

1 Introduced by Council Member Ferraro:
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4 **RESOLUTION 2022-134**

5 A RESOLUTION RECOGNIZING AND SUPPORTING
6 RESOLUTION 2022-01, AS ADOPTED BY THE
7 JACKSONVILLE WATERWAYS COMMISSION, REQUESTING
8 THAT THE CITY PETITION THE UNITED STATES ARMY
9 CORPS OF ENGINEERS ("USACE") TO UNDERTAKE A
10 STUDY TO DETERMINE THE CAUSE AND SOLUTION FOR A
11 SANDBAR/SHOAL FORMED IN THE ST. JOHNS RIVER,
12 ADJACENT TO THE FULTON CUT AND BLOUNT ISLAND;
13 REQUESTING THE MAYOR EXECUTE AND DELIVER A
14 WRITTEN LETTER TO THE USACE FOR THE PURPOSES SET
15 FORTH HEREIN; PROVIDING AN EFFECTIVE DATE.
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17 **WHEREAS**, in the natural section of the St. Johns River that is
18 adjacent to the "Fulton Cut" and Blount Island, a sandbar or shoal
19 ("shoal") has developed; and

20 **WHEREAS**, the Jacksonville Waterways Commission is committed to
21 the protection of Jacksonville waterways and the citizens of
22 Jacksonville; and

23 **WHEREAS**, the shoal was not present ten (10) years ago, but has
24 formed and is rapidly increasing in size and now encompasses
25 approximately 7 to 10 football fields in length and about 1 football
26 field in width; and

27 **WHEREAS**, at low tide, the depth of the water is only 1.5 to 2
28 feet and presents a great safety risk to people and watercraft; and

29 **WHEREAS**, pursuant to discussions with the USACE staff, in order
30 to obtain assistance from the USACE with this matter, the City is
31 required to make a written request, via the Mayor of the City of

1 Jacksonville or designee, to the USACE to determine if the USACE has
2 the authority or jurisdiction to conduct a study to determine the
3 cause of the formation of the shoal and to plan a strategy for its
4 removal and prevention of future formation; and

5 **WHEREAS**, the USACE staff has advised that a study of similar
6 magnitude would cost approximately \$3,000,000, and the USACE would
7 be expecting the City to sponsor the study and provide \$1,500,000 of
8 that cost; and

9 **WHEREAS**, the Jacksonville Waterways Commission, at its regularly
10 scheduled meeting on February 9, 2022 passed a Resolution, attached
11 hereto as **Exhibit 1**, stating its support for the City to request the
12 USACE to undertake the study as outlined; now therefore

13 **BE IT RESOLVED** by the Council of the City of Jacksonville:

14 **Section 1. Requesting the Mayor Execute and forward a**
15 **written request to the USACE regarding a shoal in the St. Johns River.**

16 The Mayor, or his designee, is hereby requested to execute and
17 deliver, for and on behalf of the City, a written request to the
18 USACE regarding the shoaling that has taken place in the St. Johns
19 River adjacent to the Fulton Cut and Blount Island. The written
20 request, which will be drafted by the Office of General Counsel, will
21 set forth the following: (1) identify the location of the shoal; (2)
22 provide a timeline or history of its creation and request that the
23 USACE proceed to determine if they have jurisdiction over this type
24 of issue; (3) ask the USACE for authority to conduct a study regarding
25 the cause and the solution for removal and prevention of future
26 shoaling in that location; and (4) acknowledge that the City will be
27 a financial partner with the USACE in that study.

28 **Section 2. Effective Date.** This Resolution shall become
29 effective upon signature by the Mayor or upon becoming effective
30 without the Mayor's signature.

1 Form Approved:

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3 /s/ Susan C. Grandin

4 Office of General Counsel

5 Legislation Prepared By: Susan C. Grandin

6 GC-#1481602-v3-USACE_Resolution_(2022-01).docx

JACKSONVILLE WATERWAYS COMMISSION RESOLUTION

2022-01

A RESOLUTION EXPRESSING THE CITY OF JACKSONVILLE WATERWAYS COMMISSION'S SUPPORT FOR THE CITY TO REQUEST THE UNITED STATES ARMY CORPS OF ENGINEERS ("USACE") UNDERTAKE A STUDY TO DETERMINE THE CAUSE AND SOLUTION FOR A SANDBAR OR SHOAL THAT HAS FORMED IN THE ST. JOHNS RIVER ADJACENT TO THE FULTON CUT AND BLOUNT ISLAND; URGING AND REQUESTING THAT A CITY COUNCIL MEMBER SPONSOR A RESOLUTION REQUESTING THAT THE MAYOR SEND A LETTER TO THE USACE WITH THAT REQUEST OR THAT THE MAYOR PROVIDE THE LETTER WITHOUT CITY COUNCIL ACTION.

WHEREAS, in the natural section of the St. Johns River that is adjacent to the "Fulton Cut" and Blount Island, a sandbar or shoal ("shoal") has developed; and

WHEREAS, the Jacksonville Waterways Commission is committed to the protection of Jacksonville waterways and the citizens of Jacksonville; and

WHEREAS, the shoal was not there ten (10) years ago, but has formed and is rapidly increasing in size and now encompasses approximately 7 to 10 football fields in length and about 1 football field in width; and

WHEREAS, at low tide the depth is only 1.5 to 2 feet and presents great safety risk to people and watercraft; and

WHEREAS, in discussions with the USACE staff, in order to obtain help from the USACE in this matter, the City will need to make a written request, via the Mayor of the City of Jacksonville or designee, to the USACE to determine if the USACE has the authority or jurisdiction to conduct a study to determine the cause of the

1 formation of the shoal and to plan a strategy for its removal and
2 prevention of future formation; and

3 **WHEREAS**, the USACE staff stated that a study of similar magnitude
4 would cost approximately \$3,000,000, and the USACE would be looking
5 to the City as sponsor to provide \$1,500,000 of that cost; and

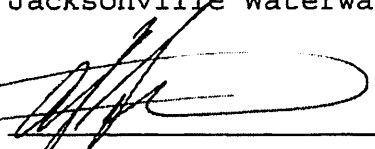
6 **WHEREAS**, this letter, which will be drafted by the Office of
7 General Counsel, will identify the location of the shoal, provide a
8 timeline or history of its creation, and request that the USACE
9 proceed to determine if they have jurisdiction over this type of
10 issue, ask for the authority to conduct a study regarding the cause
11 and the solution for removal and prevention of future shoaling in
12 that location, and acknowledge that the City will be a financial
13 partner with the USACE in that study; now therefore

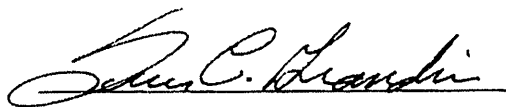
14 **BE IT RESOLVED** by the Waterways Commission of the City of
15 Jacksonville:

16 **Section 1. FINDINGS.** The Waterways Commission finds
17 the foregoing to be true and accurate.

18 **Section 2. RECOMMENDATION and REQUEST.** The City of
19 Jacksonville Waterways Commission hereby expresses its support for a
20 letter to be drafted outlining the aforementioned request to the
21 USACE, and for the City Council to act, or the Mayor's Office to act,
22 to provide that letter to the USACE.

23 **DONE AND ORDERED** at the February 9, 2022 meeting of the
24 Jacksonville Waterways Commission.

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27 Albert Ferraro, Chairman,
28 Jacksonville Waterways Commission
29 City Council Member, District 2


Form Approved:
Office of General Counsel

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