



CITY OF FORT LAUDERDALE

**MEETING MINUTES  
CITY OF FORT LAUDERDALE  
MARINE ADVISORY BOARD  
FORT LAUDERDALE FIRE RESCUE DEPARTMENT  
528 NW 2<sup>ND</sup> STREET, STATION #2  
FORT LAUDERDALE, FLORIDA 33311  
3<sup>RD</sup> FLOOR CONFERENCE ROOM  
THURSDAY, MAY 2, 2024 – 5:00 P.M.**

**Cumulative Attendance  
January-December 2024**

|                              |   |   |   |
|------------------------------|---|---|---|
| Steve Witten, Chair          | P | 5 | 0 |
| James Harrison, Vice Chair   | P | 3 | 2 |
| Tyler Brunelle               | P | 5 | 0 |
| Robyn Chiarelli (6:03-7:59)  | P | 3 | 2 |
| Jason Dunbar (dep. 7:35)     | P | 2 | 0 |
| Barry Flanigan               | P | 5 | 0 |
| Robert Franks                | P | 4 | 1 |
| Elisabeth George (dep. 8:25) | P | 5 | 0 |
| Brewster Knott               | A | 3 | 2 |
| John Lynch                   | P | 4 | 1 |
| Norbert McLaughlin           | P | 5 | 0 |
| Noelle Norvell               | P | 3 | 2 |
| Ed Rebholz                   | A | 4 | 1 |
| Bill Walker                  | A | 3 | 2 |
| Robert Washington            | P | 4 | 1 |

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

**Staff**

- Andrew Cuba, Marine Facilities Manager
- Jonathan Luscomb, Marine Facilities Supervisor
- Sergeant Travis O’Neil, Marine Unit Supervisor
- Dr. Nancy Gassman, Assistant Director of Public Works (Sustainability)
- Carl Williams, Director, Parks and Recreation Department
- K. Cruitt, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

- I. Call to Order / Roll Call

Chair Witten called the meeting to order at 6:00 p.m.

## **II. Statement of Quorum**

Roll was called and it was noted a quorum was present at the meeting.

Mr. Cuba advised that election of Board Officers would be held at today's meeting, and requested nominations/motions for Chair and Vice Chair.

**Motion** made by Mr. Harrison, seconded by Mr. Lynch, to elect the Chair as Steve [Witten]. In a roll call vote, Mr. Witten was reelected as Chair.

Ms. Chiarelli arrived at 6:03 p.m.

**Motion** made by Mr. Witten, seconded by Ms. George, that Jimmy Harrison is Vice Chair. In a roll call vote, Mr. Harrison was reelected as Vice Chair.

## **III. Approval of Minutes – April 4, 2024**

**Motion** made by Mr. Dunbar, seconded by Mr. Brunelle, to approve. In a voice vote, the **motion** passed unanimously.

## **IV. Waterway Crime & Boating Safety Report / Code Enforcement Update**

Sergeant Travis O'Neil, Marine Unit Supervisor, reported the following activity from March 2024:

- 112 calls for service
- 11 accidents, all of which were minor or had no injuries
- 13 citations

Notable calls during the month of March included recovery of a boat stolen from the city of Boca Raton. A burglary of a fishing vessel occurred at Bahia Mar.

Sgt. O'Neil reported the following activity from April 2024:

- 155 calls for service
- 5 accidents
- 38 citations

There were no burglaries or incidents of note during the month of April.

The Marine Unit is currently preparing for the annual Air Show. Sgt. O'Neil continued that they also continue to work nearly every weekend with the United States Coast Guard to perform charter inspections, which has resulted in the shutdown of many illegal charter vessels.

Vice Chair Harrison requested an update on recruiting for the Marine Unit. Sgt. O'Neil replied that while he did not have exact numbers on hand, current recruiting is the heaviest he has seen in his tenure with the Fort Lauderdale Police Department. He hoped to bring on one extra Officer, which would allow for the deployment of two four-person squads.

Chair Witten introduced Parks and Recreation Director Carl Williams, who was invited to attend tonight's meeting.

**V. Discussion – United States Coast Guard Lieutenant Benjamin Adrien / Chief, Waterways & Waterfront Division**

Chair Witten introduced Lieutenant Benjamin Adrien, Captain Frank Florio, and Lieutenant Sean Etienne of the U.S. Coast Guard, noting that Lt. Etienne will replace Lt. Adrien in the Miami sector when Lt. Adrien ships out to New Orleans. He thanked Lt. Adrien for his tenure in South Florida.

