

Technical Paper No. 61

**WATERFRONT DEVELOPMENT AND UTILIZATION
IN FLORIDA:
AN ISSUES AND PROBLEMS IDENTIFICATION WORKSHOP**

Proceedings

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Florida Sea Grant Publication

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Workshop Background and Purpose

Competition for and conflict over shoreline use and access is a nation-wide concern and is particularly acute in Florida. Estimates place Florida's burgeoning population at 16 million residents by the year 2000 with up to 85 percent of all new residents seeking a coastal county location. With ever-shrinking land resources available for new coastal development, greater pressure has been exerted to convert existing waterfront development to alternative uses.

In the process of tearing down and building back up, something which used to be is lost and something is gained. Herein lies the source of conflict over waterfront development and utilization in Florida. To some, conversion of waterfront property to "nontraditional" uses represents a loss or the breaking of a link to Florida's cultural past. To others, waterfront conversion represents progress, growth, a step forward toward Florida's future. Questions over who should have access to waterfront land and to what uses waterfront land should be put will continue to be a matter for public debate.

Issues and questions revolving around appropriate uses of the waterfront prompted Florida Sea Grant to include waterfront issues in its long range comprehensive plan of work for the Marine Extension Program. At the outset, however, questions remained as to what are the most pressing issues, what are the information needs, and who are the

clients for Sea Grant research and extension programs pertaining to waterfront use? To begin to answer these questions on waterfront utilization issues and problem identification, a workshop was held at the Miami River Inn, Miami, Florida on October 25-26, 1990.

The purpose of the workshop was to bring representatives from a diverse group of actors in the waterfront planning and decision making process together to discuss the big issues and information needs and help Florida Sea Grant identify its role in that process. The invitation-only workshop consisted of a half day session of invited speakers followed by an afternoon and one-half of the next morning in five different working sessions. Each working session was headed by a discussion leader for the prescribed topic. Workshop participants were initially assigned to a working group but were free to move among the different working groups at their discretion.

This document provides a proceedings of the workshop. Invited speakers remarks were recorded, transcribed, and edited for publication purposes. A summarist was designated to give a synopsis of the findings of each workshop session. The remarks of each summarist were also transcribed and edited. Finally, conclusions and recommendations based on the workshop proceedings are presented for Sea Grant research and extension programming consideration.

The Changing Nature of Florida's Waterfront

Beth Dunlop, Miami Herald

My interest in Florida's waterfront goes back as far as my childhood when I first started coming to Florida on winter vacations. This interest certainly has peaked during the years that I have been the Miami Herald architecture writer. More than almost anything else, I end up writing about public project conflicts; whether they are conflicts over the way a street should be used or conflicts over the way the waterfront should be developed.

I began researching Florida's past in 1986 for a Miami Herald series that was entitled "Vanishing Florida". The series later became a book and then later became a Channel 2 public television documentary. Channel 2 went across Florida and got some remarkable film footage that shows both the devastation of the waterfront and evokes images of the past. Within my memory and certainly within the memory of everyone here, Florida's waterfront was really a very simple proposition. There were beaches and they were for swimming. There were fishing villages and they were for fishing. There were marinas and they were for boats. There were dry docks and they were for boats that were not in the water. There were cottages and they were for living and these were simple picturesque places on a small scale.... places that you could savor close up. They were not for our fast paced lives, running from place to place such as coming in from a conference and leaving a conference. Like me and like many of you here, we are juggling all sorts of things.

The research I did was, I think, unusual. This discussion is not necessarily intended for an academic group, I didn't do demographic research and I didn't do pure historical research. I was more interested in finding out what Florida looked like and how people perceived it. I read travelogues. I read those WPA guides of Florida. I read real estate brochures. I read tourist brochures. I read cook books. I read letters and anything else I could find that was descriptive. My house was more unlivable than usual because I filled legal pad after legal pad with names of places and descriptions of places. My editors thought I was insane, which they usually think that I am anyway, but I kept finding out more and more about Florida. Some of my discovery was names of places that I had never heard of and some which had actually vanished! I wanted to get not just an idea of how Florida looked (the time period

I used was essentially from 1870 to the present) but I wanted to see how people thought it was, how people perceived it and how they responded to it. There's the reality of a place, the physical reality and the perceived reality, and I think both are really quite valid. And I know of no other place where that perception of reality is more emotive than at the waterfront where the land meets the water.

I had my personal memories of course. Unlike many families, I grew up in a sailing family. We came to Coconut Grove and stayed in one of those little motels on the bluff there to buy a boat. I know it sounds odd but of my many memories of my childhood in Florida, wandering through those big marinas was absolutely magical. Maybe if you haven't grown up as a toddler being dragged to boat shows and seeing huge sail boats when you were this tall it wouldn't seem so fabulous. At any rate I then set out to find what was left of this Florida, this perceived and old Florida, and certainly much of my time was spent going along the waterfront.

I drove along much of the Gulf Coast, much of the Atlantic Coast, and part of the way down the St. Johns River. Again, it wasn't scientific. I had already picked out places I was looking for and places I wasn't interested in. There were places I knew were worth going to and places I didn't think I needed to see. It was not journalistic in the traditional sense of journalism. It was much more of a quest, an emotional, almost impressionistic, quest. I had my expectations. I was open to being pleasantly surprised and in fact I found places that absolutely blew me away, like Apalachicola. The most beautiful and the most provocatively difficult place in Florida, to my mind, because it is so extraordinary and so out of the way and so poor and so ripe for exploitation by the development and tourist interests that are marching along the Panhandle.

For those of you that aren't familiar with Apalachicola, it was a cottage shipping town that grew to be very prosperous in the early 1800s. Then it became a mill and millwork shipping town in the late 1800s. The result of all of that is there are incredible houses. From the prosperous shippers' houses to the little tiny fishing cottages with beautiful millwork and all. Apalachicola then became a fishing town, subject to all the vagaries of the oyster industry. Apalachicola stayed poor enough that it didn't change to any particular degree during the

20th century unlike something comparable over on the Atlantic Coast. So it sat there in all its little pristine beauty, poor for many, many years. Its a really fascinating place. Apalachicola may serve as the best case study of the past, present, and future of the Florida waterfront.

As I traveled, however, for every pleasant surprise there was a disappointment. Beaches washed away, small cottages and houses replaced by bigger and more pretentious buildings. One of my favorites as a get away spot from Miami is Ft. Myers Beach. There I'm always so amused by the fact that all the new condos and new hotels on Ft. Myers Beach have Hawaiian sounding names. The Hawaiian names try to evoke Hawaii. Lani Hani, Lani Kai, Kulua and, my favorite, Kiwi, which creates an image of this fuzzy place all green inside. I have come to realize that the process of tearing down and rebuilding is certainly an age old proposition. Miami Beach, for example, is not something uniquely of our time but something we have been grappling with and will continue to be grappling with for many years to come. In Miami Beach the process of tearing down and rebuilding began decades ago.

I think one of the realities that has helped over the history of Florida is that land and even the most precarious and presumably unbuildable land, such as marshes, sand dunes, swamps, has always had a value beyond our expectations and certainly beyond the value of what is built on it. It is a real continuing and perpetual crisis of historic preservation. Of course no where is this more true than of the waterfront because waterfront land is often even more valuable than land not along the waterfront. I almost need not say this but it's not just the ocean, bays, river inlets, and manmade canals. The irony is that people in Florida came and dredged swamps and made manmade waterways which then have become so valuable that the reason that they made those waterways was no longer considered to be valid.

