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**JACKSONVILLE
WATERWAYS
COMMISSION**

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January 13, 2005

9:00 a.m

The monthly meeting of the Jacksonville Waterways Commission was called to order at 9:00 a.m., in the City Council Chambers, by the Chair, Council Member Lynette Self.

The minutes for the December 9, 2004 meeting were approved.

The Commission discussed the Save the Manatee Club/USFWS/FWC Compromise. Greg Radlinski, Office of General Counsel, reminded the Commission that on March 1, 2004 the City notified USFWS that the City intended to sue the Service over its new manatee refuge regulation. In December, the Florida Fish & Wildlife Conservation Commission proposed a compromise to avoid litigation by adjusting the federal zone to unitary boundaries that all regulatory agencies could enforce. The compromise changes the zones from the Mathews Bridge to Reddie Point. The new manatee zones include a 1000' buffer on the east side of the river (an increase of 100') and keeps a 300' buffer on the west side of the river, and limits the speed to 25 MPH between the buffers. Brad Thoborn, Office of the Mayor, indicated that the Mayor was inclined to accept the compromise. Greg Radlinski discussed litigation risks if the City rejected the compromise. Expressing the view that recreational boaters would be sharply restricted in their use of the river, Commissioner Tullis strenuously objected to the City's acceptance of the compromise. Commissioner Busey urged acceptance because of the risks of litigation and the benefits of the compromise. Commissioner Lowe moved that the City reply favorably to Col. Jones of Florida Fish & Wildlife. The vote was 9 in the affirmative and Commissioner

Tullis voting against.

Ordinance 2004-1304 (Approp \$90,000 from Fla Boaters Improvement Prog to remove Derelict Vessel /Barge from Intracoastal Waterway, at Entrance to Queens Harbor) was recommended for approval, as substituted. The substitute approves \$20,000 from Queen's Harbor and \$20,000 from Spec Council Reserve; urges Mayor to replenish the fund in 2005-2006 budget. Additional funds from FIND anticipated before the Council's 1/25/05 meeting.

Waterways Coordinator Steven Nichols provided the Commission with an update on United States Coast Guard rules for the Super Bowl. The Coast Guard is the lead agency for security and traffic regulation on the river, with Florida Fish & Wildlife Commission and the Jacksonville Sheriff's Office Marine Unit.

Dr. Gerard Pinto, Jacksonville University, provided the Commission with the monthly Manatee update. No manatee deaths were reported in December. There was an aerial the previous day and there were manatees cited in the Intracoastal Waterway. The water temperature was at 59 degrees. Approval of the Annual Manatee Report postponed until the next meeting. Dr. Gerstein will be at the Commission's meeting in March for a presentation on his research and study findings on manatees and acoustics.

Steve Long, Manager, Engineering Division, reported on the proposed site of a JSO Marine Facility on the river downtown. There were several proposed sites that were weighed. Directly across from JSO on Catherine Street. Adjacent to the marine fire facility. The Metro Park area, near the WJCT building.

JSO Marine Unit representatives and Waterways Coordinator Steve Nichols updated the Commission on Cedar Creek Signage. They had surveyed the area to determine the best sites for sign placement for safety enforcement. If the issue was a boater safety zone, the County can regulate. If the issue is a manatee safety zone, state regulations prevail. No decision on signage at this meeting. The item will be on the February agenda and the Chair requested that the District Council Member be present for his input.

On Pending Legislation:

Changing Manatee Motorboat Speed Zones from Year-Round to Seasonal, the matter was deferred. Approp for Thomas CreekPark, Camp Milton, Jax-Baldwin Trail, Castaway Island Preserve and Tree Hill Nature Ctr, recommended for approval. Sovereign Submerged Land Lease for Dredging Hogpen Creek recommended for approval. Approp FDOT funds for Water Taxi Stations recommended for approval.

Commissioner Lowe reported that the FIND Subcommittee met on January 12, 2005 for several hours and would be meeting again on January 14, 2005.

The Chair announced that at the March Waterways Commission meeting, she wants the Commission to take a look at the Fuller Warren Bridge issue (i.e.,

preserving the old bridge segment). The Commission should hold a public hearing on the merits of keeping the bridge as opposed to its demolition.

The next meeting of the Commission is scheduled for February 10, 2005.

John J. Jackson
City Council Research Division