Chair Witten explained the Board's "Reimagining the New River" effort, noting that a bathymetric study of the New River is in process. One item of interest on the New River is understanding how to maintain the navigable channel. Mr. Franks showed a video on how a 150 ft. barge would navigate the waterway with tugs at the front and back. He noted that the completion of the bathymetric survey would help in making decisions on how to manage the waterway.

Mr. Franks concluded that while the river has remained the same size, there has been growth on and around it, resulting in encroachment. He reiterated that this growth needs to be managed in order to maintain the waterway.

Chair Witten asked if there are any initiatives on which the Coast Guard is working which can be shared with the Board. Lt. Adrien replied that the Coast Guard has worked with the Marine Industries Association of South Florida (MIASF) for several years, and has been tasked with foreseeing issues that will affect navigation, including encroachments.

Lt. Adrien continued that one of the Coast Guard's tools as a federal agency could be to establish a regulated navigation area, which restricts the widths of boats that may impede the channel. He observed that similar action may be necessary for the New River, and noted that it would take vessel traffic studies and other efforts to enact this type of regulation.

Chair Witten asked if there are any Coast Guard recommendations for the Intracoastal Waterway as well as the New River. Lt. Adrien replied that the Coast Guard is responsible for dredging projects on the Intracoastal Waterway as well as the expansion project at Port Everglades, and can have conversations not only with the port but with stakeholders who use its surrounding waterways. There are actions the Coast Guard can take to educate waterway users.

The Coast Guard is also working to establish a Harbor Safety Committee at Port Everglades, which will bring in key stakeholders and allow for the discussion of waterway issues and actions that can be taken to solve problems. He characterized the waterways as vital resources for commercial and recreational activities, and suggested that a member of the Marine Advisory Board (MAB) may wish to participate in the Harbor Safety Committee.

Chair Witten read two notes to Lt. Adrien from Fort Lauderdale's Mayor and Vice Mayor, thanking him for his years of service to South Florida and the United States.

## **VI. Clean Waterways Roundtable – Dr. Nancy Gassman / Assistant Public Works Director**

Chair Witten introduced Dr. Nancy Gassman, Assistant Director of Public Works (Sustainability), explaining that one goal during his tenure with the Board is to ensure the City's waterways are cleaner than when he began. To this end, the Board is undertaking a clean water initiative.

Dr. Gassman gave a presentation on the City's water quality, which is comprised of four types of components:

- Physical components: color, temperature, water clarity
- Biological components: algae, naturally occurring plants in the water, bacteria
- Chemical components: oxygen, chlorophyll, and nutrients
- Trash, debris, and items floating in the water

Today's presentation focused on color, bacteria, trash, and debris, as well as some discussion of nutrients.

Dr. Gassman advised that while the City's waterways have a brown color, they are not dirty: their color is natural for Southeast Florida waterways and is the results of tannins from the soils of the Everglades, which work through the canal system to Fort Lauderdale. The color is not the result of pollutants.

Dr. Gassman continued that in the 1970s, sewage package plants throughout Broward County discharged secondarily treated waste directly into canals and waterways. This waste had received a fairly low level of treatment and included nutrient, oxygen, and bacterial components. Also in the 1960s and 1970s, there were significantly fewer residents in Fort Lauderdale than today. With the addition of over 100,000 residents since those times, it cannot be expected that water quality will remain high in a growing urban environment.

The Florida Department of Environmental Protection (FDEP) grades water quality by assigning a total maximum daily load. This means that waterways have impairments due to certain waterway quality components, and the community must work to reduce what

contributes to these components. The only impairment considered for the New River and Middle River areas is bacteria. Nutrients, turbidity, and ground color are not part of the impairment to Fort Lauderdale's waterways.

When the City seeks to address waterway quality, they are considering three factors:

- Monitoring, which is done by FDEP and the Department of Health, as well as by Broward County's Resilient Environment Department and by the City through Miami Waterkeeper
- Pollution prevention, which is achieved by a number of tools, policies, and regulations, as well as operational programs, permit requirements, and outreach and education
- Remediation or treatment, including trash removal, improving water circulation, removing contamination, or finding ways to treat the water column itself

Of these factors, pollution prevention is the most cost-effective way to address waterway quality concerns.