I was fascinated in my exploration of the more recent Florida history when I encountered the kind of weird and intriguing sagas of conflict in Everglades City and Cortez, where in the fishing industry the catch of the day was often marijuana--not fish. I found the whole evolution of fishing villages as hotbeds of smuggling to be so fascinating, but also really sad. I found that the kind of institutionalized need "for more" permeates all levels of society. Smuggling marijuana is illegal, but I know

some "illegal" condominiums on the Atlantic Ocean waterfront. Who is to say which one is worse than the other. They are just different manifestations of the same institutionalized American impulse to get richer.

I think what also has happened over the years, and I think this is more true over the last couple of decades, is that something odd has happened in planning. The terms "highest" use and "best use" have become synonymous where they used to be "and/or". The highest use is not always the best use but now the given wisdom in politics is often that the highest and best use are exactly the same thing. For those of you who live in Dade County I discovered that the most fascinating show on TV is the Dade County zoning hearings. I kid you not, they make a fascinating study of politics and a fascinating tale of our time. A friend of mine who's a screen writer said, "You know, no one can write dialogue like that." It is really quite incredible but you can pluck a single study, a single case out of those hearings and extrapolate it and find real symbols for what has happened in Florida. This has nothing to do with the waterfront except that I think you all see where I'm going. I was watching the hearings recently and there was a guy who had bought 2 and a half acres in Kendall and had sold off 1 and a half acres of the property. However, there is a acre and a quarter minimum in this particular area, actually west Dade and not Kendall. The man then turned around and said, "I have a hardship, I only have 1 acre and I need to build 2 houses in here." The planning director recommended against it but the building and zoning director said, "Well, not only does he have a hardship, but gee, he's on this busy street and its already noisy so we think he should be able to build two houses because its already a noisy place." I then said to myself, "Wait a minute, I just don't get this. This is a busy, noisy street. So what good does it do, how does it solve the problem, to build more and put more people on the street?" But it is just that prevailing logic that has allowed for an incredible over building on much of the urbanized waterfront.

It is often true that people plead a hardship that is a figment of the imagination. I always like to think about the old children's fable, the Magic Grouper, where the fisherman goes to sea and pulls up this giant grouper. He was an impoverished fisherman living in a hovel. He brings the fish out of the sea and the fish says, "I'm a magical fish. You can have any wish you want if you just throw

me back." The fisherman throws him back and goes home and he tells his wife and she says, "Why didn't you wish for him to get us a better house?" The fisherman goes back to sea and he asks the grouper for a bigger house. He comes home and his wife says, "That isn't good enough, I need a castle." The fisherman goes back and he wishes for a castle. It goes on like that and he keeps wishing for more and finally his wife says, "Tell the magic grouper that this isn't enough. I need the sun, the moon, the stars, I need to control the universe." The magic grouper says, "I'm sorry, you've gone too far" and sends him back to his hovel. I always think, particularly along the waterfront, that sometimes the developers go in feeling like they've caught the magic grouper and it isn't enough to do something that is small. It has to be bigger and they wish for more and they wish for more until what we're left with is nothing because we've reached for too much.

Back in 1986 when I was working on the "Vanishing Florida" concept, I grew to realize that, to my despair, a great deal of the historic waterfront had been lost. I think the location of this conference - The Miami River Inn - where we are today is such a rarity. Sallye Jude has known all along that she has a jewel here. A jewel of history. For the most part, however, preservation of all that is beautiful on the waterfront is going to be an issue of re-creation from memory. On the other hand, the preservation of the working waterfront is still a very live issue and certainly a live issue in Miami. To be able to see a working river I think is in continuing jeopardy. We only need to walk a half block. Some find it ugly. I find it incredibly picturesque. I think for the working waterfront (this is true not only for the Miami River but places throughout Florida where there is a working waterfront, be it a port or an area of marinas or drydocks or places where commercial fishing industries are) the challenge is keeping the working waterfront authentic and not turning it into something that is synthetic. I think that's an issue that has emerged and has been lost in the Keys and I know that it is an issue throughout Florida.

Another of the surprises in my travels was that I had read about this adorable little fishing village in Punta Gorda. I drove up to find it and it was gone. What was there was a time-share condominium on top of a shopping mall. It was astounding, but the real fishing village was gone. The visual material I had found about this village near Punta

Gorda was that it wasn't the most beautiful fishing village anybody had ever seen. It was a working fisherman's kind of place. The major pier was a shipping pier that burned at the turn of the century and all that was left was a portion out from the harbor with shipping warehouses and all sorts of things.

Another issue, I don't exactly know what you'd call it, is the question of authenticity versus something else. As waterfront is developed, particularly with residential use in mind, the waterfront becomes something that doesn't look like the waterfront at all. I'm thinking particularly of the projects that I saw a year ago while judging an American Society of Landscape Architects Award Program. A lot of places were designed and landscaped as if they were in suburban Orlando and not on the Gulf Coast or along the river.

I think perhaps the most critical question facing the waterfront of the future is that of access, which is a problem people have grappled with ever since the waterfront began to be developed. There are a lot of issues. There is visual access and physical access and access by land and access by car and access by boat. There is no one right answer here. In Ft. Lauderdale there's a ballot question coming up about keeping A1A in perpetuity as a scenic road. I've always thought that A1A was incredibly important because it makes Ft. Lauderdale a special place. There are few other places where you drive that far along the water's edge and have that sense of the juxtaposition of building, street, golden beach, ocean. Ocean Drive is another place where you don't drive anymore, you just sort of creep along because it is incredibly popular now.

I think that another source of conflict, in what I consider is the public's right to see the water and to see the juxtaposition of the land and the water and to see the land from the water. Those of you who live in Miami and drive across the Juliett Tuttle Causeway know what has happened there as a puzzling result of Department of Transportation standards. Barricades along the sidewalks exist that are solid concrete. The vistas across the bay are no longer clear vistas. You must stand up and look over. In some places they've even barricaded higher so there is no vista. I know that this is something that is happening not only in Miami because I believe there was a comparable bridge proposed in Ft. Myers. It is a standard bridge design now from the Department of Transportation. I think throughout Florida, where a place that is so flat and

where there are so few vistas, that we've really relinquished an important opportunity to use the waterfront by letting our causeways and bridges become interstate highways. In Miami, in particular, where the causeways go across the spoil island, I look at them and think were only Frederick Olmstead alive today these causeways would be a simple park. They should be closed on Sunday for everybody but bicyclists and picnickers and fishermen. Instead, it's I 195 and it's 55 miles an hour and it absolutely makes no sense to me and it makes absolutely no sense to most people. I know this because one of the ways in which I can gauge what people think, is how long they talk about something that I've written. I once wrote a piece 3 or 4 years ago about causeways that people still talk to me about as if it were yesterday. It is an incredibly important issue.

I think that for much of Florida, the development of the waterfront is a political issue as long as that exists, as long as it remains a political issue, for all of our lifetime and in our children's lifetime, we'll be fighting the fight to find the best and not the highest use of the waterfront. We'll be fighting the fight to retain public access and visual access and aesthetic access to the waterfront. I think its something that I don't have all the answers to but I think its something that we have to come to grips with. Dade County has a shoreline review ordinance that is sometimes wonderful and sometimes terrible.

I wrote recently about two buildings that look at each other, where in one case the shoreline review board acted nobly and in the other case they acted ignobly and allowed 10 or 15 setbacks in various places along the waterfront in exchange for a 5 ft walkway with no actual public access.

