stakeholder Engagement

- Public workshops
- Online comments
- No opposition received



Staff held public workshops on this proposed rule and solicited online comments from interested stakeholders. Staff fielded no opposition to the proposed rule language.

Photo Credit: FWC

Staff Recommendation

Approve and adopt Final Rule 68D-24.0035,
Springs Protection Zones.

*If the rule is approved for both advertisement and
final adoption, Commission staff will file the rules for
adoption as allowed by s.120.54(3) Florida Statutes,
without further public hearing.*



Staff requests approval to publish the proposed rule and file for final adoption without further hearing, unless requested.

Photo Credit: FWC Flickr

68D-24.0035 Protection Zones for Springs.

(1) The Commission will establish a springs protection zone restricting speed and operation or prohibiting anchoring, mooring, beaching, or grounding of vessels within a first, second, or third magnitude spring or spring group, and associated spring runs when evidence demonstrates that a zone will protect or prevent the spring, spring group, or spring run from harm of the type identified in Section 327.45, F.S.

(2) Evidence of the need for spring protection or to prevent harm may include vessel carrying capacity studies, vessel traffic studies, vegetation or water quality studies, or any facts or data that are of a type reasonably relied upon by scientists, environmental professionals, boating professionals or engineers.

(3) Any person may provide evidence to the Commission for use in the evaluation of a spring, spring group, or spring run under subsection (1).

(4) Springs protection zones shall be no larger than necessary to protect or prevent specified harms to springs, spring runs, and spring groups.

(5) Following the Commission's adoption of a springs protection zone by rule, the zone will be enforceable once the Commission posts uniform waterway markers notifying the public of the regulations applicable in the zone.

Rulemaking Authority 327.04, 327.45 FS. Law Implemented 327.45 FS. History—New 2-7-22.

AGENDA ITEM

Initiator: Jeffrey Rogers
DOC ID: 19387 A
Legal Request Number: 22-61
Bid/Contract Number:

TITLE

Letter to Florida Fish and Wildlife Conservation Commission Requesting Establishment of Zone Prohibiting Anchoring, Mooring, Beaching, and Grounding of Vessels on Weeki Wachee River Within Springs Protection Zone

BRIEF OVERVIEW

The attached letter to Florida Fish and Wildlife Conservation Commission (FWC) is requesting the FWC establish by rule a protection zone that prohibit the anchoring, mooring, beaching, or grounding of vessels, to protect and prevent harm the Weeki Wachee River which is a spring run from a first magnitude spring.

The County conducted a Natural System Carrying Capacity Study that resulted in the data showing the degradation to the natural systems on this river from the out of vessel activities in the river, and the beaching and grounding of vessels.

The Hernando County Board of County Commissioners is requesting this protection zone to reduce the degradation of the ecosystem surrounding the Weeki Wachee River.

FINANCIAL IMPACT

LEGAL NOTE

The Board is authorized to take action on this matter pursuant to Chapter 125, F.S.

RECOMMENDATION

It is recommended that the Board approve and authorize the Chairman's signature on the attached letter to Florida Fish and Wildlife Conservation Commission requesting to create a prohibited anchoring, mooring, beaching, and grounding zone on locations within the Weeki Wachee River.

REVIEW PROCESS

Pamela Hare	Completed	02/16/2022 11:25 AM
Kyle J. Benda	Completed	02/16/2022 11:22 AM
Jenine Wimer	Completed	02/16/2022 11:31 AM
Tobey Phillips	Completed	02/16/2022 11:44 AM

Jeffrey Rogers	Completed	02/16/2022 11:21 AM
Colleen Conko	Completed	02/16/2022 11:49 AM
Board of County Commissioners	Completed	02/22/2022 9:00 AM

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Allocco, Vice Chairman
SECONDER:	Jeff Holcomb, Commissioner
AYES:	Champion, Allocco, Narverud, Dukes, Holcomb



BOARD OF COUNTY COMMISSIONERS

15470 FLIGHT PATH DRIVE ♦ BROOKSVILLE, FLORIDA 34604
P 352.754.4002 ♦ F 352.754.4477 ♦ W www.HernandoCounty.us

February 22, 2022

Major Robert Beaton, Boating and Waterways Division
Florida Fish and Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, FL, 32399
Robert.Beaton@MyFWC.com

Re: Request to create a prohibited anchoring, mooring, beaching, and grounding zone on locations within the Weeki Wachee River

Dear Major Beaton:

Historically, the Weeki Wachee Springs and River's "exceptionally clear water and natural vegetation and wildlife"¹ have made the river a destination for local residents within Hernando County and "visitors from around the world"¹. Historically, recreational activities such as, but not limited to, swimming, jumping off of trees, and socializing in the river have been enjoyed by local residents and tourists alike. However, the growing popularity of the river and heightened visitor traffic has led to degradation of the Weeki Wachee River and its surrounding ecosystem, as noted in the "Weeki Wachee Natural System Carrying Capacity Study-Analysis and Reporting, Final Report" by Wood Environment and Infrastructure Solutions, Inc., Prepared for the Southwest Florida Water Management District (SWFWMD) and Hernando County, Florida.¹ The Carrying Capacity Study¹ explicitly noted the links between vessel docking and ecological damage of the river, "denudation appears to be initiated by vessel docking dislodging organic soils and vegetation. This sets up a cascading series of events by facilitating more foot traffic at the impacted areas, expanding the denudation"¹. Furthermore, the Carrying Capacity Study¹ highlights the vessel usage has had a detrimental impact on the water quality of the Weeki Wachee River, "the cumulative number of vessels/users and in-water activities such as docking, wading, and swimming contributed significantly to turbidity along the river, which suggests that recreation has negative effects on water quality"¹. Moreover, the Carrying Capacity Study¹, asserts that to protect the integrity of the river, management options can be taken, such as limiting "access to landing points for docking and exiting vessels to designated areas"¹.