In 2020 and 2021, waterway quality was one of the Fort Lauderdale City Commission's top priorities, undertaking several activities that fell into the above categories. This included recreational water quality monitoring with Miami Waterkeeper, as well as algal bloom monitoring during peak season. The City adopted a restrictive policy on fertilization during the rainy season. Cleaning of catch basins prevented over 1000 tons of debris from entering the waterways, and 57 pollution control baffles were installed. The City also outsourced its canal cleaning.

In 2021, these monitoring activities continued, and the City enhanced its own requirements under the National Pollution Discharge Elimination System permit. This permit requires the City to ensure that problem materials do not enter the waterways through the stormwater system. This specifically addresses non-point source pollution, which occurs when pollution is entering the system from several places.

The City also initiated an algal bloom prevention pilot program, and worked with private entities to undertake protein skimmer technology. They initiated remediation of three bodies of water impacted by 2019-2020 wastewater discharges and placed aerators at critical sites where water quality concerns were identified.

These activities continued throughout 2022, along with cleaning of large stormwater pipes in the Himmarshee and Tarpon River Basin areas. In 2023, the City expanded its water quality monitoring network, installing six water quality structures as part of new stormwater infrastructure in the River Oaks and Edgewood communities. Dredging was completed in the Himmarshee Canal.

Data from Miami Waterkeeper has shown that the majority of areas designated by the City as water sport activity areas have the cleanest water quality and pass inspection most of the time. FDEP's Class III standard, which identifies fishable and swimmable

waters, also shows that most of these sites have a high passing rate. The areas in which there is not strong compliance with this standard tend to be more inland or on tributaries of the main waterways.

Dr. Gassman continued that Broward County performs quarterly water quality monitoring at a number of sites, including the New River at Andrews Avenue. They have identified dissolved oxygen, turbidity, nitrogen, chlorophyll, and phosphorus at that site; however, the water quality is determined to be good, with the exception of phosphorus, over the majority of a 17-year time frame. Issues related to phosphorus compliance began in 2016 and continue in the present day.

Dr. Gassman noted similar incidences in other sites on the City's waterways in which phosphorus is the exception to compliance. There are separate standards for phosphorus in marine waters and in freshwater. Poor water quality continues in the City's freshwater areas due to phosphorus.

Another issue with water quality is floating debris. One way the City seeks to prevent this type of pollution is with daily street sweeping in curbed areas throughout Fort Lauderdale, as well as cleaning of catch basins and stormwater drains or inlets. Over the last six to seven years, the City has removed approximately 1500 tons of debris from these basins as well as through street sweeping efforts. There are approximately 10,000 City-owned catch basins, half of which are cleaned every year. The City also inspects every catch basin twice per year.

In 2019, the City hired a contractor for cleaning, which resulted in a significant change to the amount of trash that is removed from its waterways. The vessel used by the contractor touches every body of water in the City once each month. Most of what is removed from the waterway is vegetation, including palm fronds, yard trimmings, and coconuts.

In 2024, the City has hired a consultant to study where monitoring is done and determine whether new locations should be added. The City Commission is considering hiring a Chief Waterway Officer and will make a decision on this position as part of the budget cycle.

Water quality structures have been added as part of the City's stormwater improvements. Construction is underway in the Durrs and Dorsey Riverbend communities, where four additional structures will be placed. A living seawall is being added to the Riverwalk seawall, and canal cleaning services will be expanded in areas where there is an excessive amount of trash. The next cleaning contract will increase the frequency of cleaning in these areas.

Additional steps to improve water quality include the addition of a Code Compliance boat, which allows them to improve their enforcement of waterway-related Codes. This includes addressing live-aboard vessels, dock rentals, floating Airbnbs, boat maintenance at

moorings, and unsightly vessels. The Marine Facilities Department obtains an annual grant for the removal of derelict vessels.

The City also continues outreach to provide information to residents about landscaping waste, pet waste disposal, fertilizer use, washwater disposal, and other activities that can affect water quality.

In addition to the City, groups such as Residents for Resilience, the Marine Research Hub, and the Coastal Conservation Association of Florida are also working to provide habitat restoration throughout the City to establish or reestablish oyster beds and identify opportunities for additional mangrove planting. The Marine Research Hub considers innovations in the marine business realm and works with entrepreneurs to create new solutions to emerging issues throughout the City's waterways.