I think another issue, and this is a difficult one, is developing an appropriate architectural style for the waterfront. We're used to plopping down high-rises or building little rows of town houses that look like Harbor Place in Baltimore. We have not found an idiom for our times. What we've found is a perfect urban design methodology for building along the waterfront. Its a difficult proposition. What makes all of this exceptionally difficult is the diversity of Florida's waterfront. When I sat down to think about the waterfront, a barrage of images came into my head. One moment I was thinking about Ocean Drive in South Beach and the next image was the St. Johns River at Palatka, wide, serene and beautiful. The next image was of the sugar sands along the Panhandle and the next image was the canals in Ft. Lauderdale. It is not an issue that finds a singular solution. One of the key points is finding a host of solutions to a host of problems, almost every one of which is different. The issues for Miami downtown bayfront are different from the issues of Miami's inner key bayfront and the answer for Ft. Lauderdale's beaches is different from Miami Beach.

Sources of Conflict Over Waterfront Access and Use
Linda Lampl, J.A. Herbert and Associates

T.A. Herbert and Associates is a small consulting firm out of Tallahassee, Florida. We work with the commercial fishing industry and oil, gas, and power industry in the State of Florida. All these industries need waterfront access in some shape or form. My background is anthropology. I'm a cultural anthropologist or what is known as a practicing anthropologist. I deal with real life people, real life problems. I do not deal with old bones. I try and get that straight right up front --- I'm not an archaeologist.

Over the last 18 years I have worked in some capacity with commercial fishing or around waterfront type issues. Before I was an anthropologist I was a news reporter in the Fort Pierce area. And then after becoming an anthropologist I became interested in fishing and the problems fishermen were having in the State of Florida. I conducted an ethnographic study four years ago at Pine Island in Lee County and that was in connection with the State's intention to make redfish a game fish. Two years ago I also lived in Apalachicola for five months, working on a project to develop fishery options with the local community . With that as a background you have some idea of who I am and the kinds of things that I've done.

My topic today is conflict in terms of waterfront use and access. One of the things that comes to mind every day is that there is such a regional and occupational variation in our language. This particularly came home to me last night when we were sitting around having a glass of wine and I was talking about a fish house when someone said, "What's a fish house?" There were three answers and they were very, very different. With that in mind, I thought that maybe a good way to move into our discussion during the next day and a half would be to talk about what is the waterfront? What is access? What is conflict? What are uses for waterfront? In listening to both of our previous speakers, I heard some definitions describing rather different uses for the term waterfront. One said it was where the land meets the water. Another said it is where private property meets the common property. At this point I thought I would throw it open to some discussion on what other people feel is a definition for the waterfront. What is the waterfront?

"I think it's important to distinguish the urban waterfront from other waterfronts and to recognize that there's a set of policies that apply to urban waterfront that may not be appropriate for rural waterfront. The problems and the solutions are very different one from another. But there is no one waterfront, it's a very diverse edge."

"I think it's important that you may choose, for example, the river (the Miami River) if you consider the waterfront as North River Drive and South River Drive. You might consider that parochial. However, I would consider Biscayne Boulevard ending east of that waterfront."

What seems to be the characteristics that define the waterfront? Is it geographic, such as east or west, or is it something that happens along the river? I think what you're saying is that it's not just where the land touches the water but the surrounding area as well.

"Right. The area that the water impacts. I want a good environment on the river, but I also want a marine environment and I know we can have both."

"I think we're talking about where we environmentally allow an interface with water and human activities. For instance, most of Charlotte Harbor is set aside as a wetland preserve so that the great majority of the shoreline in Charlotte Harbor is forever taken out of human interface in any kind of density at all except for the casual sport fisherman along the flats, and so forth. Even though we have 125 square miles of water, and God knows how much shoreline, there's a very limited amount where you can have any kind of serious human interface between the land and water."

So it is where the humans use the waterfront?

"Primarily that's what we are talking about here."

"I think it is also true that there are two different meanings of the word. You might talk about the waterfront which might be an industrial shipping area or a dock along the water somewhere and then there is waterfront property which might mean something that is located near the water or near the ocean, both are different concepts. Also, I partially disagree with the gentleman from Punta Gorda that there is no human interface on Charlotte Harbor. It's a different kind of interface. It is access oriented as far as people going to the beach or going into the wetland areas and utilizing the waterfront temporarily for sport or fishing or beach going and then coming back out. It's not waterfront in the sense of development interface but it is a human interface."

So there is a timing element?

"Yes. One is temporary and one is not."

"I think it depends really if you look at it in a past and present sense because in the past there were more estuaries of which your marine resources were dependent upon and now it is no longer that healthy estuary. We are still dependent upon it, but it is no longer there for you except in very small areas and I think that has had a detrimental impact on a lot of people as well as the resources."

So are you placing it in a sense of the resource itself being the water area?

"Yes."

"Let's not forget those few kids with a bamboo pole who traditionally have always had access to the water....always had access to the bluffs. They had to go up around the house or something but they always had access to the water. They stayed out of trouble because

catching fish was not like stealing hubcaps. We are looking at a whole generation of kids now that are being shut off from the water."

Anybody else?

"I've got two linear miles of water right now and not one inch of it is natural. It's all man created. It's dredging to build a cheap house, it's rip rap, it's vertical seawall. My waterfront is forever changed."

So we've got time dimensions. We've got what is natural versus what is not natural and we have waterfront with which we interface as far as the resource is concerned. Does that sound like a summary?

"I have lived in Florida since 1979 and several things struck me as being pompous in some ways about many Florida communities. There would be cries from various groups that all the children don't have access to enough activity. You have to have museums, you have to have nature centers, you have to get parks, etc., so the young people have something to do. The cry from the town council is that we don't need to do that, we've got the beach. There was a reliance on the waterfront, which was going to give us everything and yet at the same time, it doesn't. There are some cultural activities and some recreational activities that you won't find on the waterfront, traditionally, and you can't expect it to provide. At the same time that they were looking for the waterfront to provide all this, they were closing it off further and further. There appears to be a paradox there. They wanted to use the waterfront as a scapegoat not to provide certain things and at the same time they were making sure that they could not, in some cases, provide the minimum for what they were looking for."

"Think back to the old view of New York harbor, Manhattan, and Boston in

the 1800s. The waterfront was the prime area. Everything was done at the harbor. But now that has changed."

Referring to conflict in terms of use and in terms of access, I'd like to define conflict itself and I'd like to use a very basic definition from the perspective of two or more individuals holding different values, i.e. conflict over waterfront access and use. First I'd like to focus on the actors or what is many times perceived as the source of the conflict. In that sense we should approach this in terms of who is visible and who is invisible, who has direct access and who has indirect access.

In terms of visibility we have the person out there with the cane pole. We also have the commercial fishermen. We have the sport and recreational fishermen. We also have the public who may be over at the park jogging or maybe doing something else. We also have workboats who come up and down the Miami River, the St. Johns, and the Apalachicola. We also have waterfront restaurants. We have waterfront property owners. Some of those property owners may have individual condos and some of them may have individual homes depending on the particular area that they are in, whether it's urban or rural or in between somewhere. Those are the visible ones and they're the ones I think that we hear the most about in terms of regulation or in terms of control.

We have other users and I'm one. In terms of consulting I cannot access the water to use it unless somebody makes it available. So I have indirect access. There may be other people who need access through others and they may be less visible. They may be boat manufacturers. Certainly their boats are visible but the boat owners themselves and boat manufacturers are not. In terms of developers, we have condo developers, we have community developers and we also have developers of facilities for tourism. We also have single family development. We have government and universities who fall into a similar category as consulting people who somewhere need access of some sort.