Furthermore, in order to protect the ecological environment including natural vegetation and wildlife within the Weeki Wachee River, we (Hernando County Board of County Commissioners) request the Florida Fish and Wildlife Conservation Commission (FWC), in accordance with Florida Statue 327.45, titled "Protection zones for springs",² create an anchoring, mooring, beaching, and grounding prohibition zone between the defined

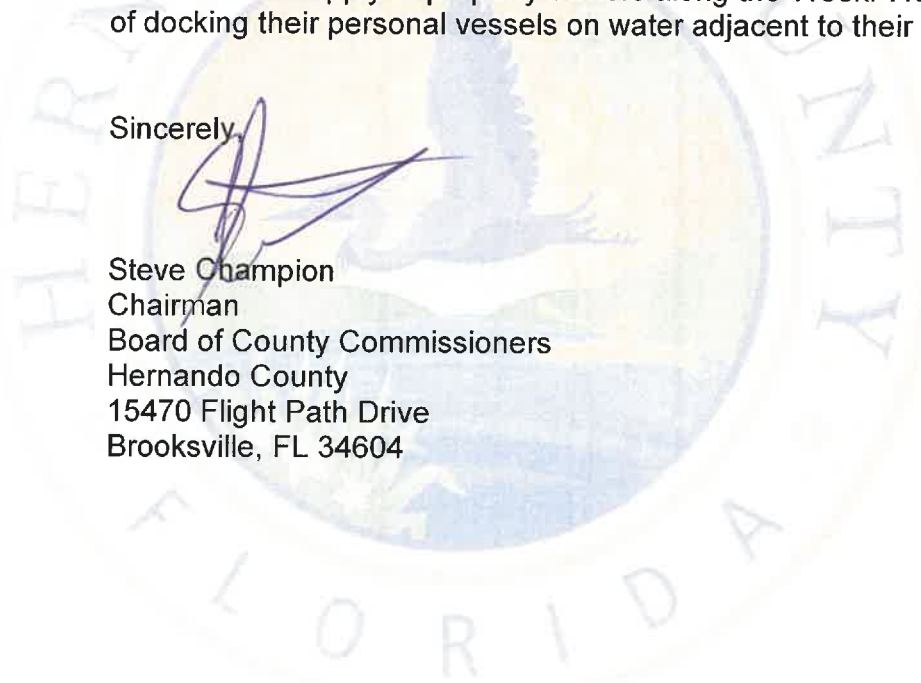
location coordinates of upstream boundary at the State Park Corridor located at Latitude 28 31 34.2 Longitude 082 35 55.4 towards the Rogers Park boat ramp canal at Latitude 28 31 54.3 Longitude 082 37 35.1, which are shown on the attached map below³. This zone would be in accordance with Chapter 327 Section 45, Florida Statutes (2021)², which directly states that “The commission may establish by rule protection zones that restrict the speed and operation of vessels, or that prohibit the anchoring, mooring, beaching, or grounding of vessels, to protect and prevent harm to first, second, and third magnitude springs and springs groups, including their associated spring runs, as determined by the commission using the most recent Florida Geological Survey springs bulletin. This harm includes negative impacts to water quality, water quantity, hydrology, wetlands, and aquatic and wetland-dependent species”².

Subsequently, we request that any individuals or groups that operate a vessel in violation of the spring protection zone, pursuant to Chapter 327, Section 45, Florida Statutes (2021)², shall be charged on a uniform boating citation as stated in Chapter 327 Section 74, Florida Statutes (2021)⁴, and be subject to the penalties listed in Chapter 327, Section 73, subsection (y) (1-4), Florida Statutes (2021)⁵. Moreover, we further request that the only individuals and/or groups that shall be exempt from the prohibited anchoring and mooring zone be Hernando County, Southwest Florida Water Management District (SWFWMD), Hernando County Sheriff’s Office (HCSO), Florida Department of Environmental Protection (FDEP), and Florida Fish and Wildlife Conservation Commission (FWC) authorized vessels conducting official business on behalf of their associated agencies. Additionally, we understand that this protection zone shall not apply to property owners along the Weeki Wachee River for the purpose of docking their personal vessels on water adjacent to their property.

Sincerely,



Steve Champion
Chairman
Board of County Commissioners
Hernando County
15470 Flight Path Drive
Brooksville, FL 34604