Dr. Gassman concluded that the City's website includes a dedicated page on pollution prevention for the marine industry and boaters, and there is a mobile app called "Fix It Fort Lauderdale." Residents can also call 1-800-828-8000 if they have concerns on the waterways.

Mr. McLaughlin requested an update on the dredging of the entire Tarpon River, recalling that the City's 2023 flooding events resulted in debris being swept into that waterway. He noted that the City does not have a budget in place for dredging. Dr. Gassman replied that the City submitted a legislative request to the state of Florida to dredge the Tarpon River; however, this request was not funded.

With regard to the April 2023 flood, the City has worked to clear its stormwater system of debris associated with that event, with mass cleanings of neighborhoods identified as having the greatest needs. They have not, however, attempted to retrieve debris which might have entered the City's waterways during the flood.

In 2017, the City Commission reviewed an engineering study which proposed that maintenance dredging could be done in every City waterway on a seven-year cycle. One option for funding this program was having every waterway property receive a special assessment, which would go into an appropriate fund to dredge navigational waterways. At that time, however, waterway residents indicated they did not want to pay for the fund. The City's current position since that time is that it will no longer perform any dredging in navigational waters, and there is no funding directed toward that purpose.

Mr. Dunbar asked if any of the studies mentioned in the presentation addressed heavy metals. Dr. Gassman replied that Broward County has done some studies on heavy metals found in blue crabs on the New River to determine if their levels were problematic for consumption. Most of their findings indicate that these crabs should not be consumed more than once per week. She concluded that any sediment monitoring is occurring at the County level rather than the City.

Mr. Dunbar also requested additional information on the effects of phosphorus in the water. Dr. Gassman explained that when there are high nitrogen and phosphorus nutrients, water is more subject to algal or duckweed bloom.

Chair Witten stated that he would follow up with Dr. Gassman regarding today's presentation and would convey further information to the Board members through Mr. Cuba's Office. He requested direction on next steps, as well as short- and long-term goals, and emphasized the importance of education in ensuring water quality improvement, including teaching boaters to stow their trash rather than throw it into waterways.

Dr. Gassman advised that the MAB may wish to determine which aspects of water quality concern them most: for example, physical, biological, chemical, or trash components. This will guide them in deciding what steps they would like to take and what performance metrics can be used to determine whether or not the water is cleaner.

Chair Witten also commented that there are a great many organizations undertaking water quality improvement efforts, and asked how the Board can ensure that they are working on tasks that converge with these entities' focus. Dr. Gassman replied that this is part of the City Commission's intent in considering a Chief Waterway Officer, who could serve as a clearinghouse for various efforts and help coordinate them among agencies.

Chair Witten suggested that the Board discuss this further at the June 2024 meeting and identify the issues on which they would like to focus. Lt. Adrien added that the Board should consider defining what constitutes clean water. This will help them identify the resources and agencies that can work together toward this goal.

Mr. Frank recalled that some months ago, the Board discussed a significant fuel spill which had occurred at Lauderdale Marina, and requested clarification of which entity should be notified of incidents such as this. Lt. Adrien replied that if the Coast Guard's Second Command Center is notified, a national report will be filed and an investigation will be triggered. Dr. Gassman added that the 800 number mentioned earlier can also identify the agency that should be notified to respond.

Mr. Washington requested clarification of how boundaries are determined on waterways: for example, which areas are subject to federal, state, or local jurisdiction. Sgt. O'Neil replied that the Fort Lauderdale Police Department has jurisdiction within the City as well as roughly three miles offshore. They can serve as a good starting point when reporting incidents and can alert larger agencies as needed.

Mr. McLaughlin observed that one issue is that the fines for pollution are insufficient deterrents, and suggested that penalties should be strengthened.

## **VII. Dock Waiver – 1180 N. Federal Highway (Unit 1502 / Slip 7) Renee Biron**



Akbar Mondal Nunez, representing the Applicant, explained that the Applicant proposes to install a boat lift at Slip 7 at the subject location. The Applicant previously applied for a different boat lift, which was approved, but the application was withdrawn due to an issue with the condominium.

The four-post boat lift would include a catwalk as an alternative to full decking. The catwalk would be placed on top of the boat lift and would not be larger than the lift's beam. The request is for a 7.8 ft. extension past the required setback. No structures or piles would exceed 25% of the waterway width and would not impede the navigational channel. The lift is intended to improve the vessel's safety.

