

Brevard County Marine Advisory Council (BMAC)
June 19, 2008
Space Coast Room Room, Building C, Government Center, Viera, Florida

Members Present:

Mike Cunningham
Gary Hanlin
Mike Huck
Doug Jaren
Jim Mazza
Rick McCrary
John Mongioi
Wayne Mozo
Finnbarr Murphy
George Reynolds

Members Absent:

None

Staff Present:

Ernest Brown, Director, Natural Resources Management Office (NRMO)
Matt Culver, NRMO Boating & Waterways Program Coordinator
Eddie Leonard, Agricultural and Extension Services, Marine Science Extension Agent
Liz McDuffee, Administrative Assistant, NRMO

Public Present:

Kyle Brown
Byron Keck
Ron Morgan
Steve Wayne

I. Call to Order

Chairman Mike Cunningham called the meeting to order at 6:05.

II. Approval of minutes

Finnbarr Murphy moved to approve the May 15, 2008 meeting minutes with no changes and George Reynolds seconded the motion. The minutes were approved unanimously.

III. Agenda Items

1. New Business

a. Resignation of Al Pappas – Mike Cunningham

Mike Cunningham announced that Al Pappas has resigned from the Council to pursue other interests. Mike stated that Al has been with the Marine Advisory Council from the start and he will be missed. Mike Cunningham said that he would like to draft a letter of appreciation from the BMAC to Al Pappas that would be framed and presented to Al at a future BMAC meeting. George Reynolds made the motion and

Wayne Mozo seconded it. The motion passed unanimously. Mike Huck was appointed by Commissioner Bolin to take Al's place on the Council.

b. Sebastian Inlet Marina – Mike Cunningham

Mike said Sebastian Inlet Marina was not able to make this meeting, but, hopefully, the owners will be able to make a presentation at next month's meeting.

2. Old Business

a. Comprehensive Maritime Management Master Plan (CM3P) Workgroups Update – Matt Culver

Matt stated that he has been soliciting participation for the first two CM3P workgroups. All members of the BMAC were sent copies of the solicitation letters. Matt has received 22 responses and is still hoping for some more participants. NRMO selected a facilitator from the Florida Institute of Technology to work with the groups. Facilitation proposals were also received from the University of Florida and the University of Central Florida. Gary Hanlin asked if a local member of the Seven Seas Cruising Committee was asked to serve on a working group. Ernie Brown stated that NRMO would try to involve them in the appropriate work group. Mike Cunningham stated that the BMAC has discussed staying in touch with groups like the Seven Seas and asked if we had made progress on that. Ernie replied that he has been communicating with the Seven Seas organization on specific issues. He recently discussed the friendliness of area marinas with regard to the annual meeting of the Seven Seas organization.

b. Selection of a BMAC Alternative Representative for the CM3P Steering Committee

At the BMAC's last meeting, Rick McCrary volunteered to serve as the BMAC's primary representative on the CM3P Steering Committee. Mike Huck volunteered at tonight's meeting to serve as the alternative representative. There were no objections from the BMAC members. Mike Huck stated that he had been active in the CM3P development meetings and gave an overview of his background in the sailing community. Mike also stated that he had not received the CM3P work group solicitation letter, the official CM3P rankings and the scope of the proposed mooring field suitability analysis. Matt Culver said that he would forward those items to Mike.

c. Legislative Update – Ernie Brown

Next year, when the draft bills are printed, Ernie will distribute them to the BMAC so that the BMAC can make its recommendations to the Brevard County Legislative Delegation. Following is an update on this year's bills.

1. The Working Waterfronts Bill did not pass, but it is expected that it will be considered again next year.
2. The Clean Ocean Act has been forwarded to the Governor for action.
3. The Recreational Marine Industry Annual Report Bill did not pass. It is expected that it will be considered again next year.
4. The Vessel Registration Fee Bill passed.
5. The Seagrass Bill was sent to the Governor, but there is a lot of opposition to it and it will probably be vetoed. Mike Cunningham asked how a veto would affect mooring studies. Ernie Brown stated that several citizens were seeking

appointments with Ken Haddad, the Executive Director of the Florida Fish and Wildlife Conservation Commission, to discuss whether mooring fields can be seen as an improvement because it minimizes the harm to seagrass. However, Mr. Haddad could also say that anchoring harms seagrass.

