

ResnickL

From: Keith Dallas [keithdallas@comcast.net]  
Sent: Monday, July 26, 2010 2:02 PM  
To: ResnickL  
Subject: Peer Review Scope of Work  
Attachments: Peer Review Draft ES - 7.docx; ATT00001..htm; Peer Review Draft ES - 7-2.docx; ATT00002..htm; concerns on water circulation modeling 2.doc; ATT00003..htm; concerns on water circulation modeling 2-2.doc; ATT00004..htm

Lisa, would you see that my comments below be passed on to the PBS&J Board as part of the Agenda package for the August 4th Regular PBS&J meeting, along with the revised draft language.

Attached are revised drafts of the "Peer Review Scope of Work" and the letter "Concerns about Clam Bay Estuary Modeling Study". One set are the finished drafts, while the other set shows additions in red, and deletions with a line drawn through them. I have tried to take as many of the comments into account as is physically possible, rewording some of the language where necessary for readability.

Besides the revised drafts, please include as background the following comments received from the following individuals:

- \* John Chandler 7/12/10
- \* Tom Cravens 7/7/10
- \* John Domenie 7/15/10
- \* Mike Levy 7/16/10
- \* Ted Raia 7/19/10

I thank everyone for their input.

The objective at the August 4th meeting is to agree on final language for the two drafts. As can be seen from the July 8th email from Gary McAlpin to the Clam Bay Subcommittee etc. (Lisa, please attach to this package), our inability to finalize these documents on the 4th would probably mean the death of this peer review attempt. I feel that would be very unfortunate. Although our work on Peer Review could be moot if the Foundation can strike a general agreement on Clam Bay with the County, that agreement at best will not be finalized for some time, and is not guaranteed to happen. In the absence of such an agreement, I feel it is prudent to finalize the Peer Review Scope of Work to keep pressure on the County.

A final point. Please pay attention specifically to Mike Levy's comments. He has taken the approach that we have not agreed to be involved in future studies and therefore should not be discussing the water circulation model in our scope of work or in my proposed letter. I did not take those comments into account in my draft, feeling that our discussions at our June 2nd meeting (see page 8384) indicated that the PBS&J was willing to discuss future studies in a very vague, limited manner. The language of the first draft of my letter is taken primarily from those minutes. I would like the Board to decide if they agree with my approach and then finalize our language on August 4th.

Keith

## **Clam Bay Estuary Peer Review Scope of Work**

March 15, 2010  
March 19, 2010 – Rev. 1  
June 25, 2010 – Rev. 2  
June 30, 2010 – Rev. 3  
July 1, 2010 – Rev. 4  
July 1, 2010 – Rev. 5  
July 1, 2010 – Rev. 6  
July 23, 2010 – Rev. 7

### **Background**

During their regular December 15, 2009 meeting, the Board of County Commissioners approved an independent peer review of the October 2009 PBS&J report and the work required to complete the development of a comprehensive management plan for the Clam Bay Estuary.

Specifically, the BCC authorized that a recognized expert perform an independent review of the Final October 2009 Clam Bay System Data Collection and Analysis Report completed by PBS&J. To complete this analysis, a thorough review of all available historical data including the Pelican Bay Services Division (PBSD) historical water quality data is required. This expert, jointly selected by PBSD and Coastal Zone Management (CZM), will be from an academic, university, or research institute and not directly involved with any consulting firm. Additionally, this individual will be independent without any material relationship with the PBSD, the Pelican Bay Foundation or Collier County government.

The review of the Clam Bay Data Collection and Analysis Report is proposed to be conducted at the beginning of the development of the water flushing/circulation model. It is also recommended that the cost of this effort be split between the PBSD and CZM. The current financial commitment from the PBSD is only for the PBS&J report evaluation. After the peer review of the Final PBS&J report is completed and distributed, the PBSD will consider participating in the peer review of other studies or reports that includes the Clam Bay NRPA.

### **Consideration**

A thorough review of the PBS&J report should involve a number of critical sciences. Among others, these disciplines would involve water quality, marine biology, modeling/hydrology, geology, and natural estuary/ecosystems.

The water quality expertise that is required for the PBS&J report is not just the review and analysis to state standards but also expertise with respect to the proactive development of our specific water quality standards for the Clam Bay estuary system and the establishment of our own multi-year estuary management program that will address critical water quality issues as opposed to having FDEP establish solutions. While other skill sets are important, the vast majority of the reviewer expertise needs to be focused in these discipline areas.