I'd like to link up those actors in need of access with some of the uses of the water that I perceive that they have. These are only my perceptions at this point in time. They are not meant to be comprehensive but rather just to suggest for discussion some of the private individual groups or private individuals who actually use the waterfront and require access to it. In terms of commercial fisher-

men, I perceive that fishermen use the waterfront to tie up their boats. To have a place that they can load ice onto their boats and then head out, actually go out and harvest fish. They then come back and tie up their boat again to offload their fish. A place where they can repair their boats, or find someone else who can repair their boats. A place where they can store their gear. A place where they can make money, ultimately, because that may be the place where they exchange the fish for some kind of a revenue. This forms a sense of status, in some sense, of their lifestyles. Their access to the water is direct because they have their boats tied up there. In cases where they cannot tie their boat up, and that occurs in some places of the state, fishermen must trailer their boats. They keep them on a trailer, keep them at home, and put them in at some kind of public or other kind of boat ramps. However, waterfront access is required.

We have sport and recreational fishermen who may want to make use of the water to store their boats or have access to the water to go fishing. They may use it for recreation. They may use it for status themselves. They may have access by water, by trailer, by ramp, and by forklift. They may need dry stacks.

Government has uses for the waterfront itself and one of those is for regulatory control which certainly creates jobs for many of us. There also are shipping, transportation, and public service uses as well as ownership statutes and regulatory authorities. As I mentioned there are other kinds of users. There are universities, such as Sea Grant, and other users such as myself. There is also the public, which is what I perceive as probably the most ill-defined group. It is a kind of amorphous group, such that many of us trot out and say, "This is for the public!", but we don't know where the public is or who it is. Part of that public sometimes seems to be waterfront property owners in the sense of single family owners. The waterfront public happens to live there so they are visible in that sense. Then we have the public in terms of recreation users and we've talked about them in terms of direct and indirect access.

We also have developers. There are a number of different kinds of development on the waterfront. These people also have a desire to generate revenue. There is also power and status, which I mentioned along with the commercial fishermen. Virtually anyone who has ownership of property on the

waterfront has some kind of status, some kind of power.

So we have a kind of vision from what other people have said and what I've tried to draw together, regarding what is the waterfront. What is human usage and how do we identify it? The question I wish to address then is why is there any kind of conflict? What I suspect is that we have a value conflict. These values are not necessarily right or wrong, but they are very, very different. I'd like to take two groups of people that I'm more familiar with for several different reasons and get a little bit deeper into just who they are and how they use or value the waterfront. I mentioned earlier that I am an anthropologist and a model exists that we use sometimes in getting deeper into who a group of people is. It's an onion we kind of peel away to reveal an image. I'm not going to get all the way into the onion because it's too early in the day for that.

In looking at commercial fishermen, we might say in a visible sense that he or she harvests fish. I'm going to address this generically here although most of the commercial fishermen I know are men. They harvest fish from inshore or offshore waters. They return to the docks and, in most cases but not all, they unload and tie up their boats. There are values though, that go beyond the ability to generate money from that particular activity. There is a way of life that goes along with that, particularly in the State of Florida, particularly in the more rural areas. I'm not that sure about some of the urban areas, how much is bound up in a sense of community or sense of lifestyle. There is also a relationship with the fishhouse owner and I'm going to define a fishhouse here as a place where fishermen might offload fish.

Over the years there have been many different kinds of arrangements. If I'm a fishhouse owner, perhaps someone would sell me their fish in exchange for a place to tie up their boat. This means no money would change hands in that specific sense. Over the years this activity has changed somewhat. Commercial fishermen values this life style, which has, as I understand it, a degree of freedom that many other people do not recognize as being there. Sometimes a commercial fisherman is perceived as a very romantic figure because he or she has control of his own factors of production on the boat. He has free time in terms of when he goes out, never mind that that is regulated by another person or a personification, which is mother nature!

The waterfront property homeowner is the next person I'd like to go a little bit deeper with. That may be the person who moved down from Ohio. It might be someone who has worked all their life and who has read the ads and is ready to come down. They are going to purchase waterfront property so that they can have access to the ocean. This is their place in heaven or their fantasy or whatever it is. Although this is stereotyping to a degree, possibly they are retired and dependent on mail box economy, which is a very different thing from the state's commercial fishermen. They have an abundance of time which they can use for recreation, or leisure, and they can also use it for political purposes. They may have a different value in terms of what their lawn is supposed to look like, or what that area around their house is supposed to look like. Sometimes I think that the people who move from Ohio really have a fixation on still wanting to mow the fields. They still need to get out and do that kind of activity. They desire some privacy and there may be an aesthetic value there. So we have a difference in values.

One of the basic differences in values has nothing to do with looks. I've heard many people say this. I think one of the basic values differences we have relates to what is work, what is play, and what is leisure. Commercial fishermen go out and get paid to do what some people have to pay to be allowed to do. There is a basic value difference there and it is highly visible.

I think that value differences are the source of conflicts and it's not just that value difference between work and play. Another difference is the perception of whether something is being "run down". I'm not sure that what is run down to one person is run down for another. What is an appropriate architectural style for one person may not be for another. In some ways it may be a class issue. The term highest and best use. What is the highest and best use for whom? Who is going to be involved in that kind of decision? Some people have ties to development. Perhaps I have some kind of bank loan that I have to meet the payments on and I have to show them a business plan and I am going to maximize my investment and returns. Alternatively, maybe if I'm a fisherman I have a different set of objectives. I have maybe a lower investment, which is because I know about the cycles that nature goes through. I cannot totally depend on these in a financial sense. So we have different values and we have different reasons for

these values. When I bring this up it's not because I'm saying one is a better value than another. I'm bringing it up because I believe it is one of the sources of conflict regarding how the waterfront should be used.

I think we have another basic problem which addresses our expectations. That story on the magic grouper, certainly brought this into focus in a lot of different ways. I think that it goes back to whether we can expect everything from the waterfront. Can we really get everything from the waterfront? There is a theory developed in anthropology which was connected to the peasant society in Central America. This theory is referred to as the theory of limited goods. Under this theory the people in this particular anthropological work group had a fixed amount of goods. Any one person who took more than their share from this limited amount of goods was getting more than they were supposed to. The shares were then unequal. I'm not sure that we don't have a limited amount of goods (i.e. waterfront). In fact I suspect that we do, particularly since we have these environmental regulations that have come along for various reasons, and again I'm not attaching value to that. But I think there is a lot of waterfront area that has been taken out of use that will not be used for docks and piers and other kinds of waterfront related uses in the future. What is left is a fixed amount, and I'm not sure that we can have it all. I don't have an answer for you here today but I'd like to throw it open to more of these questions on values and what these values mean.

"Linda, your whole presentation is based on your definition of conflict, that is two or more individuals holding different values. I want to challenge you to think a little about your definition, because I think you make it too black and white, good or bad, or right or wrong. It assumes no resolution to the problem because you have different values. I think a lot of the different groups that you mentioned will hold similar and related values on some issues related to the waterfront and different values on some other issues. You made it very clear regarding the homeowner coming down from Ohio versus the fishermen. There's no question that there you may observe a lot of different values. But the commercial fishermen and the shipping

people may have some similarities to some of their needs. The homeowner and the recreational boater will find a lot of commonalities in their values. And some of those old residents may be environmentalists at heart. I just think that the word different makes it very black and white and I don't think it is quite that strong."