6. The Wrecks to Reefs Bill passed.
7. The Florida Forever Land Acquisition Bill has been signed (or will be shortly).
8. The EPA has proposed a National Pollutant Discharge Elimination System (NPDES) Recreational Vessel General Permit. This could have an extreme effect on recreational boating. A permit would be required for any kind of discharge, such as ballast water or gray water. There will be a web cast on this subject on July 2nd. *(You must register in advance to attend this webcast. Visit the NPDES website at www.epa.gov/npdes/training to register. Note: Your computer must have the capability of playing sound in order to attend this web cast.)* Wayne Mozo stated that the EPA is looking at exemptions for some recreational boats. According to Wayne, the current proposed requirements seem unreasonable. Mike Huck stated that if the proposed requirements get approved, then the rules may be changed even further later. The public needs to be vigilant. This action started from a 2005 lawsuit in California that claimed the EPA was not properly implementing the Clean Water Act. The EPA was found guilty and it is now creating permitting mechanisms to implement the Clean Water Act. Doug Jaren added that originally when the EPA referred to vessels' discharges, it was referring to ballast water. Now it even covers rainwater that falls into a boat. Gary Hanlin stated that we need to follow the progress of this permit. Finnbar Murphy stated that the relevant law has been in place for a number of years, but recreational boaters were exempted. The exemption got overturned in the court case. The Clean Boating Act of 2008 is working its way through the issues. The EPA is just following the law. Go to <http://www.boatblue.org> for more information. Matt Culver will also email an information package to BMAC members, upon request.

d. Brevard County's Surface Water Protection Ordinance – Gary Hanlin

Gary Hanlin received a call from Susan Yonce of Commissioner Bolin's office regarding the formation of a Surface Water Protection Ordinance Work Group. Commissioner Bolin is looking for someone to appoint to the work group. Gary told the BMAC members to contact Commissioner Bolin if they were interested. Ernie Brown added that the Natural Resources Management Office is responsible for the Surface Water Protection Ordinance. The ordinance regulates 25- or 50-foot buffers adjacent to the water. The work group will be looking at streamlining the regulation and making sure it is consistent with Comp. Plan objectives. The work group will also be looking at streamlining the marine construction permitting process. This process covers items such as docks on canals or rivers, revetments and bulkheads. There are a number of organizations who will be participating on the work group. In addition, each district will appoint one primary and one alternate representative. The appointees do not have to live in the district to represent it. All appointments must be made by July 8th.

IV. Reports

1. Staff Report – Matt Culver, Natural Resources Management Office (NRMO)

Matt has been pursuing two grants for the purpose of removing derelict vessels. Last month NRMO was awarded a grant for approximately \$20,000 by the Florida Inland Navigation District (FIND). Tomorrow, Matt will be making a presentation to the FIND Review Committee for an additional grant.

2. Staff Report – Eddie Leonard, Agricultural & Extension Services

Coconut Cove Marina is under new ownership. The marina has a pump-out unit that was paid for with a grant from the Clean Boating Act. Unfortunately, the pump is not functional now because it needs repairs. The marina has applied for Clean Boating Act funding to make repairs to it. In the meantime, Eddie repaired a donated mobile pump-out unit and loaned it to the Coconut Cove Marina until its unit is fixed. Eddie will maintain the mobile unit so that it can be loaned out whenever a marina has a pump out unit in need of repair.

V. Public Input

Ron Morgan

Ron asked where the funding was coming from for the CM3P facilitator teams. Ernie Brown responded the funding was coming from NRMO's contracted services budget and a grant. Ron asked if the working group would need to get the concurrence of the facilitator. Ernie Brown replied that the working group would not need the facilitator's concurrence on any of the items it discusses. The CM3P Steering Committee will be used as a sounding board for the working group before taking the end product to the BMAC; however, the steering committee will have no veto power. No more than one BMAC member can volunteer for each working group because of Sunshine Laws. Currently one member, John Mongioi, has volunteered to serve on a work group. NRMO staff will be available to format the work group's presentation, but will not make changes to the content. Ron asked how the new EPA recreational boating General Permit requirement would be enforced and what the cost of that enforcement would be in terms of time and personnel. Ron welcomed the new members to the BMAC and asked the BMAC for any recommendations or assistance in re-creating the sailing regattas in the Indian River. The regatta had different classes participating in different parts of the river from Titusville to the Sebastian River. Mike Huck stated that the BMAC needed to promote a midwinter regatta and should contact national class associations about it. Rick McCrary stated that the local clubs are doing all they can to promote regattas and that he will let them know that it is being talked about at this level. He is very happy to promote sailing in Brevard waters. Ernie Brown said that the BMAC can look for opportunities to present to the Board, including pursuing a national event, because there are economic benefits associated with them. Wayne Mozo stated that other boating groups should be considered, such as rowing groups and wind surfing-that we shouldn't limit it to sailing. Mike Huck said that Bill Jergan at FIT would be a good contact for competitive rowing. Ernie Brown said that he would do some exploratory work and talk to the Economic Development Council and the Tourism Development Council. Mike Cunningham said that promotions like these would help eliminate some boaters' negative feelings about Brevard County. Ron Morgan then asked if it would be cost effective to pursue the Interlux grant. Ernie Brown said that after the budget is approved, he will talk to PBS&J about it.

VI. Adjournment

The motion to adjourn was made by Rick McCrary and seconded by Wayne Mozo. The motion passed unanimously. The meeting adjourned at 7:30 pm.