**Activities to be performed during this Peer Review**

1. Review, analysis and critique of the Clam Bay System Data Collection and Analysis report dated October 2009 performed by PBS&J to include:
  - Analysis of all available historical data including the Services Division's historical data/information.
  - Accuracy and sufficiency of the data collection efforts undertaken in the development of the PBS&J Clam Bay System Data Collection and Analysis report given the fragile nature of the Clam Bay NRPA, the contracting constraints and ability to augment data with future collection.
  - Accuracy of methodologies used in the Clam Bay System Data Collection and Analysis Report performed by PBS&J.
  - Appropriateness of findings, conclusions, recommendations, and summary of the report.

**Evaluation of Proposals**

Already pre-identified candidates by the PBS&J and CMZ/CAC will be solicited to submit credentials and proposals to perform a Peer Review of the PBS&J Data Collection and Analysis report. The Collier County purchasing department would confirm with the PBS&J Chairman and the CAC Chairman the proposed list of candidates to be approached and then initiate this solicitation. Solicitations for RFP to each candidate will be recorded onto a log and the log provided to PBS&J and CMZ/CAC. All proposals will be jointly evaluated and must be acceptable to both Collier County Coastal Zone Management /CAC and the Pelican Bay Services Division.

The Evaluation and Selection process is outlined as follows:

1. Candidates will submit their qualifications, experiences, related work history and schedule for consideration. This summary should not be more than 4 pages in total length and focus on water quality, marine biology, hydrology, geology, and natural estuary/ecosystems.
2. Selection will be based on a total composite score. This score will be based on knowledge, experience, work history and background in similar ecosystems as per the criteria listed in item one above. Schedule will also be considered in this evaluation.
3. The Pelican Bay Services Division will perform their own independent evaluation and submit their three top candidates for discussion. Coastal Zone Management/CAC will do the same. The six potential candidates will be jointly evaluated by a committee consisting of The Chairman of the Pelican Bay Services Division, the Vice Chair of the Pelican Bay Services Division, and the director/Manager of the Pelican Bay Services Division, the Chairman of the CAC, the Vice Chair of the CAC and the Director of the CZM. This group will select and recommend the final candidate.
4. The final selection must be approved by both the Pelican Bay Services Division board and the CZM/CAC. The final candidate will also be approved by the BCC.

## Clam Bay Estuary Peer Review Scope of Work

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### Background

During their regular December 15, 2009 meeting, the Board of County Commissioners approved an independent peer review of the **October 2009 PBS&J report and the** work required to complete the development of a comprehensive management plan for the Clam Bay Estuary.

Specifically, the BCC authorized that a recognized expert perform an independent review of the **Final October 2009** Clam Bay System Data Collection and Analysis Report recently completed by PBS&J. To complete this analysis, a thorough review of all available **historical** water quality data including the Pelican Bay Services Division (PBSD) historical water quality data is required. This expert, jointly selected by PBSD and Coastal Zone Management (CZM), will be from an academic, university, **or** research institute ~~or national estuary program~~ and not directly involved with any consulting firm. Additionally, this individual will be independent without any material relationship with the PBSD, the Pelican Bay Foundation or Collier County government.

The review of the Clam Bay Data Collection and Analysis Report is proposed to be conducted **at the beginning of** ~~early in~~ the development of the water flushing/circulation model. It is also recommended that the cost of this effort be split between the PBSD and CZM. ~~Although The current~~ **current** financial commitment from the PBSD is only for the **PBS&J** report evaluation. ~~the intent is to have the PBSD participate in Water Circulation/Flushing Modeling Program review along with any development of the management plan(s) that may be created~~ **After the peer review of the Final PBS&J report is completed and distributed, the PBSD will consider participating in the peer review of other studies or reports** that includes the Clam Bay NRPA.

### Consideration

A thorough review of the PBS&J report should involve a number of critical sciences. Among others, these disciplines would involve water quality, marine biology, modeling/hydrology, geology, **and** natural estuary/ecosystems. ~~and with respect to the proposed water flushing/circulation model program a comprehensive and through knowledge of water quality and Florida water quality standards/guidelines along with modeling, modeling data and collection methodologies.~~

The water quality expertise that is required **for the PBS&J report** ~~here~~ is not just the review and analysis to state standards but also expertise with respect to the proactive development of our specific water quality standards for the Clam Bay estuary system and the establishment of our own multi-year estuary management program that will address critical water quality issues as opposed to having FDEP establish solutions. While other skill sets are important, the vast majority of the reviewer expertise needs to be focused in these discipline areas.

