

**Myakka River Management Coordinating Council**  
**Nokomis Community Park, 234 Nippino Trail, Nokomis, FL 34275**  
**December 1, 2023**  
**9:30 A. M. – 12:30 P.M.**

**MINUTES**

The meeting began at 9:30 A. M. with Jono Miller presiding. This meeting was advertised in the Herald Tribune on November 17, 2023.

**MEMBERS IN ATTENDANCE**

Jono Miller – Sierra Club  
Chris Becker-FDEP  
Rob Wright-Sarasota Audubon  
Elizabeth Wong-City of North Port  
Sarina Weiss- CHNEP  
Randall Shotto-City of Sarasota  
Steven Schaefer -Friends of Myakka  
Jamie Richardson-FWC  
Victor Dobrin-Homeowner  
Christina Rimes-City of Venice  
Juliette Jones-Friends of WMS

Glenn Compton-Manasota 88  
Bob Clark-Venice Audubon  
Ryan Pieper-Charlotte County  
Emily Barnett-FDOT  
Lee Amos-CFGC  
Ann Hardy-SCLWV  
Hugh Havlik-GCHSC  
Michael Choinard-Homeowner  
Alissa Powers-Manatee County  
Linda Wilson-ECOSWF  
Chuck Johnston-O Bar O Ranch

**INTERESTED PARTIES**

Chris Oliver – FDEP/FPS  
Tom Moralee-Resident  
Tami Roseman-Resident  
Kristen Peterson-FWC  
Ray Westbrook-Homeowner  
Terri Roberts-Homeowner  
Francine Smetts-Homeowner  
Mark Edwards  
John Cervini-Grace Construction  
Debbie Masalam-Resident

Nadine Hallenbeck – FDEP/FPS  
Terri Roberts-Resident  
Jamie Doubek-Racine-NPS  
Steve Roberts-Resident  
Ryan Ellis-FDOT  
Ezell Givens-FDEP/FPS  
Danielle Dietrich  
Gene Cervini-Grace Construction  
Colin Jeffers-Student at New College

- **Call to Order and Role Call.**
- **Approval of the Meeting Minutes from August 11, 2023.** Glenn Compton moved to approve the minutes and Steven Schaefer seconded.

Bob Clark introduced Colin Jeffers, who is a student at New College and is interested in environmental law. They are happy to have him. He is working a little bit with the Audubon Society and is a great guy to know. Bob is hopeful he will stay in Sarasota County.

**Public Comments:**

Francine Smetts, along with about fifteen of her neighbors came to the last meeting with concerns regarding the Waterfalls of Venice. She came again today to reiterate some of those concerns so the representatives from Waterfalls of Venice can be aware of what those concerns are. “To the MRMCC, thank you for allowing me to speak and for you to take into consideration my concerns about Waterfalls of Venice, a high-density mobile home park proposed at South Moon Drive and Border Road. As I stated at the last MRMCC meeting, our area is designated as agricultural and low-density housing, one home per 10 acres. That may not be a

direct concern for the MRMCC, but I think it should be noted. I have many concerns about the property at South Moon Drive and Border Road, especially since seeing the entire property two to five feet under floodwaters after Hurricane Ian, and this went on for a week or two, the floodwaters. The proposed mobile home park is situated directly alongside the Myakka.

When another flood arises, how many mobile homes, motor homes will be blown towards the river or upended to release septic waste, household chemicals, motor oil, or propane tanks? There may be some forewarning as to a flood, but during Ian, the river rose at an alarming rate over one foot per two hours, finally about 15 feet above normal river level. This gives the vacationers very little time to pack up their motor homes and mobile homes and to take to higher ground. Also, where would that higher ground be? Many deaths have been caused by people who are inexperienced in driving through floodwaters. A mobile home could be swept sideways and block the road, making it impossible for other residents to leave in an emergency and also prevent emergency vehicles from getting to anyone south of the mobile home park, which is situated on a dead-end road.

Another concern is if Waterfalls of Venice proposes to raise parts for the entire property with earth, floodwaters breaching the bank just above the bridge on South Moon Drive will cause yet more flooding for South Moon Drive and the neighboring properties. It has been known that the pond in this property was mined for dolomite and there are strict EPA standards against disturbing such contaminated earth, especially close to water sources such as the Myakka River. Many of my neighbors were here with me at the last MRMCC meeting and voiced their legitimate concerns. It is my opinion that this proposal is not in keeping with Myakka River conservation. It is not in keeping with the Sarasota Master Plan. It is not in keeping with the safety of the neighboring properties. This property has not yet been purchased. The due diligence of the buyer should show that this is not the right area for their high-density housing.

Whether it is temporary or permanent, each motor home or mobile home as well as the multiple proposed swimming pools will expose the river almost certainly with devastating effects for residents and wildlife downstream. I am asking the MRMCC to consider these points and to please consider sending a recommendation to the County Commissioners to deny this development. A special exception is exactly that. A special exception should only be granted when there is no apparent danger to the surrounding community and in this case, the Myakka River, and its inhabitants. Thank you. And I am Francine Smetts, a resident on Border Road."

Tom Moralee asked if the Council will take a position on the Waterfalls of Venice at the end of the meeting?

Jono replied that the Council had already voted to send a letter to the County Commission. Jono has not sent the letter yet because, when he sends a letter on behalf of the Council, he likes to have specifics and his understanding is there is no formal application that has been made and things are in flux. Once there is an actual document in front of a submission that ends up going to the Planning Commission and the County Commission, he anticipates that if the Council votes on it there will be a position that addresses specific aspects of it instead of just saying no, nothing anywhere.

Jono recognized Tom as one of the original members of the Myakka River Management Coordinating Council and asked Tom if there was anything he would like to say about his role.

Tom stated he owned an RV park, so he is interested to hear about how this proposal is going to fit into a Wild and Scenic River.

Jono added that he and Tom were both some of the original appointees in '85. He realized that he had now been a member of the Myakka River Management Coordinating Council for more than half of his life.

## **NEW BUSINESS**

### **Jono Miller-Chair's Report**

Jono presented his [Chair's Report \(with visual slideshow\)](#) and starting by noting that a lot has happened since the last meeting. The first topic was on his three years challenge over 200 feet of seawall on the Myakka River at the Diocese of Venice. Jono stated the Diocese has withdrawn the permit application. He tried to contact them twice to ask them if he could meet with them and discuss what is next, because he does not think their issue has been resolved and he has not heard back, but he will keep working on it.

Resilient SRQ is a program of federal money to address issues related to Hurricane Ian and the grant for over \$200 million has been approved. There are a lot of homes that are affected by flooding including when the dike fails at Hidden River. If you are interested in eligibility, you can go to [www.scgov.net](http://www.scgov.net), Resilient SRQ and they will be posting information about how to seek funds.

The existing restaurant at Snook Haven is going to come down. The county is going to build a new facility. Jono feels they do not have the resources. If they had the resources to build a simple restaurant, it would become what is called "fast casual". You go to a counter and order; they give you a beeper and you go sit down. There are no waitresses. Jono would like to see a Snook Haven that still has character. One of the things that defines Snook Haven is the palm trees growing through the roof. That is going to cost more. Jono does not know what the exact status is, it is not clear when this project is going to start, and it does not have funding to keep the old Florida Fish Camp flavor.

The situation with the Diocese of Venice emphasized something that has been known for a while. It is confusing for the public to know how to get a permit to stabilize their bank and there are a lot of requirements because of the rule. Jono met with the permitting staff in Fort Myers and their staff agreed to come up with a draft outline of what all the various requirements are.