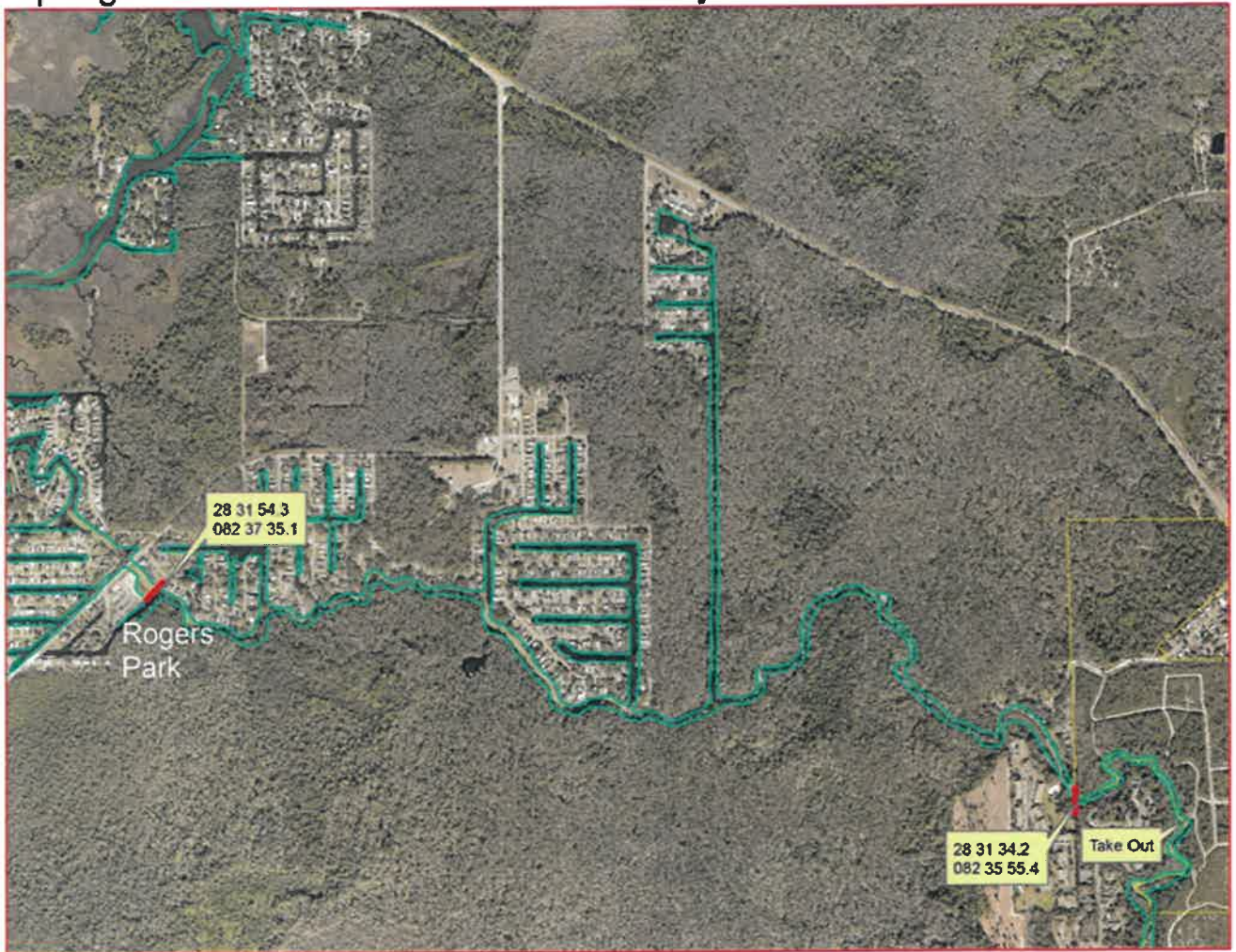


References:

- 1). Wood Environment and Infrastructure Solutions, Inc. (February 2020). Weeki Wachee Natural System Carrying Capacity Study-Analysis and Reporting (WW06). Prepared for the Southwest Florida Water Management District and Hernando County Florida. Pages 1-215. Retrieved from [Complete Final Report-Weeki Wachee Carrying Capacity Analysis_02272020jb.pdf \(state.fl.us\)](#)
- 2). The 2021 Florida Statutes. Title XXIV. Chapter 327 VESSEL SAFETY. Statute 327.45 Protection zones for springs. Retrieved from [Chapter 327 Section 45 - 2020 Florida Statutes - The Florida Senate \(flsenate.gov\)](#)
- 3).



Springs Protection Zone Hernando County



4). The 2021 Florida Statutes. Title XXIV. Chapter 327 VESSEL SAFETY. Statute 327.74. "Uniform boating citations". Retrieved from [Chapter 327 Section 74 - 2021 Florida Statutes - The Florida Senate \(flsenate.gov\)](https://www.flsenate.gov/chapter-327-section-74-2021-florida-statutes)

5). The 2021 Florida Statutes. Title XXIV. Chapter 327 VESSEL SAFETY. Statute 327.73, subsection y (1-4). "Noncriminal infractions". Retrieved from [Chapter 327 Section 73 - 2020 Florida Statutes - The Florida Senate \(flsenate.gov\)](https://www.flsenate.gov/chapter-327-section-73-2020-florida-statutes)



OFFICE OF PUBLIC INFORMATION

15470 FLIGHT PATH DRIVE ♦ BROOKSVILLE, FLORIDA 34604
P 352.540.6426 ♦ C 352.277.1069 ♦ W www.HernandoCounty.us

Dominique Holmes
Hernando County Government
Public Information Coordinator
15470 Flight Path Dr.
Brooksville, FL 34604
Office (352) 540-6426
Cell: (352) 277-1069
DHolmes@HernandoCounty.us
www.HernandoCounty.us

MEDIA RELEASE

Updated - February 25, 2022

Preserving the Weeki Wachee River for Generations to Come

(Brooksville, FL) - The Hernando Board of County Commissioners in partnership with Southwest Florida Water Management District (SWFWMD) and the Florida Department of Environmental Protection (FDEP) conducted a study in regards to the environmental carrying capacity of the river. This study known as "Weeki Wachee Natural System Carrying Capacity Study" determined that the recreational activities outside of vessels in the Weeki Wachee Rivers and Springs are causing detrimental long-term harm.

The Springs Protection Zone will provide that all kayakers and boaters are only seeing the pristine natural environment of the Weeki Wachee River and not touching the River. By prohibiting anchoring, mooring, beaching, and grounding of vessels, these actions will limit the degradation to the River and simultaneously protect the ecological environment. All visitors to the River, on motorized and non-motorized vessels, will not be allowed to anchor, beach, or ground their vessels along the Weeki Wachee River.

"The Weeki Wachee River is the premier kayaking and paddle boarding River in the state of Florida. The cool sparkling water coming from this first magnitude spring is a natural gem that should be protected for all of Hernando citizens and visitors to enjoy," stated Jeff Rogers, Hernando County Administrator. "I am proud of the tough decision that the Board of County Commissioners made to preserve the long-term natural beauty of the Weeki Wachee River for all future generations to follow. I believe this will be looked upon as one of the best decisions that the Hernando County government has provided the leadership to make."

The zone boundary begins upstream at the State Park and ends at Rogers Park boat ramp canal, which are shown on the map. This protection zone shall not apply to property owners along the Weeki Wachee River for the purpose of docking their personal vessels on water adjacent to their property.

For questions or more information,
contact the County's Public Information Office at (352) 540-6426.

###

Springs Protection Zone



28 31 54.3
082 37 35.1

Rogers
Park

28 31 34.2
082 35 55.4

0 0.25 0.5 1 Miles



Tina R Duenninger

From: Scott Herring
Sent: Monday, June 20, 2022 4:53 PM
To: Tina R Duenninger
Cc: Keith Kolasa
Subject: FW: Weeki Wachee Springs Protection zone

Categories: Committees

Please include this email with the Package for the next Waterways Meeting on the Springs Protection Zone.

Thanks!

