

**MARINE ADVISORY BOARD
TUESDAY, JANUARY 16, 2007
CITY COMMISSION CONFERENCE ROOM – EIGHTH FLOOR
CITY HALL
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

BOARD MEMBERS PRESENT

**CUMULATIVE ATTENDANCE
FROM 5/4/06**

Randolph Adams	P-6	A-1
John Baker	P-6	A-1
David Bernier	P-4	A-3
Alec Anderson	P-5	A-2
Ryan Campbell	P-6	A-1
Bobby Dubose	P-4	A-1
Richard Duncan	P-4	A-3
Barry Flanigan	P-6	A-1
Alan Gabriel	P-5	A-0
Norbert McLaughlin	P-5	A-2
Rick Schulze	P-6	A-1
John Terrill, Chair	P-6	A-1
Stephen Tilbrook	P-4	A-3
Michael Widoff	P-6	A-1
Eugene Zorovich	P-6	A-1

Board Members Absent

Board Members Alec Anderson, David Bernier, Bobby Dubose, Richard Duncan, and Norbert McLaughlin were absent for this meeting.

Staff Present

Jamie Hart, Supervisor of Marine Facilities
Andrew Cuba, Marina Manager
Andy Pallen, Sgt. Ft. Lauderdale Marine Police
Mona Laventure, Recording Secretary

Also Present

William R. Richards, FDEP
Scott Gebhard, City of Fort Lauderdale
Sandi Downs, City of Fort Lauderdale
Jeff Brooks, City of Fort Lauderdale

I. CALL TO ORDER

Chair Terrill called the meeting to order at 7:00 p.m. Following the Roll Call it was determined that a quorum was present.

II. APPROVAL OF MINUTES

DECEMBER 7, 2006

Motion made by Mr. Adams to approve the Minutes of the December 7, 2006 meeting as written. The motion was seconded by Mr. Schulze; following a voice vote, the motion was unanimously approved.

III. WATERWAY CRIME & BOATING SAFETY REPORT

Officer Downs reported that over the previous month two minor accidents, with no injuries, occurred in the New River. At the request of Sgt. Andy Pallen, Ft. Lauderdale Marine Police, Officer Downs relayed the recent addition of Officer Milton Barrow to the Force. Officer Barrow will begin performing his duties the week of January 23, 2007. A posting to fill the remaining vacancy will all occur in this timeframe.

Following Officer Downs' report, Chair Terrill proposed that the Agenda be revised to move item VI. Discussion – Clean Marina Program (Presentation by Bill Richards D.E.P.) up to item IV. The remaining Agenda items would fall in order following this presentation.

Motion made by Mr. Adams to revise the Agenda as proposed by the Chair. The motion was seconded by Mr. Schulze; following a voice vote, the motion was unanimously approved.

IV. DISCUSSION – CLEAN MARINA PROGRAM (PRESENTATION BY BILL RICHARDS, D.E.P.)

Chair Terrill introduced and welcomed Mr. Richards of the Florida Department of Environmental Protection (FDEP.) Mr. Richards stated that he has been with the FDEP for five years and has been working with the Clean Marina Program (CMP) for four years. Prior to this, Mr. Richards worked for Pratt-Whitney in the area of pollution prevention for over 25 years.

Mr. Richards stated that the CMP, a 100% pollution prevention program, was established in 1996 following the passing of the Federal Environmental Protection Agency's Clean Water Act. The Act challenges all states and, in particular, the coastal states to clean up their waters and shorelines. The states responded with their concerns for performing these tasks on their own. As a result, the Marine Industry Association of Florida was brought in to assist. Evolving from this effort was the current-day partnership consisting of various marine partners and the states.

Mr. Richards stated that the four components of the CMP are boaters, marinas, boatyards and water retailers. He noted that the premise for adding the water retailers was to begin educating those purchasing smaller, "baby boats" so that they are fully aware and practicing clean water actions as they progress to larger and larger boats. Mr. Richards stated that in addition to the entities noted, the United States Coast Guard, and the University of Florida's Sea Grant Program play very active roles in the CMP.

With the boating industry being worth approximately \$18.4B to Florida's economic health, Mr. Richards reported that the industry places a great deal of emphasis on clean water and pollution prevention. Currently there are approximately 2,000 marinas and 950 registered vessels in the State; 400,000 vessels visit Florida annually. To date, there are 132 marinas with the "Clean Marina" designation; 26 boatyards designated as "Clean Boatyards"; and two water retailers designated as "Clean Water Retailers."

Mr. Richards noted that the CMP is voluntary, designed to benefit the marinas by interpreting and assisting with regulations regarding pollution prevention. The benefits include free compliance, technical and grant(s) assistance. Additionally, "Clean Marinas" are more successful in attracting and retaining customers. Moreover, the "Clean Marina" designation serves as an excellent marketing tool for the individual marinas.