**Activities to be performed during this initial Peer Review**

1. Review, analysis and critique of the Clam Bay System Data Collection and Analysis report dated October 2009 performed by PBS&J to include:
  - Analysis of all available historical data including the Services Division's historical data/information.
  - **Accuracy and** sufficiency of the data collection efforts undertaken in the development of the PBS&J Clam Bay System Data Collection and Analysis report given the fragile nature of the Clam Bay NRPA, the contracting constraints and ability to augment data with future collection. ~~and the applicability of using the collected data in the proposed water circulation/flushing model program.~~
  - **Accuracy of** methodologies used in the Clam Bay System Data Collection and Analysis Report performed by PBS&J.
  - **Appropriateness of** findings, ~~and~~ conclusions, **recommendations, and summary** of the report.

**Evaluation of Proposals**

**Already** pre-identified candidates **by the PBS&J and CMZ/CAC** will be solicited to submit credentials **and proposals** to perform a Peer Review of the PBS&J Data Collection and Analysis report. ~~Only pre-identified candidates will be allowed to submit proposals for evaluation.~~ The Collier County purchasing department would **confirm with the PBS&J Chairman and the CAC Chairman the proposed list of candidates to be approached and then** initiate this solicitation. **Solicitations for RFP to each candidate will be recorded onto a log and the log provided to PBS&J and CMZ/CAC.** All proposals will be jointly evaluated and must be acceptable to both Collier County Coastal Zone Management /CAC and the Pelican Bay Services Division.

The Evaluation and Selection process is outlined as follows:

1. Candidates will submit their qualifications, experiences, related work history and schedule for consideration. This summary should not be more than 4 pages in total length and focus on water quality, marine biology, hydrology, geology, **and** natural estuary/ecosystems. ~~and with respect to the proposed water flushing/circulation model program a comprehensive and thorough knowledge of water quality and Florida water quality standards/guidelines along with modeling, modeling data and collection methodologies.~~
2. Selection will be based on a total composite score. This score will be based on knowledge, experience, work history and background in similar ecosystems as per the criteria listed in item one above. Schedule will also be considered in this evaluation.
3. The Pelican Bay Services Division will perform their own independent evaluation and submit their three top candidates for discussion. Coastal Zone Management/CAC will do the same. The six potential candidates will be jointly evaluated by a committee consisting of The Chairman of the Pelican Bay Services Division, the Vice Chair of the Pelican Bay Services Division, and the director/Manager of the Pelican Bay Services Division, the Chairman of the CAC, the Vice Chair of the CAC and the Director of the CZM. This group will select and recommend the final candidate.
4. The final selection must be **approved by** ~~acceptable to~~ both the Pelican Bay Services Division **board** and the CZM/CAC. The final candidate will **also** be approved by the BCC.

-----Original Message-----

From: John Chandler [mailto:jpcbac@comcast.net]  
Sent: Monday, July 12, 2010 3:07 PM  
To: ResnickL  
Subject: RE: Peer Review (of PBS&J Report) Scope of Work

Lisa,

I am comfortable with both the draft for the Peer Review Scope of Work and the draft for the Concerns about the Clam Bay Estuary Modeling Study.

John Chandler

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From: ResnickL [mailto:LResnick@colliergov.net]  
Sent: Thursday, July 08, 2010 4:54 PM  
To: Geoffrey S. Gibson (josiegeoff@aol.com); Hunter H. Hansen (Hunter.Hansen@hilton.com); Johan (John) Domenie (hobodory@comcast.net); John Baron (jbaron@watersideshops.com); John Iaizzo (iaizzo@comcast.net); John P. Chandler (jpcbac@comcast.net); Keith J. Dallas (keithdallas@comcast.net); Mary Anne Womble (Teedup1@aol.com); Michael Levy (mikelevy@embarqmail.com); Theodore Raia (tedraia@yahoo.com); Tom Cravens (nfn16799@naples.net)  
Cc: McCaughtryMary; lukasz\_k; Jim Powers (jim@dmgfl.com)  
Subject: Peer Review (of PBS&J Report) Scope of Work

On behalf of Chairman Dallas, please see below and attached.

-----Original Message-----

From: Keith Dallas [mailto:keithdallas@comcast.net]  
Sent: Thursday, July 08, 2010 1:29 PM  
To: ResnickL  
Cc: Neil Dorrill  
Subject: Peer Review Scope of Work

Lisa,

Would you please email this out to PBS&J Board members and other interested members of the Pelican Bay community. Attach the 4 items mentioned below.

As was agreed at yesterday's PBS&J meeting, we will revise the draft of the Peer Review Scope of Work as presented at the meeting to include PBS&J Board members and other interested parties comments received by July 19th.