Scott

J. Scott Herring, P.E.
Director Of Public Works/County Engineer
352-754-4060
SHerring@HernandoCounty.us

From: Jeffrey Rogers <JRogers@co.hernando.fl.us>
Sent: Monday, June 20, 2022 4:45 PM
To: County_Commissioners <County_Commissioners@hernandocountybocfl.onmicrosoft.com>; Wayne Dukes <waynedfl@yahoo.com>; Jon Jouben <JJouben@co.hernando.fl.us>
Cc: Scott Herring <SHerring@co.hernando.fl.us>; Keith Kolasa <KKolasa@co.hernando.fl.us>; Tobey Phillips <tphillips@co.hernando.fl.us>; Chris Linsbeck <CLinsbeck@co.hernando.fl.us>; Dominique Holmes <dholmes@co.hernando.fl.us>; Michael Kavanagh <mkavanagh@co.hernando.fl.us>
Subject: Weeki Wachee Springs Protection zone

Commissioners,

FWC is still reviewing the request we sent for the Springs Protection Zone. This is not on the current agenda for their July meeting. It looks like they are working to make the September meeting. A public meeting will occur locally prior to September, as I understand the process.

Jeffrey Rogers, P.E.
County Administrator
Hernando County
15470 Flight Path Drive
Brooksville, FL 34604
(352)754-4841
jrogers@hernandocounty.us

Sign up to receive the [Hernando Highlights](#) monthly newsletter!

From: Bryant, Rachel <rachel.bryant@MyFWC.com>
Sent: Tuesday, June 14, 2022 4:13 PM
To: Jeffrey Rogers <JRogers@co.hernando.fl.us>

Cc: Beaton, Rob <Robert.Beaton@MyFWC.com>

Subject: Response Requested | FWC

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Major Beaton asked that I respond to your e-mail. The FWC is currently completing the process of obtaining input from the entities listed in statute as some are still in the process of reviewing the evidence and other materials submitted for this request. Once all parties have completed the evidence review and consultation stage, I will schedule a public workshop to be held in the area. I do not know when that will be scheduled at this time, but I will definitely include you when workshop planning begins as we will need a place to host the workshop and will need recommendations on a facility. We are currently planning on presenting a draft rule to the Commissioners at the meeting in September.

Rachel

Captain Rachel Bryant

Division of Law Enforcement
Boating and Waterways Section
Desk (850) 717-2124
Cell (850) 251-3100



From: Jeffrey Rogers <JRogers@co.hernando.fl.us>

Sent: Monday, June 13, 2022 7:46 PM

To: Beaton, Rob <Robert.Beaton@MyFWC.com>

Subject: RE: Response Requested | FWC

[EXTERNAL SENDER] Use Caution opening links or attachments

Rob,

Do you have any information yet on the status of the Counties request? Schedule for the public workshop?

Thanks.

Jeffrey Rogers, P.E.
County Administrator
Hernando County
15470 Flight Path Drive
Brooksville, FL 34604
(352)754-4841
jrogers@hernandocounty.us

Sign up to receive the [Hernando Highlights](#) monthly newsletter!

From: Beaton, Rob <Robert.Beaton@MyFWC.com>

Sent: Monday, March 28, 2022 8:04 AM

To: Shannon Turbeville <lfd147@gmail.com>; McCue, Allie <Alexandra.McCue@myfwc.com>

Cc: Simpson, Wilton <SIMPSON.WILTON@flsenate.gov>; Timmons, Brooks <timmons.brooks@flsenate.gov>; Harrison, Patty <Harrison.Patty@flsenate.gov>; Dilworth, Dorothy <dorothy.dilworth@myfloridahouse.gov>; Massullo, Ralph <Ralph.Massullo@myfloridahouse.gov>; Ingoglia, Blaise <Blaise.Ingoglia@myfloridahouse.gov>; Jeffrey Rogers <JRogers@co.hernando.fl.us>; Sutton, Eric <Eric.Sutton@MyFWC.com>; FWC Commissioners <commissioners@MyFWC.com>; John Allocco <JAllocco@co.hernando.fl.us>

Subject: RE: Response Requested | FWC

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Shannon,

I apologize that the information regarding a future Commission Meeting date was not included with your records request. We have begun the review of the protection request internally and will be sending the information to the other agencies outlined in statute for their review as well. We will also be arranging at least one public workshop in your area before bringing the item to the FWC Commissioners for review. With that said, the request from Hernando County for a springs protection zone will not be on the May agenda. We are working to have it on the July agenda.

Respectfully,

RW Beaton

Major Rob Beaton
Florida Fish and Wildlife
Conservation Commission
Division of Law Enforcement
Section Leader
Boating & Waterways

620 South Meridian Street
Tallahassee, Fl. 32399
(850) 488-5600

PATROL, PROTECT, PRESERVE



From: Shannon Turbeville <lfd147@gmail.com>

Sent: Sunday, March 27, 2022 5:13 PM

To: McCue, Allie <Alexandra.McCue@myfwc.com>

Cc: Simpson, Wilton <SIMPSON.WILTON@flsenate.gov>; Timmons, Brooks <timmons.brooks@flsenate.gov>; Harrison, Patty <Harrison.Patty@flsenate.gov>; Dilworth, Dorothy <dorothy.dilworth@myfloridahouse.gov>; Massullo, Ralph <Ralph.Massullo@myfloridahouse.gov>; Ingoglia, Blaise <Blaise.Ingoglia@myfloridahouse.gov>; Jeffrey Rogers <JRogers@co.hernando.fl.us>; Sutton, Eric <Eric.Sutton@MyFWC.com>; FWC Commissioners

<commissioners@MyFWC.com>; John Allocco <JAllocco@co.hernando.fl.us>; Beaton, Rob
<Robert.Beaton@MyFWC.com>

Subject: Response Requested | FWC

[EXTERNAL SENDER] Use Caution opening links or attachments

Ms. Allie McCue
SW Region Director, FWC

Ms. McCue,

On March 1, 2022, Hernando County Government sent correspondence to your agency (attached), specifically requesting the establishment of a springs protection zone on the Weeki Wachee River pursuant to Fla. Stat. § 327.45.

On March 18th, I sent an email to Major Rob Beaton (attached), **politely** asking if this would be on the commission's May agenda. If he responded, I did not receive his response. I'm certain my email was received, as the public records request incorporated into the same email was fulfilled.

Who at the FWC is capable and willing to reply to my simple question and/or provide additional information? Respectfully, given the fact that our \$4.1 million dollar taxpayer funded restoration is reliant upon the action of the FWC (also publicly funded) to survive, I think my question is worthy of a response.

