

## Captiva Community Panel

# MINUTES

Nov. 12, 2019

**Attending:** David Mintz, Jay Brown, Mike Mullins, Michael Lanigan, Mike Boris, Mike Kelly, Bob Walter, Antje Baumgarten, John Jensen, Rene Miville (phone)

**Audience:** ~25

The meeting convened at 9 a.m. with introductions and roll. The Oct. 8 meeting minutes were unanimously approved as presented (Brown/Boris).

Nathalie Pyle introduced the new Chapel by the Sea minister, Larry Marshall and wife Rosie.

**CFD:** *Chief Jeff Pawul:* Storm Ready designation. expires now, three-year term. Handful of things we need to do. Skywarn spotter training class out here, everything else CFD can do. Need to hold on in the next six months. Community thing. How to spot weather and how to call it in. Discussion of storm ready steps. *Mullins:* Value of storm ready? *Pawul:* Don't know, designation that community can achieve. *Mullins:* Insurance advantages, was told to mention it to my agent. *Pawul:* Don't know, have heard that. *Pyle:* Do training in conjunction with hurricane prep. *Sherrill Sims:* Structured, would make it a longer meeting. 4 hours rather than 2 hours. *Pawul:* Background and prior meetings. Does panel want to pursue it? *Mullins:* Communicate to list, send them to CFD. *Pawul:* Decide in next two months. *Mintz:* Get info to KG and we will discuss. *Baumgarten:* Most dangerous part of beach for rip currents drowning. Discussion of Sanibel plans. put something on north end. *Pawul:* Passes are most dangerous. Rips can happen anywhere on the beach. *Mullins:* Parking at Blind Pass and Hagerup. Discussion. BW signs at redfish? Who does signs? *Pawul:* County. *Mintz:* AB coordinate with Pawul and Sanibel. See if there's something we need to consider.

**CEPD:** *Carolyn Weaver:* Thanks to veterans. District will hold 1 p.m. board meeting today here. Work on tentative apportionment. Working on SOP for emergency beach cleanup. TDC and Parks & Rec. tied to red tide impacts. *Walter:* Bayside impacts? *Weaver:* Call county. *Pyle:* Pick up on Gulf this time. *Weaver:* Fish have to be on beach three days. *Mullins:* Two tides to wash it away. *Mullins:* CEPD has arrangement with contractor to clean Hagerup, let us know if it's bad enough. *Weaver:* Subcommittee to look at requirements for federal funding, look for creative opportunities to enhance funding. Amenities at Hagerup, website is live. Discussion.

**Nominations:** *Mintz:* Recap and explanation. Walter is terming out at end of December. Nominating Committee selected Tony Lapi as nominee. Presented resume to panel. At November meeting any at large nominees are welcomed. Submit resume to panel by end of this meeting. At Dec meeting, panel will vote to fill art-large seat.

**Filling vacant seat:** *Mintz:* Recap, Dave Jensen announced resignation at Sept. meeting, leaving Oct. 1 to Italy. Open seat, panel appoints to fill balance of term and remaining term as available. Presented with two nominations: John Jensen and Linda Laird. *Mullins:* Motion to appoint Jensen to position. (Walter second). *Brown:* I urged Laird to submit, did not know Jensen was interested. *Mullins:* Both excellent candidates. Look at her for future openings. Unanimous. Jensen takes seat on board. *Mintz:* Need

volunteers, people who want to work, also want people on panel who have the respect of the community.