I understand what you're saying. Good point.

"I would like to suggest that perhaps we can have conflict between people who have absolutely identical values. I guess the simplest example would be two men wanting the same woman. You could have two hotel chains coveting the same parcel of land on the waterfront. So I think the definition of conflict can be extended beyond that of what you describe."

"You can imagine what a good and lively river would do to this institution where we are right now, although it's not water dependent. They had a little problem with that up in Massachusetts and it has to do with the blue belting law. The law specified water oriented and not water dependent. And I believe the court ruled that a shipping company office would be water oriented, but not necessarily water dependent. My preference is for water dependent uses on the waterfront. But there you run into other conflicts. A year ago we had a bridge up here that was closed to street traffic for 10 months and put out a lot of people and hurt their businesses, darn near put them out of business. Yet a lot of them were automobile repair, part suppliers, etc. People couldn't get in to buy something yet they had nothing to do with the river but they were dependent on a working river. If the bridge had been working they wouldn't have been hurt.

So they were indirect users?

"Correct."

"Sometimes the conflict can be within one individual. I was thinking about the person that maybe, for economic purposes, exploits an area he knows is over harvested contrary to maintenance of substantial yield. People might have a waterfront use that they've had in their family for awhile but for economic reasons they are forced to sell or redevelop into a more economically beneficial use. So there can be internal conflicts within an individual."

"I think one of the things that is lacking is a system by which we can make rational and objective decisions in relation to common property resources. We don't really have a system by which we can get a decision that can make all the people happy all of the time."

"We have a system, people just choose not to use it."

"There shouldn't be a system, there shouldn't be a process. It has been said that we'll be fighting this forever. The reason for that is in some cases you have to allow market forces to determine the best usage. Yet sometimes you have to allow environmental concerns to determine the best usage. Sometimes you have to allow the little boy with the fishing pole to reveal the best usage. You are not going to find a checklist that we can go through and mark these things off because it's going to be different everywhere, every time, forever and ever."

"I think 'we' move from decision to decision and issue to issue depending on politics, depending on different land uses, different public perception of waterfront issues, depending on whatever forces or opinions are driving individuals at a particular time. The definition of 'we' varies considerably."

"My question has to do with scale. We are always evaluating land use conflicts where perhaps conflicts previously did not exist. My question is how the

thought process includes the concept of scale. When I was a child in Florida 40 years ago there were conflicts, but they weren't exactly large. There were 13 million people. I would think that this conference should address how to anticipate and how to increase the understanding of whether the increased demand for that waterfront land is going to be met. Particularly when it is all happening on such a scale that it is nearly outside the ability of the normal public process to control."

It's a very difficult question and I don't believe that there is a solution. There may be some good answers to this but they are going to be difficult.

"I think concurrency is going to help arrive at an answer. The more dense the development, then development in the outlying areas is going to be prohibited. There are a lot of problems with concurrency from a development standpoint."

"The issue of conflict is something that I've been involved with very dearly with commercial fishing. We're exploring an approach to conflict resolution with a mediator. We have to involve both a recreational and commercial fisherman over the use of the water and the related resources. The recreational industry, when you try to solve the conflict, just says, 'Well, there's more of us so we should get the resource and the access.' I don't think that's the proper solution. But because there of more of them, there are a lot of detrimental impacts that are taking place in Florida. I think it has hurt Florida. Just because there's more money involved and more people involved, that shouldn't be the reason why we do things. I think we've lost our values a great deal, our principles are compromised. That's not how our decisions should be made, just because there's more of us and we have more money and we have more members."

"That's called political reality."

"But before we completely destroy a way of life we need to step back and take a look. Is this the right way to approach this?"

"I think that we're assuming that all uses of the waterfront are equally viable. You assume for example that the commercial fishing industry is equally as viable as the development industry and yet the most prosperous projects sometimes go bankrupt. I think there's a real problem in terms of viability of commercial fishing. They are looking for alternative ways of supplementing their income. Commercial fishing in many ways is not really compatible with uses such as restaurants. You can't have marinas next to shrimp boats. We're not talking in terms of a commercial fishing industry as being a real viable industry that is being squeezed out by development. I think the problems for the future of the fishing industry is that it is economically

not as viable as it used to be. And those people are looking for a way to subsidize their incomes to keep the fishing industry along the shorelines. How do you merge these two uses?"

"I hear you, I just want to point out to everyone that one of the reasons we have a waterfront is to get to other waterfronts. For example, the waterfront is my way to get to town, get to school, and get mail by mail boat. We are all talking now about the waterfront as just being land to water and I think that there is another realm of conflicts. Trucking has replaced the water as a means of moving goods and services. That's not a conflict amongst users of the waterfront except perhaps there are other things that happen to the water that make the waterfront obsolete for some of those. The waterfront is often times intended to serve as access to other waterfront. The water is just a means to get there."

Preservation of the City of Miami's Working Waterfront
Joyce Meyers, City of Miami Planning Department

The topic of conservation of Miami's waterfront really constitutes the Miami River. There are a lot of people in this room who know far more about the Miami River than I do so please interrupt if I say something wrong. I'd like to give a brief description of the river for those of you who are not from Miami and may not be familiar with the topic that I'm going to be analyzing during the second half of my presentation. The river is about 5 miles long from the mouth of the river in downtown Miami to the central river control structure which essentially blocks navigation further up the river. It's a channel that is 15 to 18 feet deep and ranges from about 100 to 280 feet wide throughout its length.

A real hodge podge of land uses exists along the Miami River. Just about every variety and type of land use coexists side by side, often creating conflicts. There are water related commercial uses, ship yards, and residential areas. There is absolutely no consistency to the land use pattern along the Miami River. The greatest share of users along the river are the water dependent or water oriented land uses. They make up about 34% of the total land area. Residential is the next biggest use and that's about 25%. If you like numbers, I'll give you the rest of them. There is 18% in public utilities and institutional uses, 16% in nonwater related commercial uses, and about 7% vacant. The water dependent and water related industries include marinas; sales, service and repair of boats (ranging from pleasure craft all the way up to major ships); sales and repair of marine equipment, ship yards; seafood and fisheries distribution businesses; towing, salvage and marine construction industries. We now have about 17 shipping terminals that serve the entire Caribbean basin and shallow water ports.

An economic study of the Miami River was done in 1986. The study found there were 7000 full time jobs, about 600 part time jobs, which generate about \$613 million total sales, and \$1.2 billion indirect impact on the local economy. There are more recent numbers on that economic impact that are currently being put together. Teo Babun is sitting out there, can you fill us in on the latest data that we've got on the river?

"Sixty-five ports in the Caribbean are being serviced by the Miami River. That

includes all the islands in the Caribbean and a number of places in Central and South America. Approximately 1.3 million tons of cargo left on the river last year. That makes it one of the largest ports in Florida. Combined with the Port of Miami, it is equivalent to the Port of Savannah which makes it one of the largest ports in United States. The value of the merchandise that left the Miami River was over \$2 billion last year and the impact of that material from the businesses, of those 17 terminals, was over \$300 million."

If you would bear with me, I'd love to read a quotation from an article that I think is a capsule of the character and the flavor of the Miami River. It says,

"the Miami River is a commercial canal.-- Its turbid, olive green water has rusty overtones.-- The river lacks serenity, natural beauty, picturesque banks, and a store of legend or song to provide it with an overcoating of romantic nostalgia. The river is lusty, exciting, vigorous, crowded, profitable, and a safe harbor when hurricanes whine over the Caribbean. (That of course has been changed recently and we know that's not true.) The Miami River is a harlot with a sweet quality which has always been irresistible to reformers who wish to clean her up, to change her ways, and endow her with the righteous reputation Washington bequeathed the Delaware. But she has eluded assignment and taming."---

This article was written in 1964.

