

## **Turnbull Creek Land Preservation Committee**

**August 19, 2024**

**Video and agenda can be found [here](#)**

Present: Chair Donna Athearn, William Robitzsch, and Robert Werner. Absent (excused): Lamont Ingalls and Chip Weston. Minutes of the July 24 meeting were approved.

Chair Athearn began the meeting by giving an update on the Turnbull Bay Canal dredging project. She then addressed the cost of canal maintenance and several options that should be considered.

- Obtain grants and/or use money from the Infrastructure Bill. Edgewater received \$15 million to correct damage from Hurricane Michael.
- Obtain money from Stormwater Management. The city's Comprehensive Plan references funds to be used to keep the canals flowing, but Turnbull Creek does not appear to be specifically cited in the LDR. She suggested they bring this to the City Commission as a recommendation to include Turnbull Bay in an updated version.
- SJRWMD (St. John's River Water Management District) suggested the City apply for a Special Taxing District or apply for one that is already available through the County.

Chair Athearn then presented the results from her research on the South Florida Water Management's history of water control which offers some solutions for dealing with local flooding issues. Some highlights follow:

- In 1850, the Swamp and Overflowed Land Act set aside 20 million acres in South Florida to create canals to support farming sugarcane.
- In 1907 the state created the Everglades Drainage District (EDD) which was comprised of five basin areas around Miami-Dade where all the canals would eventually have a levee and gate system that would control the water for both irrigation and flooding.
- Within these basin areas, every developer/HOA is required to connect their stormwater to either the local basin or an external canal system that will take the water away from the development when flooding begins.
- Due to more hurricanes, the Central and South Florida Flood Control Project began in 1948, but it wasn't until severe hurricane flooding that developers had to have Bond Sureties that would require them to fix anything (but especially paving and flooding) within a certain period of time, with the bonds being renewed for present owners, executors, and their heirs.

Edgewater received funding for their flooding as they will be creating a canal system. NSB should look at a similar program very carefully since we are building west. The city needs to consider both new canals and maintaining and opening existing ditches and canals. We need reliable stormwater control during floods, perhaps looking at the Special Taxing District idea and/or using already available Mosquito Control as the County Council has already directed to have money be available. The City Commission is responsible for requesting the funding.

Discussion followed with Member Werner asking if the Turnbull Creek area under bridges will be cleaned up as flow is hampered by debris. Chair Athearn stated that there are grants to retrofit those areas after they are cleaned up but will need to be looked at by our engineers to assess the openings. The Assistant City Manager Neibert stated there is another problem as SR44 and some other points are

either under state or county jurisdiction, and we will have to ask if we could do this as part of our Turnbull Creek Preservation Plan. Member Werner added that we could work with the US Fish and Wildlife Service for grants to clean up the area where there is an abandoned NOAA weather station, but we will also need to contact the FEC railroad since some of their bridges are also clogged. He brought up an organization called The Creek Is Rising, which dealt with the dredging of Spruce Creek including under the RR bridge which the railroad did pay for, and said he would contact them to see if their program could help us.

Chair Athearn asked about demolishing the weather station and old concrete pilings under the RR bridge to which Mr. Neibert said that it could be done but will need to be addressed with both jurisdictions. Member Robitzsch added that this needs to be taken care of no matter who is in charge. The obstructions drop sediment and affect the canal's water flow. Mr. Neibert agreed.

As far as available money is concerned, new infrastructural grants especially in AG zoning will be starting again in November. Money is available now from the county's Special Taxing District, Mosquito Control, **a motion to request that the CC approach the county regarding funding from Mosquito Control over the next year to help NSB with the maintenance of Turnbull Creek to help maintain the openings from "drainage impediments" that may occur. Motion to approve the request was unanimous.** Chair Athearn will read their request at the September 10<sup>th</sup> CC meeting during Public Participation.

The last order of business was the possible purchase of eight (8) acres owned by Linda Ellison Minton and Walter Minton located next to Ellison Acres off SR44 to Jungle Rd. and Temple for \$1.5 million (there is \$9 mil left in the bond fund). The owners approached the committee about this as they want the city to have the first right to purchase. The land has wetlands and a canal that has manatees in it, but Brazilian Pepper trees as well. A discussion ensued regarding the high price considering it would be put in perpetual conservation, so there would be no monetary return; plus, another 8 acre parcel near it, albeit without a canal, was evaluated at \$350,000 last year. Mr. Neibert said the city will need two appraisals but felt they would be far lower than the asking price. Other thoughts were that we could just buy enough for a conservation easement or turn it into a park. Mr. Neibert said he will bring a list of what would be permitted uses with Conservation zoning and restrictions for conservation easements to the next meeting, and the committee can then make their specific recommendation to the City Commission.

Other recommendations/comments are the following:

- Member Werner asked if we are looking into what to do with invasive/non-indigenous plants on the shoreline that aren't being removed for the dredging? Mr. Neibert responded that they are looking at grants for this, but not ones that have a time-element in case our dredging schedule goes awry. The city is also waiting to see how many of the plants remain after the process is complete, so we have a better sense of cost. Chair Athearn added that the Canal Society has grants, and she is very interested in a possible partnership with them.
- Member Werner also asked about the difference between a canal and a ditch to which the Chair responded that usually a canal is 20' wide and 15' deep while a ditch is 15' wide and 5-6' deep. There is a formula used regarding width and depth to predict water flow.

- Chair Athearn reiterated that Venetian Bay will need a method to get water out of their development as their ponds are not connected to anything. The water will need to go either north to Spruce Creek or south to Edgewater or dig a canal to the Indian River. She added that the Samsula Canal isn't connected to anything, so that won't help. She also shared that she found out from the SJRWMD that when the Publix Shopping Center on SR44 floods, the water runs into Turnbull Creek with no filtering and will continue to do so as they were grandfathered in by DOT when it was built.