Jono was then going to take that to a local attorney to generate a budget to seek funding from a foundation to write a coherent, accessible document that explains to consultants and people that own property along the river how things work. It is heartbreaking to see people go ahead and do something only to find out that it is not permissible, and they have to undo it.

Jono showed two photos of a house on the Myakka from November 2021 and in November 2022. They put in material to stabilize their eroding bank, but they did it without a permit. Allison Moran, from Sarasota County, said they are working on a planting plan. It will be reviewed and approved, then they will manually remove the rock, planting as they go to minimize erosion. Once it has been removed, then there will be an enforcement case.

There is another permit, the COPE permit. Jono had previously written to the regulatory office as an individual. The application said it was on Curry Creek. It referenced the mean high waterline, but they used a safe upland line, which is a little problematic and it did not qualify for an exemption. Jono supports the owner's goal to retard riverbank erosion and would encourage all involved to propose solutions that meet the requirement of all permitting agencies. What happens is people will apply for a permit from Sarasota County or DEP, but they forget the Corps of Engineers. If you are going to have a proposal, you want it to meet all the permit requirements, so you do not get ping ponged back and forth.

On River Road there has been a die-off of some pines near East Venice Avenue and Snook Haven. There is a big muddy pond in that area that was full of water during Hurricane Ian. It is usually dry so they can access it for fill material. Jono showed photos provided by Ray Westbrook of his property taken during Ian. There are mature pines that are dead. Ray is trying to find some entity to take responsibility for this mortality.

Jono met with the DEP Secretary Hamilton. Jono went over several things with him including the legal requirement and need for a carrying capacity study on the river, that we were promised a conceptual master plan for Myakka River State Park (MRSP) was promised and that they wanted support for the homeowner's guide to regulatory requirements. The statute says there "must be periodic studies to determine the quantity and mixture of recreation and other public uses that can be permitted without adverse impact to the resource values of the river area." This has never been done. They have had a prior commitment from Sarasota County to chip in some money. It is in the Unit Management Plan for the state to seek funding and partnerships for carrying capacity \$250,000 and the conceptual master plan that they were promised. He also talked with the Secretary about shared levies with MRSP, the Federal Wild and Scenic Partnership, recreational alligator harvest, and US Fish and Wildlife Service (FWS).

Jono showed a slide of the Hidden River subdivision property line. The dike straddles both private ownership and MRSP ownership. There is a similar situation with MRSP on Sheps Island Ranch where that goes in and out of two different parcels. This is problematic for the park and for the adjacent owners.

Jono showed a slide of the documentation of permits that were issued for recreational alligator take. For example, two of them were from Lower Myakka Lake, one 11-footer and one 10 foot eight inches. People should not be shooting alligators in MRSP. To complicate it, crocodiles are being sighted on the Myakka. If you are giving people permits to shoot alligators and they are doing it at night, they may not be able to tell a gator from a crocodile.

Jono showed a slide of the [proposed Everglades to Gulf Conservation Area](#). You can see there are several properties in Sarasota County that might qualify. Only 10% of this land could be purchased by the federal government. It is not so much a land buying program as a conservation easement effort. To submit comments, you can write to the Southeast FWS planning at [southeast\\_fws\\_planning@fws.gov](mailto:southeast_fws_planning@fws.gov) or NWRS E2G CA, PO Box 700188, Wabasso, FL, 32970.

Jono continued with the Sarasota County Environmental Land Protection efforts. There are several properties that are in negotiation in the watershed, and there are three along the river. They are the Englewood Youth Foundation property, the Pattison property and the Rohlwing property.

Jono showed a pipeline to take water from the Carlton Reserve across the river, down and back over. Water would come from the Carlton plant, come down across the river and come back to service Charlotte County. They have a statement saying they have done everything they can to minimize environmental impact. He does not understand why one area, which is heavily forested is going to be impacted when there is another area right next to it that has one cabbage palm and about six or seven pine trees. He believes that traditionally, when the County takes lands that were acquired as preserved lands, they must compensate the program. It is not clear to Jono whether the county's environmental land fund is going to be compensated.

Jono noted that the county is now allowing deer hunting on the Pinelands Reserve. He continued noting that progress has been made on fossiling. One of the most impacted areas is the Myakka River and its tributaries. They have been advised to take immediate action to protect not only sensitive environmental and archeological sites, but also the fossil collecting community from inadvertently breaking the law. The Florida Fossil Permit Program no longer covers the Myakka River.

#### **Alissa Powers-Manatee County**

Alissa stated that Environmentally Sensitive Lands is working hard on taking some of the first pieces of property to their board by the end of the year. They have 35 million dollars bonded for land acquisition now and they are actively moving eight properties forward for consideration. One of those properties is known as

the Myakka Conservation Stewardship area. It is located just north of Singletary Road and adjacent to some proposed SWFWMD property. Florida Forever, SWFWMD and some other partners are working towards advancing some more conservation areas in the upper Myakka River.

Jono asked Alissa for a map of the Myakka Conservation Stewardship area. She will send it to Chris Oliver.

Someone asked if any of these are being proposed for wetland mitigation banks?

Alissa replied that no, that is a separate program. They have a consultant that is looking at areas for wetland mitigation banks so it would not be the same pot of money as the Conservation Lands Program.

### **Ryan Pieper-Charlotte County**

Ryan had nothing new to report.

Jono asked about the Manchester Waterway.

Ryan replied that the last he heard they were trying to figure out whose jurisdiction applied to specific areas and all the money it was going to take to get that reallocated. They formed a committee to have some input from the community, but nothing really had moved forward.

### **Elizabeth Wong-City of North Port**

Elizabeth mentioned that the city had the grand opening on the first segment of the Nature Trail. It is a one-mile segment that was designed in 2007. It is along the Myakkahatchee Creek between Price Boulevard and Appomattox Drive. It is beautiful, has a boardwalk and is pedestrian and bike friendly.

They are working on 193 blockages that happened on the Myakkahatchee Creek because of Hurricane Ian. They are coming up with an access plan, which must be permitted through SWFWMD or DEP and Army Corp. Over 50 of them are major and it is going to be very expensive to get it all out. They have tentative funding from NRCS but nothing is in writing yet.

On March 27<sup>th</sup>, 2024, the new coastal risk flood maps are going to hit all of Sarasota County including North Port. In North Port, the base flood elevation is going to increase a foot on the west side of the Myakka and two feet on the east side of the Myakka where there is tidal influence. This is likely to affect flood insurance.

Jono asked what the implications are for people that already have a structure?

Elizabeth replied that if the lowest adjacent grade of your structure is lower than the new flood elevation, you will be zoned AE. If you have flood insurance and you keep up with it and do not stop paying, they could only increase your existing flood insurance rate by up to 25% per year until it reaches the final rate.

Jono replied that if you have an existing structure, it is going to result in increased rates. If you have a lot and you are going to build, you will have to build higher.

Elizabeth continued saying that due to Hurricane Ian and the flooding that happened in North Port, they have started a Vulnerability Adaptation Plan, which is Resilient Florida. It is a part of the grant from DEP. They are going to be looking at roads, critical structures, canals, water plants, our buildings, hospitals, etc. They have kicked it off and we are gathering data. This is scheduled to be completed by September 2024 and a lot of municipalities are doing the same thing.