In reviewing the requirements for participation in the CMP, Mr. Richards stated that the first step is to attend a State-approved workshop. A Resource Tool Kit is provided and a Self Review is required to determine the needs and assistance required by the marina to be in compliance with government regulations and the CMP's "Clean Marina" designation. With the assistance of a clean marina mentor a Clean Marina Action Plan must be developed and submitted with the Clean Marina Certification Form. These submissions are reviewed, the marina is visited by the CMP Review Team and designation may be awarded. An actual Commissioning Ceremony is held for marinas earning the "Clean Marina" designation. The marinas are eligible for education, designations and rewards on a continuing basis. "Clean Marinas" are expected to participate in Annual Reviews and must achieve 100 points for continued designation.

Mr. Richards reviewed the "Do's and Don'ts" when adding structures on the water. Structures being added to docks, as well as floating docks on the water must be officially permitted by the State. Mr. Richards also noted that practicing clean housekeeping on the water and shoreline is strongly suggested. Such practices result in safety for marine habitat and resources, people and vessels. Mr. Richards stressed that there is no place for hazardous materials on the water; environmental-friendly products should always be used. The State of Florida requires that all containers be labeled and covered. Mr. Richards stated that marina all operating records must be maintained in compliance with State regulations. A copy of the records must be located at the marina site at all times and are subject to review by inspectors. In closing, Mr. Richards stated that he was providing the Board members contact information and CMP packets for future reference and invited questions from the members.

Chair Terrill opened the floor for discussion. Mr. Zorovich noted that participation in the CMP is voluntary and it appears that there aren't enough inspectors available to inspect and work with marinas. He inquired as to whether the CMP could be enforced and

additional inspectors obtained. Mr. Richards stated that Mr. Zorovich's observation is correct. At this point in time the number of inspectors is determined by the CMP's budget which is funded by the Florida Legislature. Mr. Adams inquired as to who performs the inspections. Mr. Richards stated that the inspectors are from local government (city and county) and State government. Mr. Adams noted that there are multiple jurisdictions involved, but inspections are lacking. He questioned whether some jurisdictions are expecting each other to perform the inspections, resulting in so few being completed. Mr. Richards stated that he could not answer this question as his primary involvement is with the CMP.

Mr. Richards noted that the coalition of Gulf states (Florida, Alabama, Mississippi, Louisiana and Texas) has developed an award program for state-funded programs promoting the Clean Water Act. Florida's CMP has won the First Place award for the past three years. The CMP is a model program for the country, as well as around the world; Mr. Richards receives requests for presentations frequently.

Mr. Adams recalled that out of 2,000 marinas in Florida only 132 have the "Clean Marina" designation; is this indication that there is reluctance on the part of marinas to join the CMP? Mr. Richards stated that there was and continues to be some concern on the part of the public as to being cited when not in compliance with regulations. Mr. Richards is working hard to change this perception as his role is to assist the public with being in compliance, not to cite them.

Mr. Adams stated that he is familiar with the Occupational Safety and Health Administration (OSHA) and their involvement with the Clean Water Act. He stated that OSHA appeared to be more concerned with citing the public rather than assisting them; many OSHA inspectors did not have marine experience and were not familiar with the Federal regulations. Mr. Adams inquired as to whether those involved with the CMP have marine experience. Mr. Bishop stated that those involved with the CMP do have marine experience; the current Chairman is a waterman located in Pensacola, Florida. Mr. Bishop noted that he serves on the CMP Regulation Committee. This committee is responsible for proposing revisions and additions to the current regulations and restrictions to ensure that Florida waters are protected. The Committee spends much of its time reviewing Federal and other state regulations in this regard.

Mr. Schulze asked whether Mr. Richards waits for marinas to contact the CMP rather than soliciting them. Mr. Bishop stated that in the beginning, he actively marketed the CMP. At this point in time, the Program has gained enough popularity that formal marketing is not needed. Mr. Bishop serves in an "outreach" capacity for all inquiries, requests and on-site visitations.

With regard to "Clean Marina" designations, Mr. Adams asked whether follow-up information is gathered and reviewed to substantiate the CMP benefits. Mr. Bishop stated that as opportunities present themselves, he follows up with designated marinas; all information he has received has been very positive.

Mr. Flanigan inquired as to how marinas with marina-owned boats are designated. Mr. Bishop stated that such marinas are eligible for two designations: "Clean Marina" and "Clean Boat." Mr. Flanigan also inquired how the CMP would approach designations for

citizens living along the New River, as well as the commercial Riverwalk along the New River. Mr. Bishop stated that with the various zoning laws this task would be difficult. Designations would require permission and assistance from the City and citizens whose properties are owned along the river. The CMP will consider designations for City-owned properties as they are requested.

Mr. Campbell inquired as to the time period the designation encompasses. Mr. Richards stated that from the time the candidate attends the State Workshop, they have 18 months to complete and achieve CMP designation. There have been exceptions to this timeframe due to extenuating circumstances. Exceptions are made at the discretion of Mr. Richards.

Mr. Baker inquired as to how long a designee retains approval. Mr. Richards stated that the designee may retain the designation so long as they are in compliance with the standards of the CMP. In addition, designees must submit to annual re-certification in order to continue their designation.