Sincerely,
Shannon Turbeville

1325 N Galloway Rd
Lakeland, FL 33810
(863) 370-9364

Tina R Duenninger

From: Tina R Duenninger
Sent: Thursday, July 21, 2022 10:11 AM
Cc: Tina R Duenninger
Subject: FW: Public Workshop Scheduled August 2 - Weeki Wachee Spring Protection Zone
Attachments: Notice of Workshop.pdf

Categories: Committees

The Florida Fish and Wildlife Conservation Commission will be holding a public workshop regarding the spring protection zone request along the Weeki Wachee River between the upstream boundary at the State Park to the Rogers Park boat ramp canal. The main purpose of the workshop will be to provide an overview of the spring protection zone request, discuss the evidence of harm, and solicit public comment. The workshop details and link to information are below. A copy of the Notice of Workshop is attached for your information.

Weeki Wachee River Spring Protection Zone Request

Date: August 2, 2022

Time: 5:30 p.m. – 7:30 p.m.

Location: Hernando Beach Marine Group, 4340 Calienta Street, Hernando Beach, FL 34607

https://www.flrules.org/Gateway/View_notice.asp?id=26085354

Tina R. Duenninger ***Executive Office Manager***

Hernando County Department of Public Works
1525 East Jefferson Street, Brooksville, FL 34601
(352) 754-4062 (Ext. 17029)
(352) 754-4423 (Fax)

TRDuenninger@hernandocounty.us
www.HernandoCounty.us

Notice of Meeting/Workshop Hearing

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

The Florida Fish & Wildlife Conservation announces a workshop to which all persons are invited.

DATE AND TIME: August 2, 2022, 5:30 p.m.

PLACE: Hernando Beach Marine Group, 4340 Calienta Street, Hernando Beach, FL 34607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff will provide an overview of a request received by the Commission to establish a Springs Protection Zone along the Weeki Wachee River between the upstream boundary at the State Park to the Rogers Park boat ramp canal, pursuant to Section 327.45, Fla. Stat. and Rule 68D-24.0035, F.A.C.

A copy of the agenda may be obtained by contacting: Ginny Worley, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600, ginny.worley@myfwc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Major Rob Beaton, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600, rob.beaton@myfwc.com.

Public Workshop for Springs Protection Zone Application Process

August 2, 2022

5:30p.m. – 7:30p.m.

Hernando Beach Marine Group

4340 Calienta Street, Hernando Beach, FL 34607

AGENDA

5:30 p.m. **Call to Order – Major Rob Beaton, Boating & Waterways Section Leader**

- **Introductions**

5:40 p.m. **Administrative Items**

- Staff will provide an overview of a request received by the Commission to establish a Springs Protection Zone along the Weeki Wachee River between the upstream boundary at the State Park to the Rogers Park boat ramp canal, pursuant to Section 327.45, Fla. Stat. and rule 68D-24.0035, F.A.C.

6:20 p.m. **Public Comment**

7:30 p.m. **Adjourn**

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\KJB\Legal Requests\2021-520 Ordinance for Mooring of Commercial Vehicles at Boat Ramps\Draft 2 - Ordinance for mooring of commercial vessels at boat ramps.wpd, February 16, 2022 (11:14am) NOTE: additions/~~deletions~~ = language proposed for addition/deletion to existing Code provisions.

ORDINANCE NO.: 2022- 16

AN ORDINANCE MODIFYING THE LANGUAGE IN CHAPTER 7, ARTICLE II OF THE HERNANDO COUNTY CODE OF ORDINANCES TO PROHIBIT THE MOORING AND DOCKING OF COMMERCIAL VESSELS AT BOAT RAMPS BY ADDING SECTION 7-26; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there have been recent incidents of vessels blocking boat ramps in Hernando County for extended periods of time when not actively engaged in commercial fishing; and

WHEREAS, Chapter 7, Article II of the Hernando County Code of Ordinances sets forth the boating regulations in Hernando County; and

WHEREAS, Chapter 327 of the Florida Statutes regulates vessel safety in the waters of the State of Florida; and

WHEREAS, Section 327.02(48) of the Florida Statutes defines “waters of this state” as any “navigable waters of the United States within the territorial limits of this state, the marginal sea adjacent to this state and the high seas when navigated as part of a journey or ride to or from the shore of this state, and all the inland lakes, rivers, and canals under the jurisdiction of this state”; and

WHEREAS, anchoring or mooring of a vessel “within 150 feet of any public or private

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\KJB\Legal Requests\2021-520 Ordinance for Mooring of Commercial Vehicles at Boat Ramps\Draft 2 - Ordinance for mooring of commercial vessels at boat ramps.wpd, February 16, 2022 (11:12am) NOTE: additions/~~deletions~~ = language proposed for addition/deletion to existing Code provisions.

1 marina, boat ramp, boatyard, or other public vessel launching or loading facility” is prohibited by
2 Section 327.4109 (1)(a) of the Florida Statutes; and

3 WHEREAS, the prohibition against anchoring or mooring within 150 feet of a boat ramp
4 does not apply to “a commercial fishing vessel actively engaged in commercial fishing”; and

5 WHEREAS, pursuant to Section 327.02(6) of the Florida Statutes, a “commercial fishing
6 vessel” is “a vessel primarily engaged in the taking or landing of saltwater fish or saltwater products
7 or freshwater fish or freshwater products, or a vessel licensed pursuant to s. 379.361 from which
8 commercial quantities of saltwater products are harvested, from within and without the waters of this
9 state for sale to the consumer or to a retail or wholesale dealer”; and

10 WHEREAS, Chapter 327.70 of the Florida Statutes provides that the Division of Law
11 Enforcement of the Fish and Wildlife Conservation Commission and its officers, the sheriffs of the
12 various counties and their deputies, municipal police officers, and any other law enforcement officer
13 enforce the prohibition of anchoring or mooring within 150 feet of a boat ramp and may remove
14 those vessels; and

15 WHEREAS, Section 327.4109(5) of the Florida Statutes provides that a violation is
16 punishable as a noncriminal infraction pursuant to Section 327.73(1)(bb) of the Florida Statutes; and

17 WHEREAS, Section 327.72 of the Florida Statutes provides that failure to pay the civil
18 penalty for noncriminal infractions is a misdemeanor of the second degree; and

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\KJB\Legal Requests\2021-520 Ordinance for Mooring of Commercial Vehicles at Boat Ramps\Draft 2 - Ordinance for mooring of commercial vessels at boat ramps.wpd, February 16, 2022 (11:12am) NOTE: additions/~~deletions~~ = language proposed for addition/deletion to existing Code provisions.