Elizabeth added that they now have an Environmental Services Division and in the process finding staff.

**Christina Rimes-City of Venice**

Christina had nothing new to report.

Jono asked about the erosion at the Venice Myakka River Park (VMRP).

Christina was not sure, saying she would have to speak with Kathleen Weeden.

Jono suggested that because of the work he is doing with the permitting office in Fort Myers, part of it is coming up with a guide for homeowners. But the other idea was to have a shoreline demonstration project. If there was some public land on the Myakka with a serious erosion problem, it could be stabilized and used as an example to show homeowners a proper and permissible way to stabilize their bank. One suggested site that has come up just informally is the VMRP. Jono suggested to the group if people know of sites that are publicly owned that might be a candidate for a demonstration project, to let Chris or Jono know.

**Sarina Weiss-CHNEP**

Sarina stated the Warm Mineral Springs Project was just completed. This was partnered with FWC and many others working on restoration of Warm Mineral Springs Creek and Salt Creek to enhance the warm water access and habitat quality for over 125 manatees. It did have a setback due to Ian, but it finished just in time for the winter season. FWC will continue to monitor and let them know how it is doing.

The CHNEP can give up to \$10,000 on their Conservation Grants now. The next cycle will end April 1<sup>st</sup>, 2024. You can go to [www.CHNEP.org](http://www.CHNEP.org) for more information on those. Their climate summit is coming up on February 28<sup>th</sup> and 29<sup>th</sup>, 2024. That will be at the Charlotte Harbor Event and Conference Center in Punta Gorda and registration will be online on their website in January.

**Emily Barnett-FDOT**

Emily introduced a new employee, Ryan Ellis. She reported that water never topped I-75 during Hurricane Ian. It was closed as a precaution because some exits were flooded, and you could not get off those exits. Jono asked about the rest area being used as a staging area for various projects along the interstate. He was wondering if it will be done in 2025.

Emily was not sure of the date but that it is a few years down the road. It is going to be a staging area for the foreseeable future.

Ray stated that the timeline for River Road construction moved from spring of 2025 to mid-year 2025 primarily because of the hurricane. That is published on the FDOT website for completion of River Road. Ray thanked FDOT for working on many issues, stating they have done behind the scenes in raising awareness of the continued problem. He talked to FDOT on his way to the meeting about all the dead trees on East Venice Avenue that are a major safety issue and FDOT now owns the south side. It was a quit claim deed from Sarasota County. There is a right of way and some questions, so FDOT and Sarasota County are talking and hopefully there is a resolution there soon.

**Kristen Peterson and Jamie Richardson-FWC**

Kristin is part of the Invasive Plant Management Division. They just completed aerial helicopter treatment working with the state park and AHRES. They have completed fall treatment for invasive grasses. The grass treatment went extremely well, and everything is dying off.

Jono asked if they have been treating Indian jointvetch.

Kristen replied that they have been. She believes it was before the helicopter treatment that they broke up some of the blockages. No blockages have been reported just yet, but they are still monitoring its expansion and they are trying to eradicate it, so it does not cause any issues.

Jamie Richardson advised that the Warm Mineral Spring Restoration and Enhancement Project was completed. The Myakka River Threats Assessment is complete as well and the report has been approved. The Freshwater Fisheries Management team are joining park staff, IPM and AHRES biologists to discuss potential fish improvements, especially on Upper Myakka Lake. Their projects would include planting native submerged vegetation and bulrush, which is in preliminary discussions right now.

Jaime looked into the alligator harvesting. This year's alligator harvest season has ended. There are permits available for Sarasota County. When permit holders receive the permits, they have a map that specifically says not to enter state parks or state lands. They were not supposed to be hunting there.

Jono agreed that taking in the state park was clearly not allowed. And the more interesting question is about taking alligators on the Myakka River south of the park.

Chris responded it is complicated and unclear. The hunting permit rules state you must be 400 feet away from any state managed preserve with some kind of wetland buffer language. Outside the state park, much of the river is preserved land, most are jointly owned by the water management district. Here it would seem, at minimum you would have to have written permission from them to hunt within 400 feet of that property. The river is typically not 400' wide. Back to the issue of the takes in the state park, like the two separate takes in 2022 on the Lower Lake. My question really is what do we do when they find out someone has had a take in a place where they should not have been hunting? In this case they wrote down on their tag they took from a location within the state park. So, the question is what happens? Is there a process? We need to have a bigger conversation on this.

Steven Schaefer mentioned it was in violation of self-incrimination laws.

Jono stated beyond the risk of hunters confusing crocodiles for alligators, there is a question about does it make sense to have a Wild and Scenic River where people are coming to see alligators but to also have a recreational alligator harvest program. This means there will not be as many alligators for people to see. One person gets to stuff a twelve-foot alligator for a few people to see, but a thousand people do not get to see it in the wild? For the people that operate the tour boats out of Snook Haven and other operations, there is a question of whether they should be allowing any take in the Myakka River. Jono asked Jamie to see if she could find an answer to Chris' question, including the self-incrimination aspect. If somebody writes down, "I took it in illegally," maybe that exonerates him from prosecution. If the Council were interested in an initiative to take to the commission to say, when you get your permit in Sarasota County, what would it take to say that the Myakka River is not eligible? To make that clear to people. How would the Council go about that if they voted and how would they promote such an initiative.

Tom asked if that could be put into the River Rule.

Chris replied that you must open the entire rule. The Council would have to endorse that position and then they would have to lobby rulemaking agencies, DEP in this case.

Jono added that the risk is you are also opening it up for other people to propose other changes.

Debbie Masalam asked about people encouraging alligators and feeding them to keep them around.

Jono replied that he does not think anyone's lobbying to keep nuisance gators around.

### **Lee Amos-Conservation Foundation of the Gulf Coast (CFGC)**

Lee is the Land Stewardship Manager at the CFGC. They are continuing restoration work at their preserve just north of MRSP, Upper Myakka River Preserve. They continue to coordinate with the state park on management in that area. That north section just across from Hidden River, does have an infestation of a plant called aquatic soda apple that they would like to eradicate. It is not known in this area. It is a new invasion. Manatee and Sarasota County do not have any voucher specimens, so they want to get that out of there and continue to restore that area.

They continue restoration work on the Myakka Headwaters Preserve in conjunction with SWFWMD and CHNEP. A lot of that work has been completed, planted a couple thousand trees and did about 20 acres of climbing fern control. They will continue restoration out there. They have some funding from the USFWS and the Gulf Coast Community Foundation to do upland restoration, restoring pine woods. They have more plans to plant more trees along the river. A lot of erosion through there, so they need to stabilize the banks and replace some forest land that has been lost over the years.

They are working on the Hidden River issue a little bit. Their Director of Land Protection, Debbie Osborne, has been talking with some of the landowners and the NRCS about a program to acquire conservation easements or land along there. The Rural Family Lands Protection Program received a huge number of applications this past round. It is great to see interest in the state. There is a lot of interest from landowners and farmers in conserving their land using conservation easements. And there are some important ones that happened in this area. Mabry Carlton Ranch proposed part of their property. It is 2,560 acres and it is on the north side of State Road 72. If you look at a map, there is what looks like a gap in MRSP and it is part of the Mabry Carlton Ranch. It would be great for that to be preserved. It would stay a working ranch but limit the development rights.

Harrison Cattle Ranch, a little over a thousand acres, was proposed for conservation. That is further down the road on State Road 72. If you look at lands in Sarasota County, that could still be developed, or it could still be acquired for conservation. A lot of that is out down State Road 72, so it is good to see more conservation in that area.

