

Captiva Community Panel
WORKSHOP

Feb. 28, 2018

Attending: Dave Jensen, Mike Boris, David Mintz, Jay Brown, Tom Rathbone, Mike Mullins, Mike Kelly

Participants: 20

Convened 10 a.m. *Mintz:* Introduction of issues, not a normal panel meeting. Water quality and adjacent water issues. Future issues on March 13 and 28. More esoteric discussion today. Want to hear what's on your mind, list of issues on sheet to get you started. May find out in this discussion that we may need the input of experts on these issues. Today we're not saying we can solve these issues, just here to hear what you have to say. Also have survey out seeking feedback from the community. We will take this feedback, research issues over summer, bring back options to the community next season. I'd ask the panel to stifle let the audience speak.

Jack Cunningham: Septic regulation, why are they interim? *Mintz:* Wastewater Committee and 30-year horizon. What can we do sooner rather than later? Separate study being funded by a county grant. Interim because we will have a study and recommendation to discuss. *Cunningham:* Interim mean if central treatment was the answer, this would be a step to that. *Brown:* Two major strategic alternatives on wastewater besides do nothing. Design a central sewer facility, that's a long process. Other option is stay with septic systems but have regulatory regime to ensure they are working properly and properly maintained. *Cunningham:* Pending wastewater treatment results. *Nathalie Pyle:* Rae Ann Wessel from SCCF is here, appreciate your participation. Update on status? *Wessel:* Currently have a red tide, not sure when it started, extended spell this year. Red tide is a microorganism, not algae. Organism has been around for decades and centuries, a natural phenomenon. Seeing more frequent and longer duration blooms due to development and changes wrought over time. Discussion of tracking and predictive studies at USF and state. Nutrients, impact of enrichment in water. Role for iron and calcium in these cycles.

Brown: Summary. Does river runoff impact blooms? Not accurate? *Wessel:* Contributes to repetitiveness and duration. Science is not clear, not a causal relationship, other factors affect life cycle. Looking at predictive organisms to note blooms. *Pyle:* No release, how can we have blooms? Naturally occurring exacerbated by development. *Wessel:* Stuff that comes down during rainy season does not just go away, enrichment beyond the releases. Strong connection with nutrients and microalgae. Nutrients in water doing what fertilizer does on land, explosion of growth. Not same connection with red tide, but nutrient enrichment plays a role in size and duration. ????: Source of iron? *Wessel:* Saharan dust one source. Could it be from reefs, old boats? No indication right now.

Jill Sherman: If we fertilize, aware of guidelines, how do we make sure that we are doing what we can? *Wessel:* Flyer and ad campaigns. *Mintz:* Does Captiva need its own ordinance? County regulation applies only to professional application in county. *Wessel:* Sanibel ordinance more applicable out here, differences because of level of regulations possible city vs. county. Include June in the blackout period, due to start of rainy season. Ask landscapers what education or training they've had on ordinance. Make copy of flyer available with key points. Fertilizer control all on the honor system. Educational effort, one we can never let up one due to turnover and new owners. Issue is countywide, solution should be as well. Fact sheet and

questions to ask someone you might hire. Take it to Natural Resources and county commissioners as a prototype of what could be done.

Mintz: SCCF study, fertilizer is source of pollution. *Cunningham*: Educate the population on fertilizer use. *Sherman*: Dead fish on beach, my responsibility to deal with them? *Mintz*: Cleaning the beach a big issue at last meeting. CEPD contacted, administrator contacted county, they will come and cleanup fish kills. *Lisa Riordan*: Mitigation on Captiva rather than Little Pine Island, makes sense, Little Pine Island does not fix problem on Captiva by loss of mangroves. Protect shorelines, natural filter. *Ann Brady*: Owners are allowed to remove mangroves? *Mintz*: County decided not to regulate trimming of mangroves, deferred to state. State act sets out rules on trimming and removal. Webinar on state website, very informative. Some local governments have taken control of trimming from state. Captiva could to that in theory. Removal, can't remove with permit, some exemptions when removal is allowed. Issue is when people remove mangroves on Captiva they can mitigate on Little Pine Island. Develop a mitigation bank on Captiva. Is that something we want to consider. *Mullins*: Bank is way to restore disturbed lands with mangroves. *Hal Miller*: We as Captiva could have a strong regulation on trimming? *Mintz*: County would have to allow us to have our own rules. Septic example with CCCL. Could add things in our code. ??? : Could we ban mitigation for mangroves? *Mintz*: Don't know, we'd need to bring in experts. Can delegate to other communities what state regulates. Separate rule, probably not. Bank or regulations, maybe yes.

