

FLORIDA INLAND NAVIGATION DISTRICT

June 19, 2020



President Scott Wilson and City Council Members
City of Jacksonville City Council
117 West Duval Street, Suite 425
Jacksonville, Florida 32202

Re: Letter of Objection to Proposed Ordinance #2020-0266

COMMISSIONERS

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CHAIR
ST. LUCIE COUNTY

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VICE-CHAIR
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EXECUTIVE DIRECTOR

JANET ZIMMERMAN
ASSISTANT EXECUTIVE
DIRECTOR

Dear President Wilson and City Council Members:

I am writing to you on behalf of the Florida Inland Navigation District (“FIND”), an independent taxing district and political subdivision of the state of Florida. The City of Jacksonville’s recent discussion of proposed ordinance #2020-0266 (the “ordinance”) and its adoption scheduled for June 23, 2020 was not brought to FIND’s attention prior to Monday, June 15, 2020. We are concerned that the City did not seek FIND’s input on this legislation, and that the primary, if not sole outcome of this legislation could be to impact the operations of Dredge Material Management Areas (DMMA) DU-2 and DU-3&4 on Sawpit Road. These areas are owned by FIND and made available to the U.S Army Corps of Engineers (“USACE”) as the primary material disposal areas for the Maintenance Intracoastal Waterway. The areas can also benefit other local entities that may need to manage dredged material.

FIND strongly objects to the enactment of this Ordinance into law. If the intent of the Ordinance is to reduce heavy dump truck traffic on several roads leading to Black Hammock Island, (i.e., Sawpit, Cedar Point and New Berlin Roads) to reduce wear on the roads, as well as to enhance safety, there may be other more equitable means of achieving this objective. It should also be noted that Council Member Ferraro has stated on the record he would like to “bring to the table” FIND, the USACE and others to get funding for the improvement of these roads. As will be more fully explained below, the Ordinance will not accomplish either of these purposes and is likely to exacerbate the situation.

1. **FUNDING OF ROAD IMPROVEMENTS.** FIND is an independent special taxing district created by the Florida Legislature to act as the local sponsor of the Atlantic Intracoastal Waterway and Intracoastal Waterway (“ICW”) along the east coast of Florida. As a special district, FIND is governed by Florida Statutes, particularly Chapter 374 “Navigation Districts; Waterway Development.” FIND is limited to exercise the authority provided by law and can only expend funds for authorized purposes. FIND has the authority to acquire real property interests for the construction and maintenance of the ICW and make them available to the USACE, to construct dredge material management facilities, to supplement the USACE maintenance dredging program, and to offer grant funding to local governments for waterway-related projects. **MAINTAINING OR IMPROVING PUBLIC ROADS OR CONTRIBUTING FUNDING TO LOCAL GOVERNMENTS FOR MAINTAINING OR IMPROVING PUBLIC ROADS IS NOT WITHIN THE AUTHORITY OF FIND.** Likewise, while I cannot speak for the USACE, my understanding is that it is not within the federal authority to expend federal funds on the maintenance and improvement of a local public road
2. **REDUCTION IN TRUCK TRAFFIC.** The proposed Ordinance will prohibit 10-wheeled (i.e. three-axle) or larger dump trucks from using the three identified roads. It does not prohibit 6-wheeled (i.e. two-axle) dump trucks. The nominal load capacity of a 10-wheeled dump truck is 15 cubic yards, while the nominal load capacity of a 6-wheeled dump truck is 10 cubic yards. To move a given volume of material, it will require almost 50% more truck loads for the smaller dump trucks. For example, to move 100,000 cubic yards of material would require 6,667 truckloads using the 10-wheeled dump trucks, whereas it would require 10,000 truckloads for the 6-wheeled dump trucks to move the same amount of material. Moreover, since each truck would have to travel to the site, pick up its load, and then leave the site, there would be

13,334 and 20,000 one-way trips, respectively, over these roads. That equates to an approximate fifty percent (50%) increase in truck traffic utilizing smaller trucks.