Discussion continued on the ranking and funding processes for the potential conservation efforts.

Jono asked Juliette Jones to provide her comments about Warm Mineral Springs.

Juliette Jones added a comment regarding Warm Mineral Springs. "I live in the back of Warm Mineral Springs, between Warm Mineral Springs and Deer Prairie Creek Park, for about 23 years. And I am a member of the Friends of Warm Mineral Springs. About 10 years ago we brought forth a federal lawsuit, which we did not win, but which precipitated in such a way that commissioners... placed a vote on the commission to not develop Warm Mineral Springs, but to develop it only lightly as a passive park land. And everybody has been really happy about that for about 10 years." More recently the new commission, "voted for very heavy development" on that property. "Many people who are a lot smarter than me. I think that is very dangerous to do."

Juliette continued, "We want it to remain a sanctuary... And I'll finish with this. It was damaged very radically in the past when the city and county allowed a manager who knew nothing about managing an environmental property for 30 months to pour an algacide in that spring that was not even supposed to be used in mineral water. And I would go in there all the time and say, 'Something's happening, the birds have gone, the turtles are dying, the water's changed.' Well now the water has changed. I've seen really no improvement on that... So, I am just basically telling you I am heartbroken. And since the law has been



passed, there is no self-collecting organizations that are powerful enough to rise up against this because ever since the recent law was passed in Florida that if you sue a municipality for land use and you lose, you are not only paying your bill, but you are also going to pay theirs. I think that is unconstitutional.”

#### **Chuck Johnston-O Bar O Ranch**

The ranch has been slowed up because of the hurricane with the projects they have with NRCS, so they asked for an extension. They were not even able to get out there and do a lot of the engineering they needed to do for us for more enhanced erosion control.

Chuck continued noting that the park service and the county over at the Pinelands Reserve have been in a very aggressive hog eradication project. It is the first one in his lifetime where he has seen a control operation like that work. After the hurricane, they had some pastures that they lost 80% of it to hogs. The devastation was tremendous. Chuck said that you can hardly find a hog on the place anymore or sign of one. After the eradication efforts, the population has been really reduced, lower than Chuck ever thought he would see. The turkey population is the highest he is seen in 25 years.

Chris added that the new southwest Florida coordinator for the USDA's Hog Removal Program now has the office right next to his. At Oscar Scherer, they are providing residence for them, and they are getting lots of new resources. They are starting with a focus on state lands, but they want to expand out.

#### **Steven Schaefer and Miri Hardy- Friends of Myakka River (FoMR)**

Steven Schaefer informed the Council that the FoMR would like to step up their efforts to support the state park and the river. They hired an Executive Director named Miri Hardy to help facilitate that.

Miri addressed the Council and began by noting that FoMR made a strategic decision to really increase their support of the park which has been done through being able to increase their fundraising and friend raising as well. By building a stronger community of members who want to help the park through service projects and actively support the park, they have been able to not only support their partners at the park at a much higher level, but also engage funders in a more meaningful way. They recently secured a grant of over \$24,000 to support trail marking in all of Myakka's back country. That is going to be a huge project that they are going to be taking on as an organization. The excitement in the community is huge and the excitement in the park is quite big as well because they will no longer have to send out as many rangers to go and rescue people who get lost in the back country.

One key focus over the past couple of years has been increasing community outreach and environmental education and they have been doing that through building a very strong and consistent presence on social media and local print media. Last meeting, Chris mentioned one article they wrote about the efforts in the park to restore the natural flow of the Myakka River by removing the weir. This is coming at the tail end and the continued efforts that have been going on for over a decade in the park to restore the floodplain marshes. Helping our community understand what they do not see. The past decade of work and how it has brought them to where they are today, and the work that needs to be ongoing, and what they do see. For example, the weir that was there since the thirties is now gone. They are helping them understand that restoring the natural flow of the river is a win-win for all of us through very palpable stories. Last year, they had a flock of over 92 black skimmers show up in the park. They have seen black skimmers in the park in previous years. Smaller flocks that were typically hanging out at the inflow of the river into the Upper Myakka Lake. There are the mud flats there. They liked that area. Last year, following this restoration with exclusion fencing in place, which kept the humans at a respectable distance and was also important for the active restoration of plants. Partners over at the Conservation Foundation supported efforts putting in native loose strife there. There was a perfect habitat that was created for this large flock of black skimmers to rest in the park while Sarasota beaches had a serious case of red tide.

It was an interesting opportunity to illustrate to the community how important MRSP and Myakka Island are for the community and wildlife. Because the wildlife was hanging out much closer than they could normally see, they were able to spot banded birds from the Sarasota County, Lido Beach black skimmer colony. They also spotted birds from as far away as New York and New Jersey who were wintering in the park. They know that the black skimmer from Sarasota County, 5B, she did nest on Lido this year after gathering her strength at Myakka over the winter and she fledged a chick. They also spotted her after Hurricane Idalia. They are excited to see when the black skimmers are going to come back, especially because the park is doing what is necessary to continue to protect and restore these important habitats by replacing the exclusion fencing to allow the wildlife to come back to both sides of the banks.

Miri mentioned that she met with Jaime from the NPS about the Partnership program, and the FoMR is excited to bring forth a motion today to help move this forward.

On Sunday, December 3<sup>rd</sup>, they are participating in Evergreen Days at the Bay, which is part of the ECO Summit Experience next week. They are going to be there with their Deep Hole game where they help kids understand Myakka's wildlife, ecosystems, and the connections to the bay.

### **Chris Becker-FDEP/Myakka River State Park (MRSP)**

Chris Becker started by noting that Chris Oliver was recognized for his efforts to improve hydrology on the Myakka. Last year, he was the statewide Resource Manager of the Year for 2022. That is good news that efforts are being recognized at a statewide level.

MRSP is ramping up for prescribed fire season. Typically, MRSP will start burning some of the areas for fuel reduction in December and then for ecosystem restoration and enhancement in the spring. They hired a contractor to help do some prep work and they got funding from the Florida Forest Service. It is a partnership to get some of this resource management done since they cannot do it by themselves. They are also working on a large contract with an invasive treatment company. They are going to treat 1,135 acres within the floodplain for invasive grasses and other high priority invasive like aquatic soda apple, which is really a miserable plant to be around. It is spiny. If you get stuck by a spine, it stings. It sprawls up trees, so it is bad stuff. The aquatic soda apple produces fruit that wildlife likes, so they get spread around.

MRSP had aerial operations to remove hogs in October at the park. It was windy and difficult for USDA to work. They only got 12 out of the park, which seems low, but if they are not seeing hogs around then that is 12 less that are a problem. They got more on the Carlton, about 42 there. The USDA has an emphasis on testing hogs for African swine fever, which is a disease that is not in the US currently. There is funding that is coming in to do additional hog capture and removal.

The MRSP Unit Management Plan (UMP) was adopted in 2019 and that was a challenge. They are changing how they do management plans. Instead of park by park and public meeting per park, they are looking at doing a district wide plan, in 2024, which would be a Southwest Florida State Park Management Plan.

Linda Wilson asked with the supposed amendment for the right to hunt and fish, do you know how that might affect the park?

Chris replied that park rule 62-D clearly states that hunting in state parks is not allowed. The statute dictates what you can and cannot do on conservation or state park lands.