??? : Erosion issues, broader issue with mangrove, bayfront protection, etc. *Mintz*: Sponsored a Sea Level Rise symposium last year, learned how other communities have responded to issues, how to protect and fortify coastline. Impact of tidal flooding on bayside of island. Like to see us retain some to do study of Captiva and how best to fortify island. *Gooderham*: Explanation of resilience and living shorelines, Southeast Compact and others communities' efforts. ??? : How susceptible? *Mintz*: Very scary. Examples given. ??? : Dose that dictate we look at sewer system? *Brown*: One of the considerations of this study for community to consider. Risk to both septic and sewer systems. *Gooderham*: Vulnerability is equally concerning off the island, access and provision of services. *Mullins*: Water will rise to impact septic long before it comes over shoreline. Discussion. *David Rohn*: How well are those treatment plants regulated? Discussion. *Boris*: Difference between septic and plants. *Wessel*: Effluent goes on golf course as re-use water. Nitrogen content can be much higher than groundwater. Working for higher treatment of effluent, more expensive but cleaner. Discussion of systems and treatment. ??? : Speaks on issue for fertilizers?

Sherman: Regulations on septic now? *Brown*: Described both systems, no regulations for conventional septic, a lot of oversight for performance systems. *Sherman*: No regulations on overuse either? *Mintz*: The elephant in some people's rooms. People building under base flood elevation spaces. Explanation of height regulations, two floors over BFE. Additional units without additional septic capacity. *Sherman*: Live near rental, see it over-populated regularly. *Mintz*: Septic systems become essentially holding tanks, problem in many rental communities. What can we do about it? *Mullins*: Dept. of Health had to validate system when I bought my first house in 1998. Second purchase, had a performance system but did not know it. Crews Environmental resolved that issue. Regular systems are set and forget, performance systems need regularly flow of material. *Riordan*: Overcrowding committee, have met with four main agents on island. More moving in, need to reach out to them. Trying to get agencies to police their own properties. Two largest try very hard, Royal Shell and American Realty use hanger tags to identify renters. Example of Wightman issue. *Miller*: DOH can't intervene, what about fire department and fire code? *Mintz*: Two issues conjoined, overcrowding vs. development illegally. *Brady*: Only controversy is your not following the rules. Behooves

community to enforce the rules and put into place rules people need to follow. *Sawicki*: If you have problem, call code enforcement. Higher bar for houses being used as a commercial property, Higher commercial standards for safety, fire, etc. *Mintz*: Prefer not to pit neighbor vs neighbor. *Sawicki*: Panel has no enforcement authority, but we can enforce ordinances that exist. *Gooderham*: Anything habitable below BFE is illegal development, jeopardizes flood coverage and other properties in storms. *Sherman*: Right size of septic and maintain it properly.

Cunningham: Runoff... Several locations with pipes and drains that just dead-end, hold water to evaporate. Captiva Drive and Andy Rosse drains right into the bay. *Miller*: Holding tank under four way stop, fluid runs into bay and solids are pumped out. Others do dead end. *Brown*: Runoff is an issue in SCCF study. Bacterial levels rise in rainy season. Runoff is a major issue on Captiva. *Mullins*: With so much Lake Okeechobee and river runoff, some say why bother doing anything on island. Asked that all the time. *Riordan*: Dogs, residents are very cognizant of pickup, visitors not always so good. Need signs or something to encourage pick up. More of an issue in Village. *Sherman*: Dogs on beach without leash, no pickup either. *Sawicki*: Rule that they have to clean up after dog. Both Lee County ordinances. People with either leave unprepared or think they'll get away with it. But pretty universally recognized that it's what you're supposed to do. We will talk to persistent violators. *Mintz*: Enforcement vs. good neighbor policies.

Mintz: Voluntary compliance take education drive. *Sawicki*: Bring issues to rental agents, a lot of people who come here aren't aware of issues, not trying to cause a problem. Panel can identify a few items that are crucial to be brought to renters' attention. *Mintz*: Jet Skis, noise and erosion. Ordinance says no rental east of Cap Drive and South Seas road. *Sawicki*: Tween Waters used to, not supposed to be on beach side. *Jensen*: Rental, not operating? *Mintz*: No wake in channel, if rented there people are more likely to be running them through the channel. *Mick Gross?*: Missing other meetings, I'm a cyclist. Shoulders are highly dangerous, overhanging vegetation, sand on shoulders, vegetation on ground. *Mintz*: Would regular maintenance help with problem? *Sherman*: And trash cans in shoulder. *Cunningham*: And sandwich signs. *Mintz*: Sandwich signs are prohibited except for special events. Will remind various agencies about that. *Pyle*: Overhanging vegetation a big problem for walking as well. Discussion. *Sawicki*: Owners must address that, you can either be regulated or self-regulate. Take care of vegetation or county could come in if it becomes a problem. Discussion. Code enforcement or Lee DOT, need to check on that. *Mullins*: Transportation? *Mintz*: March 13 workshop 10 a.m. in middle of panel meeting. *Sherman*: Add item about trespassing. *Mintz*: Thanks to all for being here. Input is important for credence with county, we appreciate the time you give to this.

-- **Ken Gooderham, administrator**