Items to be included with this email are:

- \* Draft of Peer Review Scope of Work as presented to PBS&J July 7, 2010
- \* Draft of letter titled Concerns about Clam Bay Estuary Modeling Study dated July 7, 2010
- \* Motion passed by Board of Collier County Commissioners April 2008 regarding Clam Bay
- \* Motion passed by Board of Collier County Commissioners December 15, 2009 regarding peer review of PBS&J Report of October 2009

Interested individuals are encouraged to submit comments on the scope of work draft and the draft of our concerns letter. General comments and concerns are helpful, but the most useful comments are those which propose specific language changes. Those persons who commented on an earlier draft should revise where appropriate and resubmit comments. The intent is to consolidate where feasible the various comments into the drafts, and then smooth the language for readability.

As we agreed, comments must be received by Lisa Resnick by Monday July 19th to be included in the revised draft. The following schedule will apply:

- \* Comments received at PBS&J office by Monday July 19, 2010
- \* Revised drafts incorporating comments prepared for August PBS&J meeting
- \* Revised draft of Peer Review Scope of Work and revised draft of Concern about Clam Bay Estuary Modeling Study will be included in package with proposed agenda for Regular PBS&J meeting of August 4, 2010, entire package to be available Monday July 26, 2010.

Please send the comments only to Lisa Resnick at the above address. Do not copy to PBS&J Board members since this could be considered in violation of Sunshine Rules. It is our intent to distribute the received comments along with the revised drafts as part of the August 4 PBS&J meeting package.

Our objective for the August 4, 2010 PBS&J meeting is to finalize these two drafts, recognizing that our initial discussions on Peer Review of the PBS&J Report started in December 2009, and to not finalize these drafts on August 4th would give our critics ample ammunition to say that Pelican Bay is not being cooperative. We have put enormous effort into this peer review concept to date, and I would hate to see it end in failure because of an inability to agree on specific language. Writing by committee is never easy, but with the right attitude, we should be able to move on in this process.

Keith

Lisa Resnick  
Administrative Assistant  
Pelican Bay Services Division  
A Municipal Service Taxing & Benefit Unit of Collier County Florida  
801 Laurel Oak Drive, Suite 605  
Naples, FL 34108  
Tel. 239.597.1749  
Fax 239.597.4502  
[lresnick@colliergov.net](mailto:lresnick@colliergov.net)  
<http://pelicanbayservicesdivision.net> <<http://pelicanbayservicesdivision.net/>>

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Submitted  
by T. Cravens  
7/7/10  
Pelican Bay  
Services Division  
Board meeting

Clam Bay Estuary  
Peer Review Scope of Work

Suggestions for improvements to the PBS&J Draft Peer Review Scope of Work to more closely reflect the discussion and member comment at the PBS&J June 2, 2010 meeting:

**Background**

First paragraph - add "NRPA" to end of sentence, to read Clam Bay Estuary NRPA.

Second paragraph, second sentence - remove water quality and replace with "historical". The sentence would be stated ...review all available historical data.  
Second paragraph, third sentence - remove "or national estuary program".

Third paragraph - either remove everything after the second sentence, or change the third sentence as follows - remove "Although" and place a period after evaluation. Either end it there or add a fourth sentence to state - Only after the Peer Review of the PBS&J "Clam Bay Data Collection and Analysis" is done, would PBS&J consider participating in further Review on additional Clam Bay reports, or studies, The PBS&J will not commit to any additional participation until this first Peer Review selection process for a reviewer is complete and the result of the Peer Review provided to the PBS&J Board.

**Consideration**

First paragraph, second sentence - remove everything after natural estuary/ ecosystems, as it's redundant due to "water quality" already mentioned in the first sentence. The PBS&J is not at this time committing to anything other than what is necessary for the Independent Peer Review of the Clam Bay Data Collection and Analysis report.

Second paragraph - remove entire paragraph for reasons already stated. The PBS&J reserves the ability to participate on further participation until after this Peer Review is done.

**Activities**

Second bullet- Add "accuracy and" to start of sentence. To state Accuracy and sufficiency of the data collection efforts... Place a period after the word report. No excuses or allowances should be built into the Review for lack or failure of the report's sufficiency or accuracy.

Third bullet - Add "accuracy and sufficiency of" to start of sentence. To state Accuracy and Sufficiency of Methodologies used...

Fourth bullet - Add "Appropriate" to start of sentence and add " recommendations, and summary that is attached to the report " at end of sentence. To state,

Appropriate findings, conclusion, recommendations and summary that is attached to the report.

