

**RESTORE ACT  
Public Meeting  
February 11, 2014**

**Attendees:** Ryan Bell, Chairman, Board of County Commissioners  
Marilyn Ladner, Higher Education Institution (college/university)  
Jolie Davis, Citizen Representative  
Chris Cowart, Vice-Chairman, School Board Representative  
David Pieklik, Economic Development Representative  
Leslie Sturmer, Aquaculture  
Bruce Wilson, Tourism Industry Representative  
Fred Moody, County Coordinator  
Anne Bast Brown, County Attorney

**Consultants:** Bill Williams, Amber Davis-Williams

**Absent:** Andrew Gude, Citizen Representative

Chairman Bell opened the Committee meeting of the Levy County RESTORE Act Advisory Committee at 3:00 p.m. at the Levy County Court House with an invocation and the Pledge to the Flag. Chairman Bell called for public comments and there were none. The roll of members attending was called.

**Minutes**

Mr. Chris Cowart made a motion to approve the minutes of January 14, 2014 for the Committee meeting, second by Ms. Leslie Sturmer and the motion carried.

**RESTORE Update**

Mr. Bill Williams provided an update on the treasury rules advising that the final comments have been provided and the federal representatives have met with the Gulf Consortium members. Mr. Williams said they are contacting individual counties to discuss procurement policies. Mr. Williams explained the Gulf Consortium is working with the Governor's office to prepare an expenditure plan which should be presented at the next meeting of the Gulf Consortium.

Mr. Williams explained for the members of the audience that the Levy County Board of County Commissioners will control the funds of Pot 1 and that Levy County has the opportunity to work with Dixie and Taylor counties and also with Citrus and Pasco counties for regional projects.

**Project Presentations**

Mr. David Pieklik of Nature Coast Business Development Council and a member of the RESTORE Act Advisory Committee advised his conflict on FOREVER FOR OUR RESOURCES ECO-VITALITY AND ECONOMIC RESILIENCY submitted by Nature Coast

Business Development Council<sup>1</sup> and presented by Mr. Pieklik and Mrs. Sharon Battles. Mr. Pieklik explained that the project will have 3 key ingredients of preparation, preservation and planning recognizing that nature based activities are one of the biggest drives to our local economy. Mr. Pieklik said there is a need to determine the true value to the economy and in the event of a disaster how much of the economy from nature based activities will be diminished and how businesses will handle the impact. Mr. Pieklik added that this project plan is to go to the schools and better educate businesses to the significance of this issue.

Ms. Battles explained the project is designed to reach out to the community, specifically eighth graders, to provide mentoring programs to encourage them on a career path and the means to stay within the community after completing their secondary education. Ms. Battles said the project is to promote public awareness and educate the public and students to be prepared and reactive to an economic disaster.

Ms. Leslie Sturmer presented CLAM TRAIL IN CEDAR KEY AND SURROUNDING AREA. Ms. Sturmer advised that she is a member of the RESTORE Act Committee and will not be reviewing the project application.

Ms. Anne Bast Brown, County Attorney explained that Ms. Sturmer does not have to declare a voting conflict as she is a public employee with the IFAS Shellfish Extension program of the University of Florida.

Ms. Sturmer said she has been working with Cedar Key Aquaculture Association ("CKAA"), a non-profit corporation which represents approximately 45% of the shellfish industry in Levy County. Ms. Sturmer said the main goal is to promote the industry and CKAA is capable of implementing and promoting a large project. Ms. Sturmer explained CKAA has received large grants from USDA, business development grants through Florida Humanities and has sponsored *ClamAmerica* for the last 7 years. Ms. Sturmer said the proposed project is to be a treasure hunt which will educate people about the heritage and ecology of the shellfish industry. Ms. Sturmer said the project is modeled on an active project in New Jersey and would utilize local businesses for all aspects of the project, from local artists designing the clams and the fiberglass clams being manufactured by local businesses. Ms. Sturmer explained the project would be a trail map and would send people to specific points of interest throughout the county. Ms. Sturmer said they hope to have clams at Cedar Key parks, docks, local businesses and also include county, state parks and national wildlife refuges. Ms. Sturmer said the CKAA believes this project would benefit all of the communities within the county while promoting aquaculture and shellfish and highlighting local artists, tourism and natural resources. Ms. Sturmer explained the RESTORE Act funding would enable the project to begin and the request for funding entails the cost of creating the clams, a stipend for the artist, printing of materials and 2 part time employees. Ms. Sturmer said sponsorships and advertising would allow the materials to be updated and continue beyond RESTORE Act funding. Ms. Sturmer continued that the project could expand from Citrus county up to the St. Marks area encompassing the Big Bend area to promote reclamation of the shellfish industry along our shorelines.