**Wastewater:** *Mintz:* Introduction. *Brown:* Two major topics today. Informational purposes today, don't want discussion to start progressing to conclusion. Presenting information today, not time to start debating information. TKW recap. Environmental rationale info was missing. Panel retained Tomasko of ESA to look at water quality issues and impacts. Highly recommended due to background. Report complete, prepared summary, available to all. Post research on website. Description of Tomasko's approach, he reviewed 2010 SCCF report findings, looked at random septic permits on Captiva. Retained soil engineer to study historic water table levels. Characteristics and amount of separation from drainfield and water table. Took water samples from drainage areas around McCarthy's Marina. Net conclusion: Septics have minimal impact on water quality today. Not a lot of nitrogen in groundwater under septic drain fields. Explanation of inert nitrogen in drain fields. As to pathogens, sampling from stormwater showed tremendous amounts of bacteria, but not human sourced. Reliance on septic not having significant impact on coastal water quality or creating health hazard. *Walter:* Residences vs. rentals in testing? *Brown:* Not included in selection. *Babcock:* Commercial sites tested? *Brown:* No, operative regardless of use of septics. *Tomasko:* Groundwater was from SCCF, not purposively selected, but transects across island. Mix of land uses. Not really any hot spots. Data set about nine years old. Nitrogen concentration not really that high anywhere. Discussion of nitrogen gas. Inert and unavailable as pollution nutrient. Luck may not hold, need to have adequate separation. *Mintz:* Description of process of septic tanks for denitrification.

*Hal Miller:* How does data from Sanibel correlate to data here? *Tomasko:* Did look at that. Three types of lots – septics, sewer, and sewer plus reclaimed water from their plant. Lowest for nitrogen/nutrients was sewer without reclaimed water, then septics, then reclaimed water on sewer was the highest. Nitrogen comes from lots of things. Reclaimed water needs to be AWT treatment standards. *Brown:* Looks at systems based on Florida Dept. of Health requirements: 24 inches of separation from drainfield to groundwater, lots at least a half-acre in size, 75-foot setback from drainfield to coastal water body. Found many drainfields do not have sufficient separation now, many lots are less than half acre, most drainfields are set back sufficiently. A lot of variances, how long will they be tolerated if you had to permit new systems in the future. A lot of noncompliance. Surprising that we don't have nitrogen issue now. Long term will have issues with drain fields, SLR will raise groundwater, decrease separation even further. *Miller:* Parcels outside package systems, how many parcels left. *Brown:* Approximately 300, breakdown by type of system. *Baumgarten:* How reliable is SLR data? *Brown:* Generally 3 inches of rise in last 20 years, expected that to increase moving forward. *Tomasko:* Consensus that rate is rising since we have kept records. Don't know what will happen over next 30 years, but even with a variety of estimates we show issues with septic systems. Drainfield in wet season could be in the water table. Less sea level rise still creates issues for majority of lots. *Lanigan:* How many septics does Village have vs. entire island? You had 30 test sites in Village and 30 elsewhere. Not an accurate assessment. How closely does your sample reflect the island? *Walter:* SCCF data set is 9 years old, have had a lot of changes in rental patterns since – Air BnB and private rentals. *Brown:* How much do you want to spend, how deep a dive? *Tom Libonate:* Segregate impact of nitrogen from fertilization. *Lanigan:* Difference between Tarpon Springs and Boca Grande compared to Captiva today. *Tomasko:* If you switch to sewerage, go to AWT. Showed how AWT-level treatment matters a lot. *Lanigan:* Identify source of bacteria? *Tomasko:* Use loading model, overwhelmed facilities. *Brown:* Looked at other potential sources putting nutrients in coastal waters – FGUA plant, package plants, stormwater runoff. Runoff is No. 1 thing to impact coastal

water quality. Identical to SCCF study. No immediate problems with septics today. As sea level rises, may have significant problems, with relying on septics. Not creating a human health hazard. No. 1 nitrogen source is stormwater runoff. *Tomasko*: Some hot spots identified. Very high bacteria levels associated with decomposing vegetation. Bacteria in storm drain fuels bacteria in nearshore waters. There are things you can do as a community to lessen load and bring down bacteria levels. *Brown*: We will schedule public meeting for Tomasko to present to public, plus other information to present at that time. *Mintz*: Don't know if we don't have a problem, or if we have a serious problem. If nothing changed, would not have problem. But if groundwater rises, all the septics in Village will not have sufficient separation. Description of potential issues. *Brown*: Long time to get to having a sewer system, more than 5-10 years. *Jensen*: Stormwater runoff solutions in report? *Tomasko*: Range between projects and programs. Mark drains, keep vegetation out of systems, maximize groundwater absorption rather than drains and gutters. Look at impervious areas. Cheaper and quicker – fertilizer ban, education.