1 WHEREAS, it is intended to amend the Hernando County Code of Ordinances to prohibit
2 vessels from blocking or interfering with the public use of boat ramps in Hernando County by
3 anchoring or mooring within 150 feet of said boat ramps.

4 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
5 COMMISSIONERS OF HERNANDO COUNTY:

6 **Section 1. Modification of Chapter 7, Article II of the Hernando County Code of**
7 **Ordinances.** Chapter 7, Article II of the Hernando County Code of Ordinances is hereby amended
8 to add Section 7-26 as follows:

9 **7-26. - Incorporation of state law by general reference.**

10 The provisions of state law prohibiting the anchoring or mooring of vessels within 150 feet
11 of any public or private marina, boat ramp, boatyard, or other public vessel launching or loading
12 facility related to Section 327.4109 of the Florida Statutes are hereby incorporated by general
13 reference as they may exist and be amended from time to time. To the extent that the provisions of
14 this article are more stringent than those of state law, then this article shall apply.

15 **Section 2. Severability.** It is declared to be the intent of the Board of County
16 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
17 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
18 validity of the remaining portions of this ordinance.

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\KJB\Legal Requests\2021-520 Ordinance for Mooring of Commercial Vehicles at Boat Ramps\Draft 2 - Ordinance for mooring of commercial vessels at boat ramps.wpd, February 16, 2022 (11:12am) NOTE: additions/deletions = language proposed for addition/deletion to existing Code provisions.

1 **Section 3. Inclusion in the Code.** It is the intention of the Board of County Commissioners
2 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
3 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
4 sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that
5 the word "ordinance" may be changed to "section," "article," or any other appropriate designation.

6 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
7 conflict with the provisions of this ordinance are hereby repealed.

8 **Section 5. Effective Date.** This ordinance shall take effect immediately upon receipt of
9 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
10 been filed with said office.

11 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
12 **HERNANDO COUNTY** in Regular Session this 28th day of JUNE 2022.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

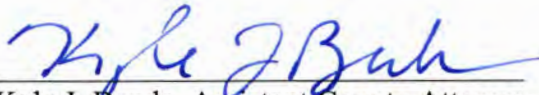
13
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19 Attest: Heidi Kuppe, D.C.
20 DOUG CHORVAT, JR.
21 for Clerk

By: [Signature]
22 STEVE CHAMPION
23 Chairman



DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\KJB\Legal Requests\2021-520 Ordinance for Mooring of Commercial Vehicles at Boat Ramps\Draft 2 - Ordinance for mooring of commercial vessels at boat ramps.wpd, February 16, 2022 (11:12am) NOTE: additions/~~deletions~~ = language proposed for addition/deletion to existing Code provisions.

1 Approved for legal form and sufficiency:
2

3 
4
5 Kyle J. Benda, Assistant County Attorney



[Home](#) > [FWC News](#) > [Commissioners approve final rule establishing a Vessel Turn-In Program as part of derelict vessel prevention efforts](#)

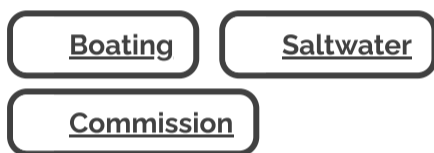
Commissioners approve final rule establishing a Vessel Turn-In Program as part of derelict vessel prevention efforts

Media contact: Robert Klepper,
850-617-9591,
Robert.Klepper@MyFWC.com

Release Date: 07-14-2022

[< All Articles](#)

Tags:



At its July meeting, the Florida Fish and Wildlife Conservation Commission (FWC) approved the final rule establishing a statewide Vessel Turn-In Program (VTIP) as part of the Derelict Vessel Prevention Program. The new rule will create a voluntary program to remove at-risk vessels before they become derelict, which helps Florida's environment and public safety.

The Division of Law Enforcement's Boating and Waterways Section is spearheading a multi-year effort to dramatically reduce the backlog of derelict vessels currently on Florida's waters. These vessels cause the destruction of valuable seagrass resources and endanger marine life. They also threaten human life, safety and property as they drift on or beneath the surface of the water or block navigable waterways, posing a navigational hazard to the boating public.

Recent legislation enables the FWC to create a Derelict Vessel Prevention Program, and the VTIP is one component of the FWC's approach to derelict vessel prevention.

"Commissioners receive numerous contacts from the public about derelict vessels and I know the establishment of this new program will really make a difference," said **FWC Chairman Rodney Barreto**. "Thanks to the efforts of Senator Ben Albritton, Representative Josie Tomkow, Representative Jay Trumbull and Senator Kelli Stargel, we've received the resources and the legislative support to make this program a reality."

Derelict vessels are more costly and complicated to remove than at-risk vessels. A VTIP will prevent vessels from becoming derelict by removing them from the state's waters when they are at risk of becoming derelict, which will result in cost savings for taxpayers and ultimately fewer DVs appearing on Florida waters. The VTIP is designed to allow owners of vessels at risk of becoming derelict the ability to voluntarily turn the at-risk vessel over to the state for removal and destruction.



"Derelict vessels are a priority for the FWC. Establishing the Vessel Turn-In Program provides a voluntary pathway for owners to remove at-risk vessels from the water before becoming derelict, thereby reducing future costs of removal. Removing at-risk vessels from Florida's waterways before they become derelict is not only a win for the environment but also for public safety, taxpayers and the vessel owners," said **Col. Roger Young, director of the FWC Division of Law Enforcement**.

View the [Commission meeting agenda and documents](#) at MyFWC.com/Commission by clicking on "Commission Meetings" and the agenda under "July 13-14, 2022."



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 **DawnMarie Roth**
May 13, 2021 · 



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Photos to Steve Champion
5.13.2021



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May 13, 2021 · 



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 Write a comment...







At dock
looking
south

This photo is from a post.