The conflict over the use of waterfront property along the Miami River dates back at least into the early 1930s. There has been a clash of interests between commercial and residential users of the river. The desire of the general public was to have it not only residential in character, but very beautiful and full of parks lining the shores. I brought along several newspaper articles dating back into the 30's that really are marvelous in describing the kinds of conditions and conflicts along the river. Prior to the 30's there was no planning or zoning, of course, and businesses were scattered haphazardly along the river. Residential uses were predomi-

nant. There was also a lot of vacant land that had not been developed. In 1931 the dredging in the Miami River by the Corps of Engineers sparked a new wave of marine businesses coming into the river and another big load of controversy from the residents of Miami who didn't want to see this happen. They wanted to preserve its pristine residential and park-like character, or what there was of it.

The first zoning ordinance that was adopted in 1934 pretty much incorporated the land use patterns that were existing at the time. Things were already here, there, and everywhere. They just adopted existing use patterns. In 1941 a Miami Herald poll found that about 85% of the residents of Miami wanted to see the river returned to a residential and park-like setting and get rid of the businesses. During that same year, World War II was upon us and the navy started sending down a lot of contracts for shipbuilding. There was a big rage and controversy, with commercial interests arguing for zoning changes to allow shipbuilding industries to locate on the river. Merrill Stevens boatyard expanded its business at that time. Also, a lot of cargo related to the war effort came in to the river. Then I have a gap in my research. But somehow because of the war and the influx of the businesses at that time, people got used to the idea of a working waterfront. The businesses became more well-established and somehow in 1956, a draft of a zoning ordinance was written that for the first time calls for waterfront uses (water dependent and water related uses) and creates a special zoning category to protect them. The city had a comprehensive plan that was drafted just prior to that zoning ordinance that didn't mention it. The plan that followed it didn't mention it. I can't quite figure out where the public thinking was, but the planning office wrote a zoning ordinance that provided two zoning districts, the waterfront recreation zoning district and waterfront industrial zoning district. I want to explain what the purposes of those two districts were.

The waterfront recreational district was intended primarily for those uses and activities which by their nature required location on the water or a body of water and which can most effectively utilize the water frontage in the City of Miami. These uses are either recreational in nature or quite directly related to recreational activities involving the utilization of a body of water that cannot generally function satisfactorily when remote from a body of water. This waterfront recreation district was not intended

for manufacturing or industrial uses which are provided for in the industrial waterfront district. But rather involved uses like boat docks, marinas, fishing piers, site-seeing and excursion boats, boat repairs and recreational type boats. The district prohibited residential dwelling units and was worded to make sure that land was reserved for water dependent uses. This was drafted in 1956 and was officially adopted in 1961.

The waterfront industrial zoning ordinance was a part of a redraft of the entire city's zoning ordinance and so it took five years of debate and discussion to revamp the entire ordinance. But this waterfront ordinance was changed very little in that public debate process and it came out in the end pretty much as we see it in this draft. This was the first official policy to preserve and protect the working waterfront in Miami. It was a very farsighted policy for its time. Many communities are only now discovering the need for similar action.

The 1961 waterfront zoning survives today in the form of "SD-4, Waterfront Industrial Special District". It is one district with all water-dependent uses lumped together, rather than the two districts (recreation and industrial) originally adopted. This is unfortunate, because some of the uses are not compatible in all locations. We are considering going back to two districts. The policy of preserving the working waterfront is also included in the City's comprehensive plan.

What has been the effectiveness of the waterfront zoning?

Basically it has worked well. There have been few changes in waterfront uses. Dick Whipple, who is here in the audience today, administered the ordinance from 1959 to 1985. He and I collectively can recall very few instances where zoning changes were granted to allow a non-water-dependent use where one had previously existed. Most of the successful changes were in the downtown area, where this can be expected and is not necessarily bad.

The principle way that the waterfront zoning policy works is to discourage people from trying. When you have a staff person like Dick Whipple or myself, who receives the initial inquiry from property owners about the possibility of a zoning change, you tell the person that what he wants to do is contrary to city policy and is unlikely to be approved. Often that is the end of it.

Perhaps an equally important factor is lack of economic pressure for change. In the case of the Miami River (excepting the downtown segment) the water dependent uses are in reality the "highest and best use". There is little demand for residential and other "upscale" uses, because waterfront property on Biscayne Bay is far more desirable. Land values along the Miami River are slightly higher than comparable inland sites due to the waterfront access, so other ordinary commercial and industrial users look elsewhere.

Outlook for the future: Except for the shipping industry, which is growing, and a few of the largest, well-established boat yards, we have concerns about the future viability of water-dependent businesses on the Miami River. In 1986, an "Economic Study of the Miami River" was prepared for us by Zuchelli Hunter and Assoc. This study is the ground work for our plan, with some updating that our staff is doing now. One of the biggest problems in 1986 - and even more so now - is crime. The crime problem is often related to adjacent deteriorated neighborhoods. Businesses that are oriented to the recreational boating public and small businesses that cannot afford private security guards are most vulnerable to the crime problem. These businesses can potentially be pushed out of the River with nothing to replace them.

Exacerbating problems are: 1) land value/rent is high compared to profitability of the businesses and 2) increased environmental code enforcement creates new costs for compliance.

Positive factors for the future of the working waterfront on the Miami River are: 1) the image of the river is improving with ongoing cleanup efforts, 2) there are no other waterfront locations available

in Dade County for many of these types of businesses, and 3) there are no cheaper locations in Dade County on the waterfront.

Recommendations:

Our Miami River Plan is not very far along at this point in time, however, some of the preliminary recommendations may be as follows.

Neighborhood revitalization to improve the negative influences created by surrounding areas. This is not really possible right now due to lack of programs and funds at the local, state, and federal levels. The federal government used to be the primary source of funding prior to the Reagan/Bush administrations. We are hopeful the pendulum will eventually swing back toward federal support for inner city redevelopment.

Crime Control funding is needed for increased marine patrol and onshore patrol. We are studying possibilities of a special taxing district, user fees (mainly for cargo vessels), and/or a port authority. Facilitate growth in the shipping industry Specifically, this includes completing the long-debated dredging project, solving conflicts with the general community over the inconvenience of bridge openings, and improving highway and rail transport links to the shipping terminals.

Other possibilities are much more limited in potential for making an impact on the River. These include tax incentive, Tax Increment Financing (TIF), mixed-use development, enterprise zones, and more specific wording of comprehensive plan policies. I will not take time to discuss each one of these, but will be happy to answer any questions.

Thank you very much.

The Role of Sea Grant in Waterfront Development and Utilization Decisions

Bob Goodwin, Washington State Sea Grant Program

What I would like to do is try to form a bridge between the identification of problems and issues in waterfront use and what Sea Grant Programs can do about them. I think it's useful to quickly review what Sea Grant is and what its charter is. Without going into a detailed history of Sea Grant, suffice it to say that we were created to focus our activity on marine and coastal resources, their use, development and conservation, and their management; and to do this for national, regional and local benefit. We were to achieve this goal through an integrated university program of research activities, educational programs, and advisory services modeled on the land grant cooperative extension model, to do for marine resources what land grant colleges had done for agriculture. We're therefore not easily labeled as an environmental advocacy group or a development oriented group. We're neutral. Our business is to create and extend knowledge. I think, though that its not too hard to reach into our charter and suggest that there is a bias, and a legitimate one, that we focus our activities with a marine orientation. In the selection of those things that we do, the ones that enhance the marine environment and the development of marine resources are going to be favored over those that are land-oriented.