Chair Terrill introduced and opened the floor for questions of Mr. Scott Gebhard, Dock Master for one of the first marinas in Florida to receive CMP designation; the marina is located in the City of Hollywood. Mr. Baker inquired as to how Mr. Gebhard viewed the CMP designation process. Mr. Gebhard stated that Ms. Renee Richards was Dock Master at the time of the original designation. Mr. Gebhard has maintained the designation since taking the Dock Master position. Mr. Baker asked if there were any additional costs to maintaining the designation. Mr. Gebhard replied that there were no additional costs, and that the designations have benefited the marina financially by ways in which petroleum and other marine products are being recycled. Mr. Adams asked whether Mr. Gebhard has found that customers are attracted to the marina due to the CMP designation. Mr. Gebhard stated that he has received numerous compliments on the condition of the marina, as well as the CMP designation on site.

Mr. Adams inquired of Mr. Richards whether there is a designation category for marinas under construction. Mr. Bishop stated that such a category does not exist; however, there are marinas being constructed with Mr. Bishop's involvement in order to be eligible for designation at the time of completion.

Chair Terrill inquired as to whether any marinas in the Ft. Lauderdale area are in the process of seeking CMP designation. Mr. Andrew Cuba, Marina Manager, reported that construction in compliance with CMP designation has begun on the Los Olas and Coolees Landing projects. Specifically, the CMP checklist and recommended materials are being utilized. The Coolees Landing project is now three months into the 18-month process for designation; Mr. Cuba anticipates a "Clean Marina" designation within a year's time for this project.

Chair Terrill thanked Messrs. Richards, Gebhard and Cuba for attending and contributing to this meeting.

V. BROWARD COUNTY MARINE ADVISORY COMMITTEE

Mr. Adams reported that the Committee held its meeting to review and act upon requests for funds submitted by two agencies. The Committee denied the requests due to inadequate submissions; the projects for which the funds were being requested were not of the quality that the Committee felt it should fund.

VI. UPDATE – BOAT SHOW ROAD SHOW

Mr. Jamie Hart, Supervisor of Marine Facilities for Broward County, reported that the Committee attended seven shows and distributed collateral materials. The Committee will evaluate the feasibility of holding the program and return to the Board within 90 days with a plan, possibly a pilot for the marketing element of the program.

VII. OLD/NEW BUSINESS

Mr. Tilbrook made the request that when Dock Waivers come before the City Commission, the Commission's actions be relayed to the Marine Advisory Board. Such information would serve to inform the Board as to whether the Commission acts upon the Board's recommendations.

Chair Terrill reported that the road in front of the New River Landing is frequently blocked. The road is used to access the vessels and is a valet parking situation. Mr. Hart stated that he has had this problem in the past and thought that it had been corrected. He will investigate the matter and report back to the Board.

Chair Terrill stated that on the site where the Hyde Place Market was once located, a new building named the "Icon" is being developed by Related Group. Along this site, there is a sea wall in place that is crumbling. An extension of the Riverwalk in front of that area has been proposed. Chair Terrill requested that Mr. Hart report to the Board as to the status on this project, as well as determine whether funds are currently available to build out that section of the sea wall. Mr. Hart's report should also include who owns this area and what could be done to repair the sea wall.

Mr. Adams stated that due to the State shutting down funding for the improvement of the New River floating docks, he is interested to know whether there any other programs being reviewed for this purpose. Mr. Hart stated that the City is applying for funds through the Florida Boating Improvement Program. The criterion for the program includes improvement of floating docks. Mr. Hart is awaiting receipt of the grant application forms and hopes to learn the outcome by May 2007. An agreement would be executed in September 2007; funding would begin within the following few months. Mr. Hart noted that should the Florida Legislature change its criteria for Broward County, funding could come July 2007 and the grant through the Florida Boating Improvement Program would not be needed. Mr. Hart stated that he would consider accepting all funds to be used for project completion in 2008. Mr. Adams inquired as to the status of the engineering and consulting firm. Mr. Hart stated that this, too, is on hold due to the lack of funding.

Mr. Hart stated that due to an anticipated lengthy Agenda for the upcoming City Commission meeting, he requests that the Board hold its February meeting on Wednesday, February 7, 2007 at 7:30 p.m. A brief discussion ensued with Mr. Hart

concerning scheduling logistics. **Motion** made by Chair Terrill to approve moving the February meeting of the Marine Advisory Board to Wednesday, February 7, 2007 at 7:30 p.m. The motion was seconded by Mr. Flanigan; following a voice vote, the motion was unanimously approved.

Chair Terrill reported that during the last City Commission meeting Mr. Frank Herhold received recognition as "Citizen of the Year" for his efforts in working with the community. The Board can take pride in this award as Mr. Herhold has called attention to the importance of the marine environment and the industry as well.

Chair Terrill noted that he received this meeting's packet via e-mail. He thanked Mr. Hart and encouraged both him and Mr. Cuba to continue with this process as it allows additional time to review meeting materials prior to the meeting. Chair Terrill stated that any board members wishing to receive electronic meeting packets should submit their e-mail address to Messrs. Hart and Cuba. He noted that hard copies of the packets will continue to be distributed.

VIII. ADJOURNMENT

There being no further business to come before Board, the meeting was adjourned at 7:50 p.m.