View post

 **DawnMarie Roth**
May 13, 2021 · 



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 Comment

 Share



 Write a comment...





no wake zone



 **DawnMarie Roth**
July 27, 2021 · 



live next to a no wake zone.. People read well

Edit

 Rich Pater

 Like

 Comment

 Share

 Write a comment...



1 WHEREAS, numerous residents have recently advised the Board of County Commissioners
2 that duck hunters who were boating on the canals adjacent to Hunter's Lake have been discharging
3 shotguns dangerously close to residential properties; and,

4 WHEREAS, the Board of County Commissioners is concerned that duck hunting within the
5 canals is unsafe, and, in a desire to protect Spring Hill's residents, seeks a bird sanctuary designation
6 from the Florida Fish and Wildlife Conservation Commission to apply to the canals; and,

7 WHEREAS, the Board of County Commissioners does not seek to discourage or prohibit
8 duck hunting on any of the naturally-occurring water bodies that are located within Spring Hill (e.g.,
9 Hunter's Lake, Citrus Lake, Greenbrier Lake, Oak Lake, Lake Theresa, Balsam Lake, Fargo Lake,
10 Lake Crescent, etc.) or any manmade water bodies located within Spring Hill other than those
11 identified in Section 2 below.

12 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF HERNANDO COUNTY:

14 **Section 1. Incorporation of Recitals.** The above-stated recitals are incorporated as if fully
15 stated herein.

16 **Section 2. Request to Collectively Designate Certain Canals in Spring Hill, Florida,**
17 **as a Bird Sanctuary.** The Board of County Commissioners of Hernando County, Florida, hereby
18 requests that the Florida Fish and Wildlife Conservation Commission establish a Bird Sanctuary
19 consisting of the manmade canals that are described on Exhibit "A" hereto and shown on Exhibit
20 "B" hereto.

1 **Section 3. Agreement to Enforce Regulations.** The Hernando County Board of County
2 Commissioners officially agrees to assume the responsibility for enforcement of regulations of the
3 Florida Fish and Wildlife Conservation Commission which apply to the property that the Florida
4 Fish and Wildlife Conservation Commission designates a bird sanctuary as requested in Section 2
5 above. The County agrees to post signs throughout the bird sanctuary bearing the words
6 “RESTRICTED HUNTING AREA, Hunting by Special Permit Only,” or “BIRD SANCTUARY,
7 No Hunting,” established by Rule 68A- 19.002, F.A.C., which shall be placed at intervals of no more
8 than 500 feet and be easily visible from any point of ingress or egress, and further agrees to provide
9 other necessary notice of such area to the public. The Hernando County Board of County
10 Commissioners agrees to instruct its duly authorized law enforcement personnel to enforce said
11 regulations within the areas that have been designated as a bird sanctuary.

12 **Section 4. Severability.** It is declared to be the intent of the Board of County
13 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
14 resolution is for any reason held unconstitutional or invalid, the invalidity thereof will not affect the
15 validity of the remaining portions of this resolution.

16 **Section 5. Conflicting Provisions Repealed.** All resolutions or parts of resolutions in
17 conflict with the provisions of this resolution are hereby repealed.

18 **Section 6. Effective Date.** This resolution will take effect immediately.

1 **BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF**
2 **HERNANDO COUNTY** in Regular Session this 26th day of MARCH 2019.



3
4 **BOARD OF COUNTY COMMISSIONERS**
5 **HERNANDO COUNTY, FLORIDA**

6
7
8
9 Susan Busus, Deputy Clerk
10 Douglas A. Chorvat, Jr.
11 Clerk of Circuit Court & Comptroller

By: Jeff Holcomb
12 Jeff Holcomb, Chairman
13 Board of County Commissioners

14 Approved for Form and Legal Sufficiency
15 [Signature]
16 Deputy County Attorney
17

EXHIBIT "A"
Legal Description of Canals

1
2
3
4 The canal identified as the "Town Waterway," SPRING HILL, UNIT 1, as per plat thereof recorded
5 in Plat Book 7, Pages 53-64, of the Public Records of Hernando County.

6
7 The canal identified as the "Tyler Waterway," SPRING HILL, UNIT 2, as per plat thereof recorded
8 in Plat Book 7, Pages 65-79, of the Public Records of Hernando County.

9
10 The canal identified as the "Kelvin Waterway," SPRING HILL, UNIT 2, as per plat thereof recorded
11 in Plat Book 7, Pages 65-79, of the Public Records of Hernando County.

12
13 The canal identified as the "Barlow Waterway," SPRING HILL, UNIT 2, as per plat thereof
14 recorded in Plat Book 7, Pages 65-79, of the Public Records of Hernando County.

15
16 The canal identified as the "Cranbrook Waterway," SPRING HILL, UNIT 2, as per plat thereof
17 recorded in Plat Book 7, Pages 65-79, of the Public Records of Hernando County.

18
19 The canal identified as the "Harcross Waterway," SPRING HILL, UNIT 2, as per plat thereof
20 recorded in Plat Book 7, Pages 65-79, of the Public Records of Hernando County.

21
22 The canal identified as the "Saxon Waterway," SPRING HILL, UNIT 2, as per plat thereof recorded
23 in Plat Book 7, Pages 65-79, of the Public Records of Hernando County.

24
25 The canal identified as the "Cranbrook Waterway," SPRING HILL, UNIT 2, as per plat thereof
26 recorded in Plat Book 7, Pages 65-79, of the Public Records of Hernando County.

27
28 The canal identified as the "Sunbird Waterway," SPRING HILL, UNIT 2, as per plat thereof
29 recorded in Plat Book 7, Pages 65-79, of the Public Records of Hernando County, and as also
30 identified as the "Sunbird Waterway," SPRING HILL, UNIT 4, as per plat thereof recorded in Plat
31 Book 7, Pages 87-95, of the Public Records of Hernando County.

32
33 The canal identified as the "Greendale Waterway," SPRING HILL, UNIT 4, as per plat thereof
34 recorded in Plat Book 7, Pages 87-95, of the Public Records of Hernando County.

35
36 The canal identified as the "Swallow Waterway," SPRING HILL, UNIT 4, as per plat thereof
37 recorded in Plat Book 7, Pages 87-95, of the Public Records of Hernando County.