### **Evaluation of Proposals**

First paragraph, first sentence - add "Already" to start of sentence and "by the PBSB and CMZ/CAC". Add "and proposals" after credentials.

Second sentence - remove entirely. Third sentence - add in conjunction with the PBSB Chairman and CAC Chairman approvals of the list containing those candidates being solicited by the Purchasing Department. Solicitations for RFP to each candidate will be recorded onto a log and the log provided to the PBSB and CZM/CAC.

Item 1. - second sentence - add "Florida water quality standards/guidelines" and a period after natural estuary/ecosystems. Remove remainder of sentence.

Item 2. - second sentence - place period after ecosystems and remove remainder of that sentence. Leave third sentence as is.

Item 3. - Third sentence - add "full PBSB Board and Full CAC Board", after jointly evaluated by... To read The six potential candidates will be jointly evaluated by the Full PBSB Board and Full CAC Board. Remove everything else after this sentence.

submitted by Tom Cravens, for July 7, 2010 PBSB meeting

ResnickL

Subject: RE: A favor

-----Original Message-----

From: Gwen Rasiwala [mailto:grasiwala@pelicanbay.org]  
Sent: Thursday, July 15, 2010 6:35 PM  
To: ResnickL  
Subject: Fw: A favor

Gwen O. Rasiwala  
Community Center Manager  
Community Center at Pelican Bay  
239-597-8877 ext 101

From: Johan Domenie <hobodory@comcast.net>  
To: Gwen Rasiwala  
Sent: Thu Jul 15 17:44:13 2010  
Subject: A favor

I am having trouble communicating by e-mail with Lisa Resnick at the PBS&D>

Could you forward the following to her from me, please?

Thanks

John

Suggested changes as requested:

"BACKGROUND

Proposed wording for the first paragraph:

"During their regular December meeting, the Board of Collier County Commissioners approved an independent peer review of the work performed (dated.....) by PBS&J. This peer review must be completed and approved by the PBS&D and the Coastal Zone Management prior to the development of a comprehensive management plan of the Clam Bay NRPA. Such a future comprehensive management plan of the NRPA excludes the bays to the south: Venetian Bay & Moorings Bay."

Question: why should the PBS&D contribute financially to any studies being made in the city's bays?????

Specifically the BCC authorized the following Resolution:

"....."

To complete this peer review analysis, a thorough review of all available historical data, including the PBS&D historical data is required.

(Since I do not have the exact wording of the BCC Resolution I do not know if we have to include the following):

The selected expert, jointly selected by the PBS&D and CZM will be from an academic, university or research institute, and not directly involved with any consulting entity. This expert will be independent without any relationship with the PBS&D, the Pelican Bay Foundation or Collier County Government.

In the second paragraph eliminate "early in the development" and substitute "before". I realize that some of the work for the development of the water flushing/circulation model has started, but I do not understand how this work can proceed if the available data is incorrect or not available.

In the next to the last line of the second paragraph insert "peer" after the word "Program".

Do we need the last paragraph on page One?

At the top of page two eliminate the word “initial”.

Shouldn't the first line read: “1.- Review, analyze and critique....” Not “analysis”.

Should we also include any data developed by Turrell Hall and Humiston & Moore??

Should “Clam Bay System” be defined – again???

Just some thoughts

John

ResnickL

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From: Mike Levy [mikelevy@embarqmail.com]  
Sent: Friday, July 16, 2010 5:10 PM  
To: ResnickL  
Subject: Clam Bay Estuary Peer Review Scope of Work  
Attachments: scan0001.pdf

**August 4, 2010 - 6 a**

***Pelican Bay Services Division Board Regular  
Finalize Scope of Work for Peer Review of PBS&J Report***

**Page 12 of 20**

Attached please find my comments to the July 1, 2010 - Rev. 5 Scope of Work.

Mike Levy  
[mikelevy@embarqmail.com](mailto:mikelevy@embarqmail.com)

**Clam Bay Estuary Peer Review Scope of Work**

**Background**

Change first paragraph to read:

During their regular December 15, 2009 meeting, the BCCC's approved an independent peer review of the Clam Bay System Data Collection and Analysis Report prepared by PBS&J and dated October, 2009. Furthermore, the approval motion states that the independent expert is to be jointly selected by Coastal Zone Management and the Pelican Bay Services Division.

Second Paragraph:

Delete 1'st sentence. Remove "national estuary program" from 3'rd sentence. Add two sentences to the end, "Ideally, the peer review should be completed before a Water Circulation/ Flushing Modeling Program is undertaken by Coastal Zone Management. In any case, it should be undertaken as soon as possible."