Chair Witten recalled that when the previous application for this location came before the Board, there had been discussion of allowing boat lifts more often than one lift per every 100 ft. The president of the condominium's board of directors has provided a letter of support for the Application.

Chair Witten also noted that Assistant City Attorney Bob Dunckel had expressed one concern regarding the Application: if it is approved, the Board needs to confirm ownership of the subject slip. He recommended that before the Application goes to the City Commission for approval, the Applicant provide this proof.

There being no further questions from the Board at this time, Chair Witten opened the public hearing. As there were no individuals wishing to speak on the Item, the Chair closed the public hearing and brought the discussion back to the Board.

Mr. Flanigan requested additional information on the confirmation of ownership. Mr. Cuba explained that when the previous Application for the same slip came before the Board, the Applicant provided proof of ownership in the form of a letter from the condominium. The Assistant City Attorney has requested an updated version of that letter to accompany this Application.

**Motion** made by Vice Chair Harrison, seconded by Mr. Brunelle, to approve the Application with the addition of proof of ownership. In a roll call vote, the **motion** passed unanimously (12-0).

#### **VIII. Presentation – Freedom Waters Foundation – Robin Meagher / Director of Program & Development**

Robin Meagher and Debbie Frankel, representing the Freedom Waters Foundation, distributed fliers and materials to the Board about the organization, which seeks to enhance the well-being of veterans, children, and adults through therapeutic boating experiences.

Ms. Meagher explained that the program serves children and adults with special needs, life-threatening illnesses, and disabilities, as well as veterans. They do not own any

vessels and rely on private and commercial boat owners to donate their time and vessels. The program was founded in Fort Lauderdale 18 years ago and continues to grow.

The Freedom Waters Foundation has recently entered into a partnership with the Winterfest Foundation, which oversees the nonprofit side of the annual Winterfest Boat Parade. Freedom Waters has also launched a Water Safety Family Fun Day, which is a community event held at Esplanade Park, and partners with other organizations which have exhibits at the park, including the Water Taxi, the Fort Lauderdale Police and Fire Departments, and the U.S. Coast Guard.

Ms. Frankel introduced a brief video on the Freedom Waters Foundation, stating that they offer boat rides that may last from one to three hours. The intent is to provide individuals with the opportunity to experience the water. They also offer fishing outings and an adaptive sailing program. Boats may vary in size from 17 ft. to 122 ft., which may accommodate larger groups. They also have outings in which groups of boats are involved.

Chair Witten asked how boaters can become involved in the Foundation's activities. Ms. Meagher stated that they can reach out to her or visit the organization's website, [FreedomWatersFoundation.org](http://FreedomWatersFoundation.org). Boat owners and participants can sign up through this site. Each trip is customized. Donation and fundraising information is also available.

#### **IX. Presentation – Nautica Residences & Hotel-Marina / Stephanie Toothaker**

Stephanie Toothaker, representing Nautica Residences & Hotel-Marina, showed a PowerPoint presentation on the proposed development, which is currently going through the City's Development Review Committee (DRC) process. The project is located on the water and includes a marina.

The project will need to go before the City's Planning and Zoning Board (PZB) as well as the City Commission for approval. It will be part of two sites within one overall district, including the Raintree Riverwalk Residences, which has already been approved. The Nautica project will replace the existing Riverfront Marina and a restaurant.

The Site Plan includes hotel, condominium, and multi-family rental uses. A significant upgrade is proposed to the existing dry stack marina, which will be an integral part of the project. The dry stack marina is surrounded by glass and includes a walkway through the center of the building.

The Riverwalk concept will be both elevated over the working marina as well as behind the building, where visitors can watch boats enter the water. Riverfront dining will remain on the site, and transient dockage will be available. The marina will maintain seven wet slips and 84 dry slips.

Penny Cott, also representing the Nautica project, showed a planned view of the site's in-water elements, noting that the landward portion of the basin will be backfilled to facilitate development. Sovereign submerged lands are located on the north portion of the basin; however, most of the tidal waters on the site are privately owned. Backfilling the landward part of the basin is expected to improve water quality on the site.