**FGUA segment:** *Brown*: This will cover what it might take to improve and expand the WWTP operated by FGUA. Issues disproportionate in Village area in Tomasko study, suggests we might look at a collection system for Village area only. Introduced Glen Forrest with FGUA. *Mintz*: Background in TKW study and FGUA exception, introduced Doug Eckmann with YKW. When that study was drafted, there was not a FGUA option at that point. *Forrest*: Also joined by Brad Labella with U.S. Water, who operate the FGUA plant. We're a public utility, so all risk on FGUA. We looked at resilience, treatment, putting infrastructure 15 feet above NAVD. *Brown*: Any reason to be worried about long-term viability of the plant now and after improvements? *Forrest*: As sustainable as the community, improvements will be made if necessary. Plant depends on revenue of its customers. Not just this plant in financial structure. *Brown*: Plant can adapt as necessary. *Walter*: Includes proposed and permitted development at SSIR? *Forrest*: Not completely built out, redevelopment plans. Caveats over cost estimates. *Lanigan*: Also for stormwater? *Labella*: No. ???: Have you looked at a grinder pump system for Village? *Eckmann*: Looked at grinder and low-pressure sewer for south end of Captiva, not for high-density areas.

*Labella*: Introductions and task. Structures at maximum capacity, treatment when it's needed. Phase 1: Temporary treatment for current flows. Phase 2, demolish existing plant. Phase 3 construct AWT treatment level plant. All components at 15 foot elevation built to withstand Category 5 winds. Phase 4 is expansion to handle rest of island (Tween Waters and Gold Coast). Phase 1-2-3, \$8.9 million. Total \$10.863 million. *Mintz*: Collection system \$1.4 million, thought it was more than double that. \$2.7 million for village collection system. *Boris*: Some benefit to existing customers, with a higher and harder system. *Forrest*: Cost allocations. Benefits to existing and potential customers. Potential costs as well. look at slides. *Mullins*: Directional boring assumed in estimates. *Eckmann*: Gravity lines in Village are open installation (using trenches), force main could be bored in. Would need a rate study to allocate costs. *Brown*: Existing customers would ask, what's in it for me? Potential customers would ask, how much will this cost me vs. what I'm doing now. Develop estimate if mission was clearly defined for long-term viability, subtracts from project costs. *Forrest*: Would need to hire rate specialists to calculate, or funding to do rate study. *Brown*: Is cost due to new customers? ??? Cost of rate study, \$30,000-\$50,000? Need complementary engineering analysis, engineer working with study on this. *Mullins*: How much state grant funding is possible? *Forrest*: Summary and questions? *Walter*: Approved units included in analysis? *Forrest*: Yes, need to bring numbers to confirm. *Boris*: Need real estate in Village for lift stations? *Forrest*: Will, maybe able to accommodate in ROW or easements. Estimate does include any land acquisition. *Lanigan*: No human sourced issues in water now, pathogens due to runoff. Does not treat

runoff. *Forrest*: Does not, plan to keep storm water out of system. *Walter*: Runoff is a byproducts of the study we just learned. *Mintz*: No preconceived notions, much of the studies have surprised us. *Brown*: No plans, just trying to gather facts. No position except to be objective. Discussion of plans and schedule. Anything we do will have to be desired by majority of property owners.

Break.