Delete the Third Paragraph.

**Considerations**

First Paragraph:

End the second sentence as follows: "-----geology, natural estuary/ecosystems." (PBSD is not part of the water flushing/ circulation model program).

Delete the Second Paragraph.

**Activities to be performed during the Peer Review**

I agree with the changes proposed by Tom Cravens in his email for the July 7, 2010 PBSD Board Meeting.

**Evaluation of Proposals**

First Paragraph; no comment.

Item 1. End the second sentence as follows: "-----marine biology, hydrology, geology, and natural estuary/ ecosystems." (The reference to the water flushing/ circulation model program has been deleted).

Item 3. I am in agreement with Tom Cravens email distributed at the PBSD July 7, 2010 board meeting.

Mike Levy Comments 16 July 2010

Subject: RE: friendly reminder...

-----Original Message-----

From: Theodore Raia [mailto:[tedraia@yahoo.com](mailto:tedraia@yahoo.com)]  
Sent: Monday, July 19, 2010 12:30 PM  
To: ResnickL  
Subject: Re: friendly reminder...

Lisa,

I thought I sent my priority list. I don't have any comments about the peer review except that I am more concerned about the actions of Steve Feldhaus and the foundation committee. I will be at the August meeting.

Ted

--- On Mon, 7/19/10, ResnickL <[LResnick@colliergov.net](mailto:LResnick@colliergov.net)> wrote:

From: ResnickL <[LResnick@colliergov.net](mailto:LResnick@colliergov.net)>

Subject: friendly reminder...

To: "Geoffrey S. Gibson ([josiegeoff@aol.com](mailto:josiegeoff@aol.com))" <[josiegeoff@aol.com](mailto:josiegeoff@aol.com)>, "Hunter H. Hansen ([Hunter.Hansen@hilton.com](mailto:Hunter.Hansen@hilton.com))" <[Hunter.Hansen@hilton.com](mailto:Hunter.Hansen@hilton.com)>, "Johan (John) Domenie ([hobodory@comcast.net](mailto:hobodory@comcast.net))" <[hobodory@comcast.net](mailto:hobodory@comcast.net)>, "John Baron ([jbaron@watersideshops.com](mailto:jbaron@watersideshops.com))" <[jbaron@watersideshops.com](mailto:jbaron@watersideshops.com)>, "John Iaizzo ([iaizzo@comcast.net](mailto:iaizzo@comcast.net))" <[iaizzo@comcast.net](mailto:iaizzo@comcast.net)>, "John P. Chandler ([jpcbac@comcast.net](mailto:jpcbac@comcast.net))" <[jpcbac@comcast.net](mailto:jpcbac@comcast.net)>, "Keith J. Dallas ([keithdallas@comcast.net](mailto:keithdallas@comcast.net))" <[keithdallas@comcast.net](mailto:keithdallas@comcast.net)>, "Mary Anne Womble ([Teedup1@aol.com](mailto:Teedup1@aol.com))" <[Teedup1@aol.com](mailto:Teedup1@aol.com)>, "Michael Levy ([mikelevy@embarqmail.com](mailto:mikelevy@embarqmail.com))" <[mikelevy@embarqmail.com](mailto:mikelevy@embarqmail.com)>, "Theodore Raia ([tedraia@yahoo.com](mailto:tedraia@yahoo.com))" <[tedraia@yahoo.com](mailto:tedraia@yahoo.com)>, "Tom Cravens ([nfn16799@naples.net](mailto:nfn16799@naples.net))" <[nfn16799@naples.net](mailto:nfn16799@naples.net)>

Date: Monday, July 19, 2010, 11:47 AM

Just a friendly reminder if you haven't turned in your community improvement plan priorities form, or comments regarding the peer review, please send them to me as soon as you can. Thanks, Lisa

Lisa Resnick

Administrative Assistant

Pelican Bay Services Division

A Municipal Service Taxing & Benefit Unit of Collier County Florida

801 Laurel Oak Drive, Suite 605

Naples, FL 34108

Tel. 239.597.1749

Fax 239.597.4502

[lresnick@colliergov.net](mailto:lresnick@colliergov.net)

<http://pelicanbayservicesdivision.net> <<http://pelicanbayservicesdivision.net/>>

August 4, 2010

Mr. John Sorey III, Chairman  
Coastal Advisory Committee  
City of Naples  
220 Gulfshore Blvd. N  
Naples, FL 34102

Mr. Anthony Pires, Chairman  
Clam Bay Subcommittee of CAC  
209 Madison Drive  
Naples, FL 34108

RE: Concerns about Clam Bay Estuary Modeling Study

Dear Sirs:

The Pelican Bay Service Division Board is concerned that any assumptions used in the proposed Clam Bay Estuary Modeling Study be fully vetted and only be used after the Clam Bay System Data Collection & Analysis Final Report completed in October 2009 by PBS&J has been properly peer reviewed in its entirety. The results of any modeling are only as valid as the reliability of its input data.