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<sup>1</sup> David Pieklik, Conflict of Interest

Ms. Jolie Davis advised that her husband is a member of the CKA.

Ms. Davis inquired if the project would create local jobs for county residents and if any inquiries had been made to the building department in Cedar Key for permitting and signage.

Ms. Sturmer explained the clams would be able to be made locally by a local business and that no inquiries have yet been made for permitting and signage at this point.

Mr. Chris Cowart commented that this was the first project which had a regional approach.

Ms. Sturmer said contact had been made with the Florida Sea Grant in Taylor county and through the county extension offices it was possible to have a shellfish trail.

Ms. Sturmer explained the breakdown of the budget which included the cost of building the clams, installation, plaques, maps, cards from a local printer including graphics, a stipend for a local artist and part-time salaries including developing a webpage or link for local chambers including a grand opening party.

Mr. John McPherson presented CEDAR KEY WASTEWATER IMPROVEMENTS on behalf of the Cedar Key Water and Sewer District. Mr. McPherson explained the project is to upgrade the wastewater pipeline from the City of Cedar Key to the wastewater site off of the island. Mr. McPherson explained the current wastewater pipes are underground until they reach the 3 bridges and then the pipeline is attached to the bridge and is exposed to the elements and possible damage. Mr. McPherson said the project proposes directional drilling to bury the pipeline underneath the channels making the pipeline virtually permanent with little or no deterioration. Mr. McPherson explained the District currently has a Consent Order issued by the Department of Environmental Protection ("DEP") to build a new water treatment plant as a result of salt water intrusion several years ago and while the proposed project is important current funds and grant applications being pursued are for the new water treatment plant. Mr. McPherson said the project would take approximately 1 year to complete with the engineering and permitting taking the longest amount of time and the estimated cost is \$86,000 based on similar projects which have been completed.

Mr. Dan Hilliard, Board of Directors of W.A.R., Inc. Presented the LOWER WITHLACOOCHEE RIVER ENVIRONMENTAL AND RESTORATION STUDY project. Mr. Hilliard gave a background of W.A.R. and explained that they are requesting RESTORE Act funds for Phase 2 of their project to provide high quality data for possible solutions to protect and to prevent further deterioration of the Withlacoochee River an impaired waterway. Mr. Hilliard said the project would involve field work on an annual cycle and the RESTORE Act funds would not be sole source but used as leverage from other funding sources.

Mr. Ron Clarke of Wetland Solutions presented a power point on the study area consisting of the last 10 miles of the river to the Gulf of Mexico. Mr. Clarke explained that W.A.R. had contracted for an environmental study and key findings in the last 4 decades were decreasing flows, reduction in aquatic native plants and invasion by exotics. Mr.

Clarke said there was insufficient data to develop a comprehensive baseline for the area. Mr. Clarke said Phase 1 and Phase 2 would be findings and Phase 3 would provide a restoration plan for the last 10 miles of the Withlacoochee River.

Mr. Hilliard said the RESTORE Act funds requested in the project application may run Phase 1 and 2 at the same time.

Ms. Sturmer said 1 year is not enough time to maintain a long term water quality base but did say there was water monitoring at Cedar Key since 2001 which was an available data base for comparison.

Mr. Hilliard said contact had been made with Southwest Florida Water Management District (SWFWMD) and with DEP requesting assistance but there had not been a firm development on those contacts.

Mr. Cowart said in reviewing the scope of the project it appeared that the project may be better suited for Pot 4 funding and involve NOAH.