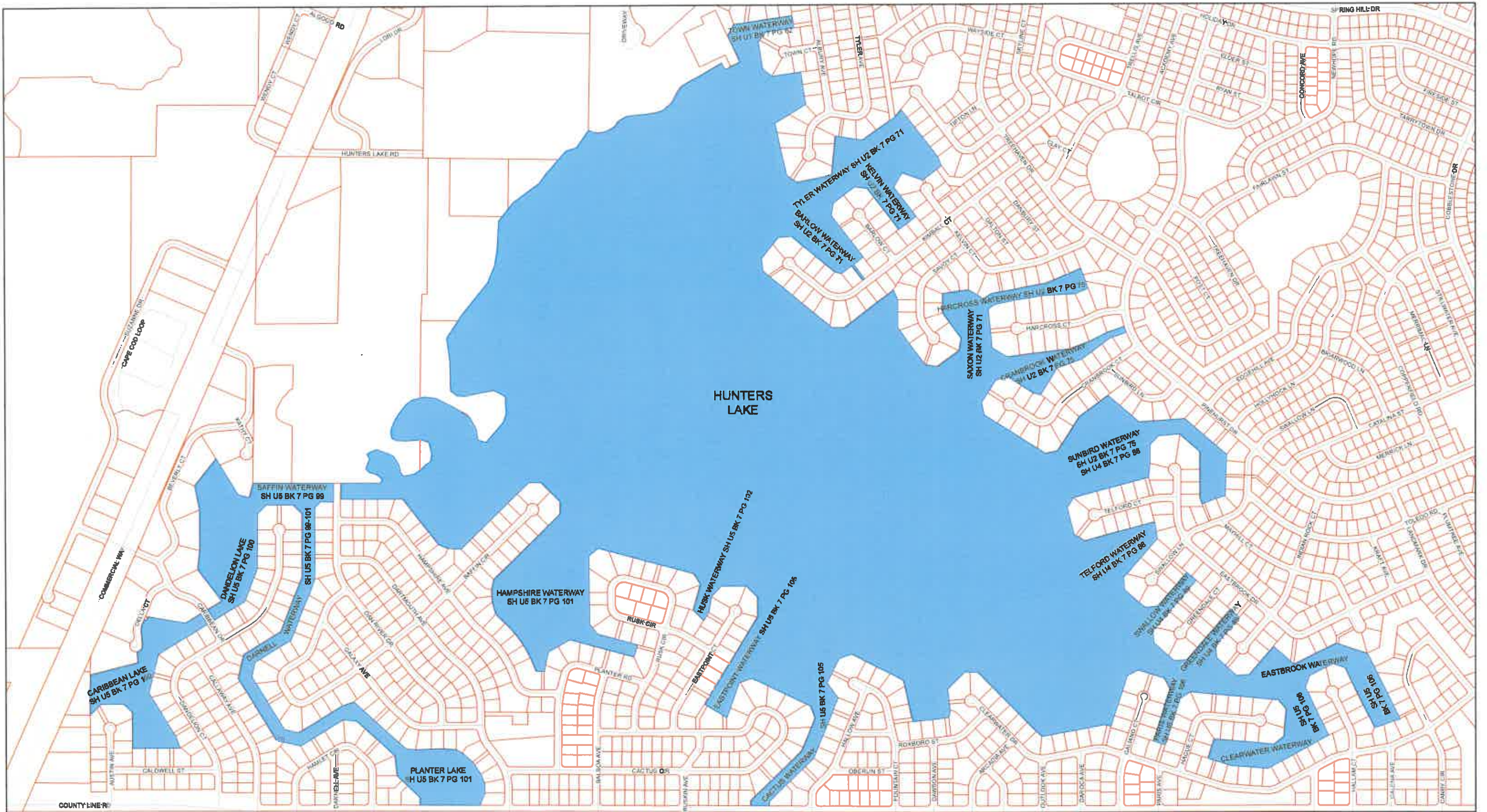
38
39 The canal identified as the "Telford Waterway," SPRING HILL, UNIT 4, as per plat thereof
40 recorded in Plat Book 7, Pages 87-95, of the Public Records of Hernando County.

- 1 The canal identified as "Caribbean Lake," SPRING HILL, UNIT 5, as per plat thereof recorded in
2 Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 3
- 4 The canal identified as "Dandelion Lake," SPRING HILL, UNIT 5, as per plat thereof recorded in
5 Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 6
- 7 The canal identified as "Caribbean Lake," SPRING HILL, UNIT 5, as per plat thereof recorded in
8 Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 9
- 10 The canal identified as the "Baffin Waterway," SPRING HILL, UNIT 5, as per plat thereof recorded
11 in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 12
- 13 The canal identified as the "Darnell Waterway," SPRING HILL, UNIT 5, as per plat thereof
14 recorded in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 15
- 16 The canal identified as "Planter Lake," SPRING HILL, UNIT 5, as per plat thereof recorded in Plat
17 Book 7, Pages 96-107, of the Public Records of Hernando County.
- 18
- 19 The canal identified as the "Hampshire Waterway," SPRING HILL, UNIT 5, as per plat thereof
20 recorded in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 21
- 22 The canal identified as the "Husk Waterway," SPRING HILL, UNIT 5, as per plat thereof recorded
23 in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 24
- 25 The canal identified as the "Cactus Waterway," SPRING HILL, UNIT 5, as per plat thereof recorded
26 in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 27
- 28 The canal identified as the "Paris Waterway," SPRING HILL, UNIT 5, as per plat thereof recorded
29 in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 30
- 31 The canal identified as the "Eastpoint Waterway," SPRING HILL, UNIT 5, as per plat thereof
32 recorded in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 33
- 34 The canal identified as the "Clearwater Waterway," SPRING HILL, UNIT 5, as per plat thereof
35 recorded in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 36
- 37 The canal identified as the "Eastbrook Waterway," SPRING HILL, UNIT 5, as per plat thereof
38 recorded in Plat Book 7, Pages 96-107, of the Public Records of Hernando County.
- 39
- 40

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EXHIBIT "B"
Map Showing the Canals That Are the Subject of this Resolution

(See Following Page)



Hunters Lake and Connected Waterways

Scale - Not To Scale
 Mapped By - Dept. of Public Works/Engineering Div.
 Map Date - 2/5/2018



Hernando County Geographic Information System (GIS)
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