For instance, one of the criticisms of the PBS&J Report to date has questioned the very limited and unreliable tidal data collected within Clam Pass. The PBS&J Report concluded the data unreliable, and assumed it was similar to data collected in the Gulf in much deeper water. We feel such extrapolated data should be carefully peer reviewed before it becomes the basis of the Modeling Study.

We encourage that this entire process be carefully vetted at each phase and the assumptions for future phases only be finalized after there is general agreement among experts as to the reasonableness of the results of each prior phase. To do otherwise will only serve to cast doubt on the validity of the final conclusions.

Another concern of the Services Division is the way the Clam Bay Estuary has been defined to include bodies of water extending south to Doctor's Pass. In the past, Clam Bay consisted only of the NRPA. We are concerned that actions taken to improve the water quality of Venetian Bay and Moorings Bay might harm the water quality of the Clam Bay NRPA. We therefore urge that any actions initiated because of subsequent studies only be taken after careful consideration of the fragile nature of the Clam Bay NRPA and the possibility of unintended consequences.

Sincerely,

Keith J. Dallas, Chairman  
Pelican Bay Services Division Board

Cc: Leo Ochs  
Gary McAlpin

August 4, July 7, 2010

Mr. John Sorey III, Chairman  
Coastal Advisory Committee  
City of Naples  
220 Gulfshore Blvd. N  
Naples, FL 34102

Mr. Anthony Pires, Chairman  
Clam Bay Subcommittee of CAC  
209 Madison Drive  
Naples, FL 34108

RE: Concerns about Clam Bay Estuary Modeling Study

Dear Sirs:

The Pelican Bay Service Division Board is concerned that any assumptions used in the proposed Clam Bay Estuary Modeling Study be fully vetted and only **be used** finalized after the Clam Bay System Data Collection & Analysis Final Report completed in October 2009 by PBS&J has been properly peer reviewed in its entirety. The results of any modeling are only as valid as the reliability of its input data.

For instance, one of the criticisms of the PBS&J Report to date has questioned the very limited and unreliable tidal data collected within Clam Pass. The PBS&J Report concluded the data unreliable, and assumed it was similar to **data** ~~date~~ collected in the Gulf in much deeper water. We feel such extrapolated data should be carefully peer reviewed before it becomes the basis of the Modeling Study.

We encourage that this entire process be carefully vetted at each phase and the assumptions for future phases only be finalized after there is general agreement among experts as to the reasonableness of the results of each prior phase. To do otherwise will only serve to cast doubt on the validity of the final conclusions.

Another concern of the Services Division is the way the Clam Bay Estuary has been defined to include bodies of water extending south to Doctor's Pass. **In the past, Clam Bay consisted only of the NRPA.** Although definitions by themselves are probably not important, We **are concerned** worry that somehow future projects **actions taken** to improve **the** water quality in the greater Clam Bay extending to Doctor's Pass **of Venetian Bay and Moorings Bay** might ultimately harm the water quality of **the** Clam Bay **NRPA**, as traditionally defined by the Services Division. We therefore urge that any actions initiated because of subsequent studies only be taken after careful consideration of the fragile nature of **the** Clam Bay **NRPA** and the possibility of unintended consequences.

Sincerely,

Keith J. Dallas, Chairman  
Pelican Bay Services Division Board

Cc: Leo Ochs  
Gary McAlpin

**Lisa:**

**I refer to the proposed letter to Sorey & Pires.**

**In the second paragraph I believe there is a misprint: “date” should read “data”.**

**In the last paragraph I would eliminate the word “traditional” and just state “Clam Bay as defined by the BCC in April 2008” Provided that is the correct definition.**

Thanks  
  
John

July 7, 2010

2/19

Mr. John Sorey III, Chairman  
Coastal Advisory Committee  
City of Naples  
220 Gulfshore Blvd. N  
Naples, FL 34102

Mr. Anthony Pires, Chairman  
Clam Bay Subcommittee of CAC  
209 Madison Drive  
Naples, FL 34108

RE: Concerns about Clam Bay Estuary Modeling Study

Dear Sirs:

The Pelican Bay Service Division Board is concerned that any assumptions used in the proposed Clam Bay Estuary Modeling Study be fully vetted and only finalized after the Clam Bay System Data Collection & Analysis Final Report completed in October 2009 by PBS&J has been properly peer reviewed in its entirety. The results of any modeling are only as valid as the reliability of its input data.