**Code:** *Mintz*: Recap of process. Explanation of color coding in text. Beach furniture, that's the county definition. Caretaker RSC language. Revised language in yellow, "assigned" rather than "employed."  
*Baumgarten*: Why ban straws? *Mintz*: Litter on beach, not biodegradable. *Baumgarten*: Why not plastic bottles as well? *Brown*: Do straws now, look at expanding at a later time. Accessory units: Language says smaller already. Definition of family: Too narrow? *Lanigan*: Strike most of language. Discussion. *Mintz*: Archaic as written, will look for something more modern. Litter definition. Add cigarette butts to that. Noise definition, measurable in other section. Straws, definition only. Variances: In plan so has to be in code verbatim. Discussion. *Mintz*: Fertilizer regulation: Discussion of contact with island landscapers, two switched to Sanibel regulations and Walsh said Sanibel was best approach. Evans said no issues with implementation and had positive impact. *Baumgarten*: Communication to users. *Mullins*: Tell landscapers to attend Sanibel classes and certifications. Maybe establish Sanibel certification or equivalent. *Mintz*: Martin language or stick with Sanibel? Stick with Sanibel language. *Brown*: Dune protections, include walkovers as previously discussed. *Brown*: Existing dune walkways should be added? *Mintz*: Defer for more research whether to include existing paths? Prohibition of straws? OK. Use of straws OK? Sold or distributed only. Beach protection: Discussion of resort exemption and premises behind it. Which line, be consistent with other regulations (e.g. turtle). *Baumgarten*: Communicate to enhance enforcement and compliance. *Mintz*: That's a role for the panel once code is adopted. *Walter*: LCSO enforces turtles? *Lt. Mike Sawicki*: Work with Lee County on activities. Can't dedicate man hours to manage beach furniture if confiscated. *Mullins*: Beach furniture vs. walkovers, dune protection more crucial. *Mintz*: Beach litter not currently in Lee County code. Discussion. Stop on page 10 at noise pollution.

**Iguanas:** *Mintz*: Alfredo now employed by county removing iguanas on weekly basis. Body counts listed. Meeting with county this month to discuss MSTU requirements, language, timing, committee. *Mullins*: Does he terminate? *Mintz*: Given to people for food. *Lanigan*: Log of time spent on various parts of island? *Jensen*: Will follow up, time and where.

**Blind Pass:** *Mintz*: CFO Pete Winton tasked Lee DOT to look at options, closure and things shorter than that. Will bring back to panel. *Walter*: Impact on traffic and boating as well. *Mintz*: Sensitive political problem of bridge fishers as well as residents.

**Andy Rosse:** *Mintz*: Explanation of issues being raised. SCCF concerned about a number of issues, state DEP also involved since this is forward of the Coastal Construction Control Line. County OK'd landscape plan, now needs a right-of-way permit which will include a bond and filing fee. Gooderham will pursue costs and issues.

**Golf cart zone expansion:** *Mintz*: Background on reopening consideration of golf cart zone expansion. Decision will be made by Lee DOT, not us. County engineers will conduct study of expansion for safety and traffic compatibility, modification of road or ROW. No trial period allowed, due to liability. No ordinance for expansion, only for initial use. DOT wants to hear views of community and panel before study. LCSO