The seawalls will be replaced immediately in front of the existing walls, as well as where a natural shoreline exists on the north end of the property in order to stabilize the shoreline. The seawalls will meet the City Ordinance requirements of +5 ft. North American Vertical Datum (NAVD). When the marina is not operating in the evening, transient dock slips will be made available to restaurant patrons.

The dry storage facility will use a gantry crane-style mechanism for launching, and vessels will be staged in racks. The 84 dry slips can accommodate vessels of up to 48 ft. in size, while in-water slips can accommodate vessels of up to 60 ft.

The project is seeking a new lease for the currently proposed structures and mooring areas, and does not propose any mooring on the waterward edge of the restaurant's dining area. The natural shoreline on the northern end is somewhat shallow. The Applicant does not propose to dredge slip #7, but instead proposes to install a seawall "generally along the waterfront," with some filling in order to accommodate a straight shoreline.

Mr. Washington requested clarification of what type of new seawall would replace the existing structure. Ms. Cott replied that while the Applicant has not yet decided, this will most likely be a steel sheet pile seawall placed immediately waterward of the existing seawall, and the cap on the entire property will be raised to +5 ft. NAVD. Because the buildings will be new construction, the Applicant is not concerned with the potential effect of vibrations from the steel sheet piles, although vibrational monitoring can be done if the geotechnical engineering assessment of the study warrants it.

Ms. Cohn of MIA SF expressed concern with slip #7 being a permanent slip due to its proximity to the train bridge. Ms. Cott advised that all the slips are considered to be transient staging slips for the dry storage facility and, when that facility is not in operation, for the restaurant. There will not be permanent mooring, and the Applicant has no plans at present to dredge in the area.

Norm Bekoff, member of the public, asked if the site will include pump-out facilities. Ms. Cott replied that the Applicant has "gone back and forth" regarding this possibility and can discuss it further.

Mr. Franks asked whether or not potential plans for a bridge or tunnel next to the subject property have been considered. Ms. Toothaker replied that the Applicant is awaiting engineering plans to tell them what future structures may look like. There have been

detailed discussions of these possibilities, including the need for an easement from the developer if a tunnel is constructed.

#### **X. Old / New Business – Ongoing Discussion – Reimagining the New River**

Chair Witten reported that the proposed moratorium is scheduled to go before the City Commission at their May 7, 2024 meeting for discussion. He planned to attend this meeting.

Chair Witten added that next month's discussion of Reimagining the New River will be moved to an earlier position on the Board's Agenda. Discussion of the Board's Clean Water Initiative will be in an earlier position as well.

Lindsey Way, member of the public, requested additional information on the Reimagining the New River initiative thus far. Chair Witten explained that there is currently a Zoning in Progress in place on the New River, which means the Board does not currently have to entertain waivers for that waterway. Once the proposed moratorium is finalized by the City Commission, the Board will have one year to present their proposal for reimagining the waterway.

Chair Witten continued that reimagining the New River includes assuring safe navigation, address of illegal activity and/or structures, and other issues of concern. The Board has been tasked with developing a solution to these issues. The public is welcome to attend Board meetings, and the Board plans to hold public outreach meetings as well.

Ms. George requested clarification of when these public outreach meetings may begin, particularly if they are scheduled on different dates from regular Board meetings. Chair Witten advised that the dates are unlikely to be different, as this could lead to difficulties with the Sunshine Law. It has been suggested that the Board use existing meeting dates but consider starting those meetings at an earlier time.

Chair Witten continued that it has been suggested that the proposed moratorium not begin until the bathymetric survey is complete. Mr. Flanigan reported that the study is currently in the Public Works Department, which is working to identify the contractor that will perform the survey.

Mr. Brunelle commented that the Board typically does not meet in the month of August, and noted that the moratorium will likely be presented to the City Commission for approval in June, which would mean their one-year time frame would conclude in June 2025. He also spoke in favor of beginning meetings one hour early in order to focus on the New River discussion.

Vice Chair Harrison observed that a committee has been formed through the MIAASF, which can serve as a way for the marine industry to send suggestions to the Board.

The Board members discussed aspects of the New River discussion, including the existing one-third rule relating to waivers, maneuverability of utility barges on the waterway, alternatives to creating a federally regulated waterway, existence of “pinch points” on the river, and the importance of stakeholder input from both property owners and the marine industry, among others. Vice Chair Harrison also emphasized that the moratorium only affects waiver requests and not by-right construction permitted by Code.

## **XI. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 8:30 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]