I'd like to suggest that in looking at the waterfront and its development and utilization, there is a context in which we must view this as a Sea Grant Program. And that context is, I think, the management of the entire urban coastal zone, and the understanding of how it functions. One quip that I jotted down recently was that little local, regional and national benefit is accomplished by moving the central business district one block closer to the water. All you've done is moved the community, you haven't increased its economic output. I'll come back to that point in a moment. Traditionally, Sea Grant has worked with user groups that are represented in this room today. A convenient way of breaking these groups down is to think of them as waterfront users, waterfront managers, waterfront developers, and waterfront landowners.

Waterfront users can be either producers or consumers. The producers are the fishing fleets, seafood processors, steamship lines, port authorities, and marine services. They are using the waterfront as a factor in the production of goods or services. Waterfront consumers include boaters, anglers,

waterborne commuters, and tourists. We've traditionally worked with both these groups throughout the Sea Grant network.

We've worked also with the waterfront managers at the local, state and federal levels. It seems that we've got a good representation of local planning organizations at this workshop today. There are also park boards, park departments, port districts and port authorities that have important roles to play in the management of urban waterfront resources.

At the state level there are a variety of agencies that regulate submerged lands, the use of the water surface, the water column, and protect coastal wetland margins. There are also agencies at the state level that foster development in the coastal zone, including community development and tourism promotion agencies. Consequently, there are many potential institutional conflicts built-in to governance of the urban coast which reflect the complexities and conflicts found among competing uses of the waterfront.

Waterfront developers have not been traditionally a clientele of Sea Grant. I think this is perhaps because of an absence of a demonstrable need for Sea Grant services. Waterfront landowners, on the other hand, have been a part of Sea Grant's clientele from the perspective of public safety. Hurricane preparedness, flood prevention, and erosion control, are among subjects of interest to coastal dwellers.

Let me return a moment to the point about moving the central business district a block seaward. It seems there was a thread that ran through this morning's presentations, though each of us may see a different thread. The thread I saw was that there seems often to be a conflict between the acquisition and maximization of private wealth and the economic well being of an entire community. Calculating the highest and best use of a waterfront parcel from the point of view of the owner or potential owner of that parcel may result in a different type of use than if the calculation were being made by an economic development entity looking at the community as a whole. The private owner's choice might be a high-rise condominium, while the community as a whole might choose a boulevard park. It may be that there are very divergent kinds of highest and best uses. I think that specific thread ran through this morning's presentations.

Sea Grant has been financially strapped, as have most other educational entities that rely on federal funding sources, since 1979 or so. As our dollar amount of grant awards diminished by what has been calculated to be about 50 percent since 1980, Sea Grant institutions have been forced to adopt very conservative portfolios of research investments. Competition for those dollars is fierce around the country and the safest areas to put those scarce research dollars are the more basic natural sciences. We've seen a focus nationwide on the natural science component of marine research, at the expense of the social sciences, at the expense of economics, geography, sociology, anthropology, and other kinds of research. I would suggest that much of the practical research and education that we ought to be involved with to address these issues in the urban coastal environment are going to come from the social sciences. My prediction is that unless Sea Grant funding gets restored to where it ought to be, we simply are not going to have the funds available to do the sort of research that's going to have utility for the city of Miami, the city of Seattle, and small waterfront communities. That's the bad news. The good news is that Sea Grant directors recognize that, while this portfolio of research proposals that get submitted for funding every two years to Washington contains more and more basic science and less and less applied social science, the advisory services side of the program contains all sorts of opportunities for applied research. This research takes place under the umbrella of educational and advisory activities and in fact these activities go on. I think it's been happening nationally. So in the short run, I look to the non-formal research activity of Sea Grant more than to the formal research activity of Sea Grant for the tools and techniques that we need to grapple with problems such as waterfront use issues.

Another quip..... because the business is on the coast, is it a coastal business? I'm not sure it is. Is the McDonalds on the waterfront more deserving of public support through a university than a marine boatyard, or a port? I suggest that coastal business needs to be defined quite carefully before we start delivering services to businesses on the coast.

Let me return to the question of the educational role for Sea Grant. I suggest that one of the primary roles of Sea Grant institutions is to facilitate public awareness. This is what this workshop is doing on one scale. It can be done on another scale. Through the advisory program in Washington and Oregon

we've done things like a four day symposium on the future of the Seattle downtown waterfront. We brought together experts from around the country, local spokespersons for local interests, the public, and the university. It was a stew, a simmering stew of ideas, for four days and, at the end of that period, the panel of invited experts produced a document that provided a lot of guidance for the city of Seattle in its treatment of its downtown waterfront. The following year, Sea Grant convened a harbor-front development conference which picked up on the earlier recommendations of the symposium's panel and examined the economic feasibility of some of them.

At a more modest scale, we've done waterfront walks which enabled the public, with the help of new fresh eyes, to revisit their waterfront. It may be helpful to bring in a trained observer - an urban designer, architect, or planner who has worked with waterfronts - who can take a community group out, walk them through the waterfront, and reintroduce them to their own city, pointing out the opportunities, problems, and possibilities on the waterfront. It is all part of facilitating public awareness. Some of you will be familiar with the R/UDAT model (Regional/Urban Design Assistance Team) used by the American Institute of Architects. This is a good model that we've used and adapted to enhancing public awareness of the waterfront.

A second major educational role that Sea Grant can play is informing public debate. Here we tread that narrow line between advocacy and non-advocacy. I have no problem with Sea Grant being an advocate for principles that are drawn from the literature, and from laws guiding waterfront development. Enunciating those principles as ways to guide comprehensive public policy decisions is appropriate.

We can advocate revitalization. We can advocate a consideration of water dependency and maritime commerce in planning and redevelopment decisions. We can advocate the consideration of traditional maritime industries and their conservation. We can advocate that government look at the principle of containing urban development in order to avoid spilling over into rural wetlands and other resources of national and regional value. We can advocate the consideration of enhancing and improving public access, and historic conservation; and, we can certainly advocate the use of comprehensive harborwide planning as a model for considering redevelopment of our urban waterfronts. We

can certainly too, advocate the consideration of mitigation as development projects are considered. I think we can enunciate principles that guide the development of public policy without taking a narrow parochial view.

The second thing we can do to inform public debate is to present approaches for waterfront planning. We've attempted to do this in the northwest for smaller urban waterfronts - the cities of 5,000 to 50,000 rather than the major metropolitan areas. We present a model planning approach based on the best experience of a lot of small cities. The model is presented not as a panacea, but as a check list of tools to ensure that issues are not overlooked and opportunities are not neglected in the planning process.

Much has been said already about conflict resolution techniques. I point out that there is nothing wrong with conflict. It may be that under certain circumstances Sea Grant's role is to accentuate and enhance conflict in order that the issues are brought out and the range of debate narrowed down to the real issues. If you try to eliminate conflict too soon then you don't have that precise definition of issues. I see conflict as an inevitable outcome of human social intercourse. It's going to happen, and we must use that conflict as a tool for getting at truths about matters in the coastal zone.