Jono added that FWC is supposed to regulate wildlife. There is a bill that is been introduced that you can shoot a bear on your property if it is bothering you, and then you have so many hours or days to notify FWC. Then there is this bill that would say something along the lines of hunting is the preferred means for managing wildlife in the state of Florida, which is just crazy. It is the legislators trying to go around the Wildlife Commission, which really has responsibility for making those decisions.

### **Chris Oliver-Myakka Wild & Scenic River (MWSR) Program**

Chris started by noting to multi-year, multi-agency effort to remove the weir at the Upper Myakka Lake in the spring of 2022. They had a final walkthrough a year later. The site was not impacted by Hurricane Ian. Going back to 2015, 2016, there were public meetings about the MRSP UMP. A few people had concerns that the lake would just drain out. You pull out the weir, the lake is gone, it will be a mud puddle. After Ian, it was a very dry year, one of the driest springs in many decades and the lake did not drain out. The engineers from their consultant found a controlling shoal about 950 feet south of the weir, which regulates the lake level without the weir. The science was good, the engineering was well done.

Chris mentioned that MRSP staff are putting up the exclusion zone around the impacted area around the weir. That area is super popular. Chris showed a photo of an area where some coconut fabric was set down where the construction work to pull out the concrete was. Most of that is re-vegetated. There are parts that are not re-vegetated, but the wildlife is really loving that open area, including the black skimmers.

The MWSR Program secured some money from the Department of the Interior, USFWS to remove the second dam in the system, Downs' Dam. This is the dam where MRSP owns the eastern side. The O Bar O Ranch owns the western side. They have had restoration plans for quite a long time. These plans are 90%. They are trying to get the O Bar O to agree to move into an agreement. The park service made four concessions in the plans to change things from the 60% plans. Then the O Bar O was hit by Hurricane Ian. The ranch had a lot of recovery to do, and they were focused on that. USFWS and the MWSR Program attempted to bring them back to the table but have not been able to reach an agreement. The current funds expire in September 2024. The last time they will be able to use those funds is March 2024. We will not make that timeline. The USFWS can request an extension on that money. It is possible they will get it. If so, they would be exploring how they could remove the dam just on the park's side and stabilize the erosion zone. The dam is washed out, it is basically taken a quarter of an acre of the park's land and pushed it into the river, it basically fills snook bowls and makes areas deeper pockets at curves in the river, the sediment fills those in and is bad for fish habitat. Restoration partners are considering pursuing it without working on the private side.

Chris mentioned that this also in the Chair's presentation, but the Vanderipe Dike straddles both MRSP and some private properties. The Dike has long been considered for removal. When they put in the Upper Myakka Lake Weir, some claimed that it caused flooding of the adjacent ranch lands. Around 1940, this first structure was built and then this extension was proposed after the Angas report in 1945. So, that built and there is a huge earthen dike system over there. The question is during Hurricane Ian, did it cause extra flooding to the adjacent community? Someone must study it. Chris wrote a Cooperative Funding Initiative application to the water management district, if they accept that application, it will take years.

Since Hurricane Ian, there have been a lot of people trying to manage their property. Residents had trees that might look like they are dying, some even did die. In cleaning up, often within the 50-foot priority buffer these activities are impacting some of the scenic values of the river. They are taking down a lot of the trees and low-lying vegetation including native grasses that are protecting the erosion on their banks. There is also still a lot of trash. There are still have missing regulatory signs and navigation markers. Many areas were cleaned up after Hurricane Ian but many areas still need to be addressed.

MRSP and the Program are still working with the FWC's IPM and AHRE Sections. This is a huge project to improve the floodplain plant and animal community. In October 2023 about 210 acres was targeted, a bunch of it was south of S.R. 72. That is the first time they tried to manage the non-native monocultures south of S.R. 72. Chris showed a photo of some recently treated grass. It is 10 acres on either side. There is not a native plant in sight. It is a solid monoculture. If you try to walk through that would be tough. It is about eight feet tall. It was all treated in October and Chris showed a photo of him going through it a month later and

now that is all brown. The herbicide must go from the leaf structure into the roots. And for everything you see above the ground, there is roughly an equal amount below ground. It must be treated with herbicide then stressed again. The park plans to burn the area this month. Then after it floods again, they will need to do more work. Next time they come back it might be 20% paragrass and then the natives will be there. It is harder work then. But results in the turkeys and black skimmers that people are seeing, getting rid of this bad habitat that provides no value and bringing back the things that provide wildlife food.

Chris added that the Bureau of Archaeological Research was instrumental in talking with the Florida Museum of Natural History and getting the letter stating fossiling is not permitted on the Myakka River.

### **Jono Miller-National Partnership Wild & Scenic Program**

Jono summarized the discussion from the last meeting, starting with the 1984 Federal Wild and Scenic River study. "Alternative A is the recommended alternative and involves designation of the 12-mile segment within MRSP as a state administered component of the National Wild and Scenic River system. Additional eligible segments could be added to provide permanent protection, the Myakka River Commission to represent the three-county area." At the time, it was envisioned that Manatee and Charlotte would be involved. "...and composed of landowners, conservationist, business interests, representatives, local government could be established to develop strategies protecting the river, numerous ways to institute a River Basin Commission".

The partnership model works with local communities. Federal ownership and management are not authorized. This would not be a project that was owned or operated by the federal government. It is locally managed, controlled by a local council, which would be like the MRMCC. No federal control, no new restrictions, no authority for federal land use control. Local governments would continue to have the primary role. Potential funding of \$220,000 per year to assist in management of the river. The MWSR Program currently has no direct funding. Money must be pulled from other areas, which is hard to do. When Chris is working within MRSP, that is one thing. But when he is working south outside MRSP, it is a stretch to fund those efforts.

If local legislators and residents think it would be valuable, that is one thing. But if legislators are saying no, there is no interest and that probably answers that.

### **Motion:**

**Steven Schaefer motioned that the Myakka River Management Coordinating Council direct the chair to reach out to the appropriate Florida Congressional Representative, which is probably Verne Buchanan, to explore the designation and inclusion of the Myakka River into the National Wild and Scenic River system, managed as a Partnership Wild Scenic River. Bob Clark seconded.**

### **Motion discussion**

Jono advised that many organizations proceed on the basis of Robert's Rules and that the decision of whether someone's in the majority or not is based on those voting. The way the MRMCC rules are written, it is based on the members present. If a bunch of people abstain from voting, that counts as a "no" vote. The decision about whether the Myakka is going to be a Federal Partnership River is not the MRMCC's decision to make. That is a Congress level decision. The intent of this motion is simply to empower Jono to talk to the congressional delegation and ask if this interests them. They can either say yes, in which case the Council can come back and talk about details. Or they say it is not the right time. They are already working on Little Manatee River and Kissimmee River.

Jamie Doubek-Racine added that the motion is well written. It should not be too detailed at this stage. It should be to allow you to just go forward to see the lay of the land.

Jono added that It is still very exploratory at this point.

Steven reiterated that the reason it was written the way it was to say that the Council is open to discussions.

Bob was in favor of the motion and noted that the Council can always add to the motion at some other point. He would love to see the river protected from Manatee County down to Charlotte County.

Steven commented that the report says 37 miles was eligible, but then they decided to only do 12 miles and see what happens with government and private interests in the rest of that 37-mile area. Local governments, the state and conservation easements have acquired pieces of land all along the river. They have opened that area up beyond the 12 miles. But once again, this is just the beginning of discussions.