Mr. Jack Schofield spoke on how the water current flows north from the Withlacoochee River and can effect some of the prime recreational and commercial fishing areas.

Mr. Hilliard said W.A.R. is trying to complete the gaps in state data and then will go to the state regulators to present their case.

Mr. Kenneth Hurst commented on the water flow from the spillway and the effect the barge canal has on the water flow to the river.

Ms. Marilyn Ladner said she would like to see if the request for the RESTORE Act local funds could be used as a match to other funds or complement other funds.

Mr. Hilliard said they had received a very small grant from the Felburn Foundation and have applied for a \$30,000 grant from the Coca-Cola Foundation but had not realized how large of a project this would be. Mr. Hilliard said the requested \$234,000 would complete Tasks 1 and 2.

Mr. John Fuchs said the river had great economic potential and the study is an opportunity to determine what might be in the river.

Mr. Steve Hernang said the use of herbicides in Lake Rousseau and construction in the lower part of the river with the dead vegetation have dissolved the oxygen supply.

Ms. Sally Price said there is a flaw in the bypass spillway of the barge canal and there is not enough water flow, there are leaks in the dam and salt water intrusion entering into the lower part of the river. Ms. Price added that on the maps denoting the seagrass preserve there are holes at Yankeetown and also where the Fenholloway River enters the Gulf of Mexico. Ms. Price explained DEP had cleaned up arsenic and lead from the Saxon Oil Company and Tenneco which were in the center of Yankeetown including a brownfield

cleanup near the Yankeetown well site and arsenic has made its way into the river and the area by the Fenholloway River is where the Buckeye plant is located. Ms. Price said she encouraged saving what is left of the Withlacoochee River.

Ms. Ladner recommended working with Mr. Williams and Ms. Davis-Williams to pursue funding from the other pots since they are not competing pots.

### **Project Reviews**

Ms. Williams presented a spread sheet of 2 projects which had been reviewed and asked the Committee if they wanted any changes in the presentation. Ms. Williams asked for the scoring of the projects presented today be sent by email to her.

Chairman Bell said the next deadline could be set for April 30 and this will allow time for the various County projects to be compiled and submitted. Chairman Bell said the Board of County Commissioners would set a deadline for County projects on Tuesday, February 18, 2014.

Mr. Wilson recommended that there be no project presentations at the March 11 meeting to allow a review and scoring of the projects which have been submitted.

Ms. Davis moved to review the projects presented on March 11 and not to have any further presentation of projects until the April 15 and May 13 meetings, seconded by Mr. Wilson and the motion carried.

Ms. Williams said there is still a vacancy for a citizens representative and several people have expressed interest. Ms. Williams said the Board of County Commissioners will make the appointment.

After discussion by the Committee it was decided to hold the March 11 meeting at the College of Central Florida, Chiefland Campus.

### **Public Comments**

Mr. Hilliard asked for information on the Pot 4 funding since he was not aware of this funding source and the meeting was adjourned at 4:41 p.m.

### **RESTORE ACT COMMITTEE**

  
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Ryan Bell, Chairman



## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, David Pieklik, hereby disclose that on Feb. 11, 20 14:

(a) A measure came or will come before my agency which (check one or more):

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of the Nature Coast Business Development Council, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My agency, the Levy County RESTORE Act Advisory Committee, is an advisory committee organized by Levy County Board of County Commissioners to perform a variety of duties, including reviewing applications for RESTORE Act funds that will be coming to the County as a result of federal legislation (the RESTORE Act) related to the distribution of fines arising from the Deepwater Horizon BP oil spill. The applications and their review are part of a competitive grant process. The Board of County Commissioners will ultimately decide how to spend the RESTORE Act funds when they come to the County. My employer, Nature Coast Business Development Council, is an applicant for some of the RESTORE Act funds and has filed an application to be reviewed by my agency, the RESTORE Act Advisory Committee. This creates a voting conflict for me in regard to the Nature Coast Business Development Council application since a positive vote on that measure would inure to the special private gain of my employer.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

2/11/14  
Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.