3. **INCREASED WEAR ON THE ROADWAYS.** By forcing the use of smaller dump trucks, there will be an increase in the wear and tear on the impacted roads. A 10-wheeled dump truck distributes its load over 3 axles, with most of the load being carried by the rear axles. A 6-wheeled dump truck has only 2 axles, so most of the load is carried by the single, rear axle. Even though the load is smaller on a 6-wheeled dump truck, the load on the rear axle is equal to or greater than the load on the two axles of the larger truck. This results in equal or more wear on the road surface, which is magnified by the 50% increase in the total number of trips. Therefore, it is likely that utilizing smaller trucks to move material will equate to additional road wear, not less.

4. **LESS SAFETY FOR ROAD USERS.** By forcing the use of smaller dump trucks, there will be a 50% increase in the number of one-way trips on the roads. While the 6-wheeled dump trucks will carry smaller loads, they are similarly as wide as 10-wheeled trucks. There is no evidence that smaller trucks are safer than larger trucks. By substantially increasing the number of truck trips, the proposed Ordinance may increase the prospects for incidents to occur on the roadway.

Please note that FIND is sympathetic to the roadway situation. Staff, our engineers and the current hauling company have met with local and state officials and local citizens to understand and address any problems. It should be noted that FIND cannot expend taxpayer dollars without statutory authority. However, staff is currently investigating whether funding may be made available to the City under FIND's Waterways Assistance Program ("WAP"). Before any discussion of cost-sharing for roadway improvement occurs, the City should undertake an independent study to determine the percentage of impact truck hauling from the DMMA's has had on the roadways. It should also be noted that ALL the material hauled from the FIND sites has benefited local public projects. In 2015, material removed from DMMA DU-2 benefitted a local Florida Department of Transportation roadway project. The material hauled from FIND sites in the past year has been taken to a Jacksonville Electric Authority (JEA) rehabilitation site, thus directly benefiting the City.

DMMA DU-2 and DMMA DU 3&4 are strategically located to handle the maintenance dredging requirements of Reach III of the ICW (i.e., Nassau Sound to Ft. George River). DMMA DU-2 is designated to strictly handle the material from the Sawpit Cut-off (Cut 27). The Sawpit Cut-off cut is projected to produce approximately 35% of the maintenance material from Reach III. Given the projected maintenance requirements, DMMA DU-2 will require offloading more frequently than once every 50 years. Other DMMA's cannot be used for this purpose due to limitations on the distance that dredged materials can be hydraulically pumped. If the ability of DMMA DU-2 to accept maintenance material is impaired, it will impact the entire ICW in Duval County and beyond, and could adversely affect the local, regional and state economy.

The Duval County Waterways Economic Study was first completed in 2005, and updated in 2011 and 2017-2018, attributes over \$362 million in total annual economic output to the existence of the ICW alone. The latest study reports there were over 400 waterway-related businesses in Duval County generating over \$1.5 billion in annual sales, 2,450 jobs, \$226 million in tourism spending, and \$41 million in additional tax revenues. The ICW waterway increases the value of property in Duval County by \$74 million. The study demonstrated that if the waterways were not maintained, the economic output is predicted to drop well over 50% in all categories.

Since 1986, FIND has contributed over \$26.1 million for local waterway improvements through the Waterways Assistance Program, funding 178 projects in the county with a total constructed value of \$53.9 million. FIND returns far more in economic and other intangible value than collects in taxes. Planning for and financing needed road capacity is a local government responsibility. We respectfully submit that FIND is not able to directly contribute to the funding of the roads on Black Hammock Island and that the Ordinance will not solve the problems but will exacerbate them.

Thank you for considering these comments and we request that this letter be added to the official record of the adoption proceeding.

Sincerely,



Mark Crosley – Executive Director, FIND

C.c. FIND Board of Commissioners (via email)
Jerry Scarborough – Taylor Engineering (via email)
Peter Breton – FIND Counsel (via email)