explanation of speed and enforcement. Tween Waters speed limit same as village, but drivers go faster due to nature of road. Recap of February 2019 meeting. Discussion of 2008-2009 hearings. DOT 2009 study of three options – allow carts at night in Village, during daytime to Tween Waters Inn, and at night to Tween Waters. List of options: Record comments, make recommendation, pass information to DOT. *Mullins*: If carts are road legal, zone does not apply. *Sawicki*: Requirements for street legal vehicles. *Jimi Batchelor*: Sympathetic to TWI arguments. *Mintz*: Give people opportunity start talking about this, final decision in December. *Doug Babcock*: Asked by guests to extend zone 6/10 of mile. Facebook poll, 562 responses, 561 for expansion, 1 opposition. Guests like access to Village. *Mintz*: Where would they get carts? *Babcock*: Current agents, whether someone picked one up or delivered to us. Alleviate parking and traffic for me as well. Asked county to do accident report for last three years – 30 in Village, 11 in Tween Waters stretch. Carts would slow speeds down in that stretch. Don't see a credible safety issue with expanding the zone. Will hire traffic expert to do study, do not want to move forward if there's a safety issue. Study should be available at December meeting, expert will attend meeting as well. *Baumgarten*: Why not buy street-ready carts instead? *Mike (Yolo)*: Primarily insurance, personal liability protection. *Batchelor*: A little more maintenance. *Jimi*: Understand 100% why Tween Waters wants this. Real concern is safety. I've seen the incidents already, my fear is there will be a bad accident. Means more demand and more income for me, but creates more risk. *???*: Midnight is the most risky time. *Batchelor*: Expansion would be the beginning of the end of carts on Captiva. Someone will say let's limit the carts -- too many or too dangerous. *Mintz*: Gotten a lot of calls. Lot of people in Village feel inundated by carts at this point. Affecting quality of life in Village. Limiting carts on Captiva possible if more carts show up to service the Tween Waters guests. *Batchelor*: Other ways to do this. Sandy has a service. We can do street legals. Still brings a safety issue. *Libonate*: Sympathetic. We have street legal cart and we still get passed on that stretch. Won't slow traffic down, just puts people into left lane. S curve is a physical barrier. Carts will go well beyond Tween Waters if this is opened up. *Kelly*: Safety issue, speed of cart especially at night. Terribly hard to see them, don't know who is driving them. makes me nervous about what's happening in those carts. *Sawicki*: We stop them but turn them around and send them back. *Kelly*: Once you hit the curve, cars speed up. People will stop to watch the sunset first time they see the beach. If there's that much demand, put in street legal carts. *Babcock*: No real difference between carts. Why not concerned about pedestrians and bikes? Arbitrary to be only business on the island not to have access to carts.

*Kelly*: Why stop at Tween Waters? If you're going to Tween Waters, go all the way. *Babcock*: A much longer delay for drivers, we're not asking for that, just for 6/10<sup>th</sup> of a mile so all businesses can participate with cart zone. *Lanigan*: Not arbitrary, dangerous S curve between you and the Village. *Babcock*: Two other S curves that carts are allowed to traverse. *Mintz*: Safety issue in Village, sidewalks and lower speed. *Walter*: How to police that? *Sawicki*: People who will ignore the spiel. *Walter*: They sign off on a golf cart and they become stupid. *Sawicki*: If they are too far down the island, we have someone come down to pick them up with the truck. Some even have made it to the school and Bowmans Beach. *Mintz*: Safety is the final issue DOT will evaluate on that. *Sawicki*: We have more dispatch crashes than you got from DOT – 89-90 for past three calendar years, 1,417 traffic stops in that same period. Most active at Tween Waters due to crosswalks, lighting, etc. Area of great concern for pedestrian safety. Actual speed tends to be higher than limit. People in the low 40s at night on stretch, likely not over 30 in Village, or low 20s. Roadway character, bikes, carts and pedestrians. *Miville*: Babcock made compelling point, last commercial entity on that part of island, let customers enjoy the Village experience, same as other

commercial entities. Just for fairness. *Batchelor*: Agree with that. *Babcock*: Let experts tell us what's safe. *Walter*: S curves are dangerous, adding another doesn't help. We've had issues with the curve inside the resort. It's amazing what people do in golf carts. *Babcock*: Extending zone does not change safety of carts. *Baumgarten*: Regard more as car than as a toy. Slow speed is so provoking, just want to get home. *Sawicki*: DOT will help clarify the issues. *Batchelor*: We both try to keep carts 15-16 mpg, and street legal 1s 20 mph. *Mintz*: Put this on December agenda.

**Welcome cruise:** *Boris*: Four weeks from today, support from Captiva Cruises, Stillwell Enterprises. Invite people who don't know about panel, reach out to neighbors.

The meeting adjourned at 12:30 p.m.

*Ken Gooderham*

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