BEBB

For instance, one of the criticisms of the PBS&J Report to date has questioned the very limited and unreliable tidal data collected within Clam Pass. The PBS&J Report concluded the data unreliable, and assumed it was similar to data collected in the Gulf in much deeper water. We feel such extrapolated data should be carefully peer reviewed before it becomes the basis of the Modeling Study.

DATA

We encourage that this entire process be carefully vetted at each phase and the assumptions for future phases only be finalized after there is general agreement among experts as to the reasonableness of the results of each prior phase. To do otherwise will only serve to cast doubt on the validity of the final conclusions.

Another concern of the Services Division is the way the Clam Bay Estuary has been defined to include bodies of water extending south to Doctor's Pass. Although definitions by themselves are probably not important, we worry that somehow future projects to improve water quality in the greater Clam Bay extending to Doctor's Pass might ultimately harm the water quality of Clam Bay as traditionally defined by the Services Division. We therefore urge that any actions initiated because of subsequent studies only be taken after careful consideration of the fragile nature of Clam Bay and the possibility of unintended consequences.

Sincerely,

BCC ON APRIL 2008

Keith J. Dallas, Chairman  
Pelican Bay Services Division Board

Cc: Leo Ochs  
Gary McAlpin

ResnickL

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From: Mike Levy [mikelevy@embarqmail.com]  
Sent: Friday, July 16, 2010 3:51 PM  
To: ResnickL  
Subject: Concerns about Clam Bay Estuary Modeling Study  
Attachments: scan0001.pdf

Attached please find my take on the draft "Concerns About Clam Bay Estuary Modeling Study". I have changed the title to "Peer Review of PBS&J Report dated-----" and have added another dimension to the letter; that PBS&J would like to get the peer review underway, but are faced with language attempting to enlarge the task to include water circulation modeling and an overall Clam Bay Management Plan. The attached draft reflects my concern that an attempt is being made to make it look like PBS&J is part of the overall Clam Bay project; that we are not and want to get the peer review of the PBS&J Report underway as we originally proposed and was approved by the BCCC.

Mike Levy  
[mikelevy@embarqmail.com](mailto:mikelevy@embarqmail.com)

To: John Sorey 111, Chairman Coastal Advisory Committee

Anthony Pires, Chairman Clam Bay Subcommittee of CAC

Subject: Peer Review of PBS&J Clam Bay System Data Collection Analysis Report dated October, 2009.

Dear Sirs:

PBSD has serious concerns regarding the validity of the methodology and conclusions of subject report. Our concerns are further heightened as this report is apparently being used as the basis of a Clam Bay Water Circulation/Flushing Modeling Program and possibly further work in Clam Bay. Accordingly we proposed, and the county agreed to a jointly sponsored PBSD/ CZM peer review of *subject report*. The BCCC approved the joint peer review of subject report on December 15, 2009 and we would very much like to see it underway. We are troubled that the flawed subject report is being used by PBS&J as the basis for further studies in Clam Bay, paid for by Collier County Taxpayers. The results of any modeling are only as valid as the reliability of its input data.

So what is holding up getting the Peer Review of subject report underway? From our point of view, it is language added into each draft Scope of Work that attempts to include a Water Circulation/Flushing Modeling Program as well as the development of a comprehensive management plan for Clam Bay. The implication being that somehow PBSD is a part of this overall effort. This is simply not true; PBSD is not in any way part of the CAC activities in Clam Bay. We simply asked for a peer review of subject report, strongly support the BCCC approval of same, and would like to see it underway. We would like to finalize the Peer Review Scope of Work with the CAC (without added tasks). The PBSD Board has approved only a peer review of the subject PBS&J report.

Another concern of the PBSD is that the CAC is using the term Clam Bay to include bodies of water extending south to Doctor's Pass. In the past, Clam Bay consisted only of the NRPA. We are concerned that actions taken to improve the water quality of Venetian Bay and Moorings Bay might harm the water quality of the Clam Bay NRPA. As you may be aware, Pelican Bay residents spend in the area of \$1M a year to maintain the water quality of the Clam Bay NRPA. We therefore urge that any actions initiated because of subsequent studies only be taken after careful consideration of the fragile nature of Clam Bay NRPA, and the possibility of unintended consequences.

Sincerely,

Keith J. Dallas, Chairman PBSD

Cc: Leo Ochs, Gary McAlpin