Jono and his wife helped take the Feds around and show them but there were two dams on the river. There was the weir in the Upper Myakka Lake and there was the dam structure at O Bar O Ranch. The weir is now gone in the park and the structure at O Bar O is compromised. Discussion continued about river miles.

Victor commented that he does not see any drawbacks to joining this program. This is an ideal way to bring locally some of those funds which are in Washington. He encourages everyone to vote for this because it helps locally.

Sarina added that the CHNEP is conceptually in support of the motion because they are comprised of the counties that they represent. Sarasota County not being here today, they would have to abstain. They are bringing this to their management and policy committees in January 2024 and expect to get approval. They would be able to vote on it then.

Jono requested the motion be read again.

**Motion:**

**Steven Schaefer motioned that the Myakka River Management Coordinating Council direct the chair to reach out to the appropriate Florida Congressional Representative, which is probably Verne Buchanan, to explore the designation and inclusion of the Myakka River into the National Wild and Scenic River system, managed as a Partnership Wild Scenic River. Bob Clark seconded. Elizabeth Wong, Emily Barnett and Sarina Weiss abstained. Motion passed.**

Break 11:05 am-11:15 am

**John Cervini-Waterfalls of Venice**

John Cervini is part owner of Grace Contracting and Development. He is at the meeting to introduce himself and his company. They are a Florida and New York based company. They have been in the construction and development industry for the last 15 years. They are here to talk about the Waterfalls of Venice at the South Moon and Border Road intersection. They are not national developers or even a local conglomerate developer like others in the area. John runs the company with his father, and it was named after his late grandmother that he had a close relationship with.

John continued; the environment is an important piece to this project. They are on the river, they have the lake, the preserve is across the way. It is very important for them to keep that piece of the project and the environment and make them cohesively exist together and the river. They understand the laws, they

understand that there is some flexibility within those things, and they are here to listen to the Council. They have an email for anyone to email concerns to. It is [www.waterfallsofvenice@gcdny.com](mailto:www.waterfallsofvenice@gcdny.com)

They are in the preliminary development stages of this project. They have spent hundreds of thousands of dollars on the diligence side of things with their surveying. They have done a lot of surveying of the area. They have done environmental studies there to double check that they are not endangering species on the property. They are not here to shoot from the hip. They want to be open, transparent and be educated on the concerns of the community for the project.

Jono asked about the three inholdings or out parcels and if they control those.

John thinks there is one they do not control.

Jono asked if they own the property or if they are acquiring it.

John replied they are in contract with the current owners which is dependent on the ability to develop the project for the uses that they are looking to do.

Jono asked if they had an initial meeting with county staff, the Development Review Committee?

John replied that they did a preliminary pre-app with a conceptual plan. This was presented as a slide show at the last meeting. They have met with Sarasota County regarding wastewater and the sewer. The county has helped to educate them on some of their concerns and what they are trying to work with them on and how to do different things. In that process with the pre-app, they got a lot of feedback. They are taking a lot of that information with their team, engineers and designers. They have a landscape architect and would like input from Chris and the Council regarding landscaping so they can add to the park. They have not submitted their application yet. They still have neighborhood meetings to do.

Jono asked if they will have the meetings over Zoom or in person.

John replied it will be in person.

Jono asked about their timeline for submitting a proposal.

John replied it is still in a preliminary stage right now. They are working with two engineering firms and an environmental company. They have an additional one that they are adding to the team. John is hoping for the first quarter of 2024.

Ryan Pieper asked, "if any of the required setbacks limited your ability to use the property as you initially intended?"

John replied that, "we understand the setbacks and we are trying to work within those limitations. There are some limitations with the 50 feet and 220 feet. There are different avenues of allotments that you are allowed within the law, that you are, in those areas. We are trying just really to work with that. That is one of the things that came up in the information from the preliminary pre-app. So, trying to figure out how to do that. A large piece of the river for us is something that we want to, my father and I, is very dear to us, we would like to add a nature walk type thing there, create that as a community space maybe even an educational space about the river and what is going on there."

John continued, "just so everyone understands, this will not be a mobile home park, this is a luxury motor coach park. We are trying to make this something that is very high quality, construction wise and sightly. My vision, I would say, and our vision really between a JW Marriott and a Walt Disney World type of feel when you are there. So, it is going to be quality and include beautiful landscaping and beautification of that, utilizing that. There are some beautiful beautiful trees that are on the project that they want to keep and incorporate. We have worked to design within a lot of those limitations."

Jono stated that, "there was testimony earlier about the effects of Hurricane Ian, and how significantly the site flooded. How are you, how is that affecting your thinking? Were you starting on this project Hurricane before Ian?"

John replied, "So, to add to that, we were just talking about that, Ian was our greatest ally. That being said, we were under contract for the project, so Ian happened. I was in New York, and I flew down here, with my brother. My brother lives over here. And came down, visited the site, seen the water himself. I understand, from research we have done, the people and the conversations we've had, that all that excessiveness was from a levee breach that happened or some stuff we are being told, I do know all that. It was a great test though because it allowed them to understand stuff on the property that they wouldn't be able to normally see or know about without that happening."

Jono clarified that, "there was a lot of miscommunication about dams or levees breaking, I guess Elizabeth has left, but there was a structure in North Port really far south, and that structure was compromised. A canal was eroded around a structure and that was reported as a failure of a water control structure. So, that was in the press, and everyone was reading about it. The image I showed earlier of Hidden River, they have a large section of the floodplain that they try to keep dry because their homes are in there. At least three times that area has flooded recently. It can flood in two completely different ways. One is if water builds up in the river and breaches the dike and flows into their property, that is one way it fails. The second way it can flood is in Old Miakka there is a longleaf pine community. It is very elevated. If that water comes down into these lowlands and they can't pump it out, then they get flooded from their own property. So, when the dike fails, it reduces the flooding downstream because the water that had been kept out of these residences and out of the floodplain, now occupies that floodplain. The flooding you were seeing there at your site, and I be happy to take other opinions, is the result of the massive amount of rainfall in the basin in that storm event and was not aggravated, as far as I know, by the failure of some structure."

Chuck asked if there was a central sewer system?

John replied there is not.

Jono asked what they are proposing for sewage treatment?

John replied they are working with the prepackaged plant.

Lee returned to the issue of flooding, adding, "that when you think about the Hidden River Dike or other water control structures, the effect of those structures do not extend all that far, a lot of times. If you do the modeling on some of these, it is surprising how far it does not extend. When they were doing work on Triangle Ranch and modeling restoration of Tatum Sawgrass Marsh, a 2,000-acre floodplain, the effects were only extending down like about a mile. It is not a far distance. So, you think Hidden River, I don't know how many miles north that is - 13, 14 miles, even though again it would have been positive, there miles apart."

Victor stated that he lives a couple of miles from the river, northeast of where U.S. 41 intersects with the river. He agreed that the flooding was not because of a breach of a water control structure. It was huge amounts of rain. He suggested that they might encounter those kinds of events at the Waterfalls of Venice again. He suggested that they have an engagement of the community. That is the time the community should get involved and provide the input because then it is going to the planning commission and then to the commission. Zoning will require a lot of effort. He continued asking, "if the opposition of the local people who are living around it were so great that the county commissioners are doubting what you are doing, what are you going to do with the contract?"

Steven asked where they would get potable water from?

John replied they are working with their team, but it will probably be wells.

Steven asked about having enough room for both wells and septic systems.

John replied, "that the property is 50-something acres, so there is significant room to allow multiple systems."

Mike Choinard asked where the wastewater treatment plant will be located?

Rob Wright asked about where the water from the wastewater treatment plant would go?

John replied, "that we were are working with their design team on that now."

Rob continued, "the reason I say this, normally, you dig a pond, and if you dig a pond for that excess water, once it has been treated, there is nowhere for it to go because of the water table in that area. I grew up in this area, I've been on those rivers, these areas most of my life. I think you're kind of getting yourself into something where engineering may be able to fix it, but it is not going to be probably a very good project."

Jono asked Tom about his experience with Venice Campground and Hurricane Ian.

Tom replied, "that packaged plants are going to be a problem. A huge problem. If you are in a flood plain, and it floods, you need dedicated people to cap off all those wastewater sewer lines and protect the plant from puking into the river and affecting my house. The only way that it would be acceptable would be for them to be on a central wastewater treatment facility. They ran lines to Snook Haven just for that reason. That is a pressurized system."

Jono added that the old Snook Haven had a big drain field that was elevated.

Tom continued, "that even with discharge, you are talking discharge, well system, water treatment plant as well as their package plant. Back in 1983, we bermed their ponds even to the hundredth degree, a hundred-year flood level. Clay filled, all of that sort of stuff. But in a flood, that stuff all breaks down. Let me tell you, you can't contain treated water. You call it treated, but it is not fully treated. They are going to have to have a package plant that is a very advanced wastewater treatment facility."

John replied that it is.

Tom questioned how advanced? Asking if they planned for sand filters? Tom continued, "that once it gets built, then you've got to have qualified, dedicated people during flooding to make sure that the sewage does



not go into the water. This last flood, we did not own the campground anymore, but I understand that everything went, Ray right here can tell you the sewage that went into the water. That is a direct problem with the design and the dedication of the people that own it to make sure that does not happen.”

Jono responded, “so one concern John is, there is a belief, I can’t prove this, but we’ll be seeing more rainfall events that have high rainfall amounts. Hurricane Ian was two separate problems. One was the wind issue, but the rainfall issue was really significant. And so, a lot of the basin is upstream in this part of the Myakka. The area has just gone through the second worst drought in 129 years, there has been months when you can't really canoe the Myakka because there is no water in it. If you have 20 inches of rainfall in those conditions, that rain must fill Tatum Sawgrass, it must fill the marshes of the Upper Lake, it must fill the marshes in Big Flats. Anyone who lives in a river will tell you that when it rains, they have X number of days to get their lawnmowers and stuff out of the way because that water is coming, but it is not coming immediately. It takes a while for it to move downstream. And so, that is one thing if it is dry. But if those systems are already tapped off, if Tatum sawgrass is full and the Upper Lake marshes are full, if Big Flats is full and the Lower Lake marshes are full, then there is no capacity to store any additional water. So, it is going to come down. Whereas Hurricane Ian looks like a complete anomaly, you could have another Hurricane Ian that wasn't a big issue because it came during a drought period. But if it comes following a tropical depression and all the storage is already full.”

John replied that, “I think Ian came after the area already had some significant storms.”

Chris noted, “that’s true, so we were near flood stage, but they weren't at flood stage. Just to point at what Jono was saying, up here in Manatee County, when they get big amounts of rain, that is what comes down over time. But they know from the park gauges and other gauges above MRSP that actually Ian wasn't near a worst-case scenario. Our gauges averaged 14 to 16 inches. Gauges in the Carlton were also at that level. That is the water that you also get. If we had gotten 26 inches, like some of the gauges in North Port or in Charlotte Harbor Preserve State Park to the south. If we even if they got 22, not only would this site have flooded way worse, feet higher, but it would've been much longer. One thing when talk about Ian as it was really bad, it was, but it was not a worst-case scenario storm. And we are at the beginning of climate change, the wetter wets, and the dryer dries, you should expect this trend to continue. When you are engineering that property, you must be aware that you should prepare for something worse than Ian.”

Steve added, “that there is a limit out in the rural areas for how many acres you must have to have your well and your leach field. He thought that it was about two acres. You must keep your well away from your leach field, which makes sense. You got 50 acres? If it is two acres, you need to keep that separation.”

John confirmed it is about 50 acres.

Steve continued, “that you could have 25 sites and that is not counting any flooding or tropical storms. That is just a normal time you must have, or that excess sewage water is going to go into the river. It has to go somewhere.”

Bob added that, “storm surge has not even been discussed. I don’t know what will happen with that, with the hurricane, they lucked out because they didn't have the storm surge that might have been expected. That is the worst of the worst. If you got water coming down and you got water coming up. I figure where he lives on Center Road in Venice, it is going to all come together there, but it would hit this area too.”

Jono indicated that members were done with questions, that he would take questions from citizens.

Debbie Masalam commented, "that the sign says 46 plus or minus. So, 20 plus or minus acres of that is a pond that was dug for dolomite mining, which was located across the street. I believe there are restrictions on that too. And what is your average elevation on that property?"

John stated, "I would have to check."

Debbie continued, "I live on the Myakka River. We had one day, and their cars were halfway underwater. That is all we had... My house is at 15' 6". My mother's is 13' something."

John clarified if she was talking about elevation.

Debbie confirmed she was talking about, "how far above sea level. Most of your is 9' something with a couple hills, when they dug, they piled and left it there".

Debbie asked how they will restrict clients and regulate who is and is not allowed in the park.

John replied that it is no different than an HOA or deed restricted development.

Debbie read from a document that she had written. "My name is Debbie Masalam. I am a homeowner along the Myakka River. My mother, Marlene Guffey, also a homeowner and was a member of this board for probably 20 plus years. My sister owns property out there. We've grown up most of my life. We respect the river. Kids do not go over the banks. Look at Snook Haven. If you take your boat along Snook Haven, you can see where people have slipped down the side, removing the protection of the bank of the river. I see kayakers coming in the droves from Snook Haven and they are just throwing their debris, which then we go with fishing nets and pickup to keep the river clean. Okay? I believe this is one of the last properties of the Myakka River. You keep saying It is 50, but the sign says 46 plus or minus. So, you take 20 plus or minus acres, you are less than 30 acres. So, you can't say 50 plus acres because that is not correct.

I've been out there since I was 13. So, I've been out there over 50 years. So, I knew Buster Blackburn, and talked to him several times. My dad and him were very good friends. The dolomite pond that was there was dug down in, and it is being fed by artesian wells, I believe. This would've been from Mr. Blackburn to my father to us. And they also dug, if you put up that one picture, you can see where the pond is and then you'll see a... So, there is a ditch that drains from that pond because it is constantly being fed on a normal day, which is overflowing into the river. So, that is contamination in itself. Now, you start putting people along there with dripping tanks from their garbage, their gray water, their vehicles leaking fuel. That is a contamination site waiting to happen. It is a contamination site in my opinion already because I know when Dick at one time did some treatment in there and everybody was concerned because they started finding a lot of dead fish out where the opening comes from that drainage ditch into the river. So, there is already some stuff going on there.

The Myakka River Estates Incorporated subdivision once included several hundred acres and few miles of riverfront along the river. The zoning out there is zoned OUR. And let me remind you what OUR is. OUR is intended to retain the open character of the land, which an RV park would not. This district is further intended for agricultural purposes and uses, which the property as zoned currently, he can sell five pieces of property. He might not get the millions he wants right now, but frankly that is not my problem or my family's problem. Sell your five acres, put your five houses in there, go for it. For us that have lived on this river and protected it all these years, I have 6-year-old grandchildren that the one brother might drop something and be like, "Get it away from the river." When we had the last flood, that entire place was flooded to Border Road. People on that far corner of South Moon and Border Road, that is where people start lining their boats up because that is the only way we can get back to our properties.

Okay. So, my neighbor, which is a little bit lower than myself, literally the water was over his head. I cannot figure out, unless you are going to have them drive up like a car dealership, jack them up in the air and let them live up in the air. As soon as that hurricane or... 2017, we had two floods within two weeks. These hundred-year floods are coming way too often. You do not have water. Where's your closest fire hydrant? I believe it is like five miles, right? Jacaranda and Border.

So, you've got fire suppression where you had on the signs or the proposed plans you had where you had the open treatments that you were going to let them. The first flood that comes through, you've just contaminated our well system. This is what we live off of, because we do not have city water. That is my drinking water. And I've been out there, where I've seen tagged manatees come through with their babies just frolicking along to eat this grass. You contaminate that river with fuel and gas and people pollution, you are destroying that ecosystem. So, I am definitely against it."

John indicated that he understood Debbie's concerns.

Ray Westbrook added that. "Tom owned Camp Venice at the end of East Venice Avenue next to Snook Haven. After Ian, my wife and I were the first to canoe down there. The septic system that Tom is talking about, when he sold it, they didn't give it the same due diligence. They didn't cap things off, and it 100% failed and the blank (sewage) went down the river into Charlotte Harbor, into the Gulf of Mexico. It wasn't the only campground that that happened to. These are just facts. This isn't in support of or against what you are talking about, but what Tom mentioned, the issue is real, and the potential for environmental devastation is real. Tom was still the owner back when Irma come through and just before Irma, we got caught locally in the area in a band from Harvey. We got more flooding from Harvey. And so, everything was extremely flooded. Had we had Harvey and then had the record rains that there is potential up there, that has been spoken about. That would've been horrific for everybody, and it would've been significantly worse than what we are looking at. We got, U.S. 41 is a narrow shutoff for flood waters. It stops the storm surge. So, it limits what comes north. That is just geography. You've got one point where the water can push through. So, a surge isn't going to have that far of an effect coming up the river. Maybe not to Border Road, maybe close to it. They did see in the beginning of Ian with the counterclockwise, it pushed up and they had way more flooding early than I expected. And then the headwaters and all of that coming down, it did come up fast. Maybe not as quickly by Snook Haven because they are spread out wider.

John replied, "I appreciated both of your input. It is education and helps them solve problems that are out there, and I do understand how they can occur."

Ray stated he had a construction background, and wanted to be asked, "where would you propose getting the material from to elevate the property to get it to the level that would even make it work? Because you already have a borrow pit or a dolomite mine that is been done?"

John responded to that, "We are working with their engineering team right now on different options, what we have to do within the regulations, stuff, soil that is there or digging down to do roadways, how it gets moved around."

Steve Roberts, "I'm a neighbor within half a dozen addresses of the property being talked about. I'm an RVer so I'm not entirely unsympathetic to what they are talking about. First of all, to the people downstream, there is no difference between a trailer park and an RV resort. We are all swimming in your sewage no matter what you call it. But that's not my question. So, there is no water, there is no sewer, there is no

infrastructure, there is environmentally sensitive land, and it is zoned against what you are proposing. How in the world did you imagine this was an acceptable project?

There are places where this would be a fabulous concept, but whether He is a neighbor or not, when they looked at the proposal, we thought maybe it was a joke. It is so far out of the realm of what would be appropriate for that piece of land, which by the way, we are still hoping will be the Carlton Landis Preserve. It just amazes us that a responsible business organization such as yourself would think that this ever was going to fly.”

John replied, “that they think the location is a great area. They think that the property is a beautiful beautiful location and it does fit their concept of what we want to try to build.”

Steve Roberts added, “you should build half of those into ranchettes and move into one”.

John responded, “I do not disagree with that, but from what you’ve said, putting a home there would be even harder of a concept probably.”

Jono added that Sarasota County has been interested in acquiring this parcel for decades at this point. They have a policy, if they file for a zoning change, then the county backs off. The county does not want to interfere with a legitimate real estate transaction. The county does not want to make it hard for people to develop property.

When they file, then the county's interest in buying it is going to be suspended. When that gets resolved one way or the other, then the county might be interested in buying it again. But they do not ever want to put a landowner in a position where they feel like the county is creating a situation where they are using the regulatory means to accomplish a preservation act. That is only fair.

Jono pointed out that John did not need to come today. They invited him and he expressed interest. The Council should appreciate the fact that he is here.

Ray added that this is where this needs to be openly discussed.

Jono added that it is good that John is here because there is probably four or 500 years of experience dealing with the Myakka in the room. He may not get that when he talks to county staff.

John stated he appreciates the collective knowledge of the Council and members of the public.

Debbie offered to show John her deed. The project area is part of the Myakka River Estates subdivision. She has deeds going all the way back to 1956.

Jono’s recapped that he, “my commitment to send a letter if and when they file something remains, we will then see how far set back from the river they will be, what their strategy for fire is, what is their stormwater strategy, where the water's coming from. If all these luxury RVs are parked there and they say it is going to start raining, how do they communicate the risk to the people that are parked there? When should you be pulling up stakes?”

John responded on that point, “We are in the process of looking for land outside of that area on higher ground to offer that as a complimentary service to their customers. Move that RV or work with them to move the RVs to that location for that time being, not as another park, but as a storage spot, for a period of time. And then obviously the cottages that we are working with are within limitations to be trailered and moved

and disconnected and properly capped, whatever is there. Then move those and relocate them. We are in the process of looking to add that vehicle to their fleet at the property and then to have proper staff to move those out of there because they are within the legal limitations to be moved legally on the road.”

Mike Choinard asked, “what about the setbacks shown there” on the map.

John replied, “that is one of their concerned areas that we are working with the design team on from the county and their feedback on how to work within those limitations of that part of the river and what the laws will allow them to do.”

Jono noted that the projected map is an estimate, but “when you went to meet with county staff, you were anticipating pads here in your current thinking as all this could be protected?”

John replied, “we are working with everybody to do some redesigning on those concerning areas and adjusting things.”

Jono responded, “I hear, that you are working to redesign it, but it seems the 220 feet your still anticipating putting pads in there.”

John stated, “what the footage will be yet, we haven’t finalized that, but they do anticipate wanting to do some. Definitely within those 50 feet, we would like to keep that a full nature walk/trail and educational space for the people of the park and for the local community.”

Steve Schaefer asked how far is Blackburn Drive from the river on average?

Jono replied, pointing to a line of map, that it is about 220 feet.

Jono thanked John for coming in.

John responded that he feels the passion from the group, just like they have passion for what they want to do. He commends everyone for sharing that passion with them. The email to provide comments or feedback is [waterfallsofvenice@gcdny.com](mailto:waterfallsofvenice@gcdny.com).

Tom asked when they are going to set up a meeting for the neighborhood.

John replied they are working with their team on that.

**Future Items:**

Management for nesting birds on the new mangrove island near the existing CWA

Nominations of new members and elections of Chair and Vice Chair

**Next Meeting:**

Tentatively scheduled for January 26, 2024

**Victor motioned to adjourn the meeting; Rob Wright seconded. The Meeting was adjourned at 12:30 p.m.**