A third educational role of Sea Grant is to empower groups that may be ill-organized, unrepresented, or perhaps unaware of the impact of decisions upon their enterprises and upon their lives. In Miami it is pretty clear from what I've heard this morning that maritime industries are well organized and are able to mount a defense against imprudent projects, and planning decisions that may not be in their best interests. In many communities that is not the case. The fishing industry may be very fragmented because they're involved in different fisheries that traditionally haven't worked well together. It is a difficult problem to bring those constituencies together to empower them to influence decisions affecting their lives, but it's a crucial role. It is a traditional role for Sea Grant. It is one that can tie the marine field agent out there in the coastal counties into the waterfront development issue. That agent working with the fishermen can help motivate fishing groups to address these waterfront issues. So there are roles for the traditional Sea Grant Extension Agent in waterfront development and waterfront land utilization decisions.

Another important area for Sea Grant, I think, is to educate the actors in the debate about some basic analytical tools. How do you analyze this problem and determine whether its going to affect you adversely or beneficially? I would suggest that we have a special role to demystify and to simplify without trivializing what can be complex approaches to policy analysis. I don't think you need to go into great detail on input/output models or urban economic base theory to get the point across that there are industries in a urban economy which are basic to that economy, and there are industries in that economy which are there only because of the population base. The first group of industries brings new wealth into the community and the other group of industries grows simply because of that wealth being spent in the community. Through those sorts of simple, direct well illustrated public policy analysis tools, I think we can extend beyond our traditional constituency.

I think there is another thing Sea Grant can do, and that is to recognize excellence. One of the most successful projects that we've done in this area was to conduct a coastal design awards program, back in 1981. We collaborated with the American Society of Landscape Architects, the American Institute of Architects, the American Society of Civil Engineers, and our university architecture and urban planning department, and mounted a statewide, juried, design awards program. We recognized excellence in waterfront design and used that as a teaching tool by including in the criteria for excellence issues like environmental quality, well mitigated projects, water access, public benefit - all those things that represent good urban coastal management. So, recognizing excellence and teaching it at the same time turned out to be one of those "teachable moments" in the parlance of extension. I think we had a beneficial effect on how people perceived the quality of both the natural and built environments of the coastal zone.

There are certainly many roles for Sea Grant research. I suggest that one of them is monitoring urban waterfront functions. That gets into modelling urban shoreline systems, understanding how the shoreline economy works, and monitoring some key indicators of urban shoreline economic performance. What's happening to port activity levels? How many containers crossed the dock last year? How many pounds of shellfish were landed? Let me illustrate by example something that we've been

working on very recently in our program in Washington.

By looking at market conditions in the mortgage industry, we can alert the industry, the planning community, and others to conditions in that industry. We could identify areas where more investment is warranted or identify areas where the industry is already over-capitalized. We've looked at seasonal vacancies in marinas in some counties, compared to other counties where the facilities are bursting at the seams both winter and summer. This enables us to develop economic indicators of performance. That sort of monitoring function enables these traditional marine constituencies to be responsive, more responsive perhaps, to market forces that are to their advantage and to alert planners to problems the industry is encountering.

I think that there is a lot of work that can be done in looking at long term structural change in the urban shoreline economy. What's happening to the mix and kind of industries that we see in the urban shoreline? What changes have taken place? What can those changes tell us about the future? There are ways in social science of measuring those changes quite simply and effectively. These are not the kind of projects that Sea Grant directors are going to put a lot of research money into, but I think they are the kind of projects that advisory specialists can do.

We can be monitoring the effects of technological change on the industries in the shoreline and the way these industries consume shoreline land, and water space. How is changing port technology or shipping technology affecting the demand for cargo handling areas? Where are those cargo handling areas being located? Is there a geographic change occurring? Ports have left downtown and gone to the periphery. What's happening in international trading patterns that speaks to the growth or decline of ports in a region? What sort of demographic changes are occurring in the population that uses the coastal zone for leisure and recreation? What's happening to population growth or decline that is going to have a long time effect on changing the demand for coastal land.

Last but not least, I think Sea Grant should continue to look at the changing supply of coastal land. There are some major issues out there related to global climate change and to long term erosion and accretion patterns that actually affect the supply of land in the urban coastal zone. This is a serious issue, and it isn't the sort of thing that is going to

produce some results in time for next year's planning board to vote on. But it's the sort of activity that can give early warning perhaps of some potential catastrophic changes impacting all coastal users.

I think we ought to be informing policy development in the area of urban coastal resource management. We ought to be advocating a response to resource conflicts that are based on long term research activity. We need to look at the way in which coastal vegetation is changing. Also we need to look at the way in which marine water quality is changing, for good or ill. We ought to be informing policy debate because of new knowledge that is being generated. Universities, researchers, and advisory staff are in a unique position of being close to the main libraries and close to the researchers who are creating the new knowledge that can be applied to managing the urban coastal zone. I think we also ought to be involved, again in the social science sense, in looking at systematic ways in which values are changing and how those changing values give rise to different sets of demands for the same resources over time.

Working Group Summaries

Session 1

Identification of Alternative Policies Relating to Waterfront Planning and Impediments to Effective Implementation (Summarist: Wes Hoaglund, City of Titusville, Community Development and Planning Division)

Objective

There are a variety of ways in which the public may influence waterfront utilization. Special use zoning, tax incentives, and public acquisition programs are examples of policy tools that are described in the planning literature and that have been used by local governments in Florida and other states to implement waterfront planning objectives. However, in any given circumstance the choice or range of choices available to local jurisdictions may be limited by legal, budgetary, or political acceptability. The objective of this working group is to:

1. focus on the three or four policy tools that may be most effective in accomplishing waterfront planning objectives,
2. identify the obstacles to effective implementation of the policy tools, and
3. identify potential strategies for overcoming the obstacle to effective waterfront planning.

The group discussed the whole spectrum of issues. What is waterfront? What really is needed on the waterfront? How should we look at protecting it? We determined that there was indeed a public purpose to provide a continuing working waterfront where one has historically existed. Not all communities have an industrial related waterfront and, therefore, it isn't necessarily typical of all communities. But where there is that need, we felt there definitely should be something. Because some of us have a planner's background we immediately looked to the zoning aspect. We came up with a policy that says that in most jurisdictions where there is a need for water dependent industrial uses (including commercial fishing), a waterfront area of sufficient size should be zoned for only those uses.

The water dependent industrial zones should be designated in these areas that have the least near term conversion to retail/office/residential potential. It was deemed important, as we examine waterfront property and envision water dependent industrial properties, that special note is taken of the conver-

sion potential. If an area is selected that is likely to have development pressures, elected officials are likely to rezone it to a higher use for the obvious reason that it increases the tax base. So when looking at the working waterfront, try to pick the least attractive area for alternate uses. By doing so, you could perpetuate the long term viability of the marine industrial zone for whatever that long term may be. Then we suggested the local jurisdiction should consider the deferral of a percentage of annual real estate taxes and that all deferred taxes and interest accrued thereon should be due and payable upon the granting of a rezoning request. All uses which are not water dependent industrial uses should not be permitted in these zones and non-conforming uses existing at the time of designation should not be eligible for a tax deferral and should be assessed for tax purposes based on the prior zoning. We were not sure if that's totally legal, but I'm sure that there is some way to create such a mechanism which could act as a market force to give nonconforming leases an incentive to migrate out. The property could then be converted to a water dependent use which would take advantage of the tax deferral and solidify the industrial zone.

As a long term goal (except in the water dependent industrial and single family zoning districts) public access should be provided along all waterfront property. There is the opposite side of the spectrum which suggests that public access should be restricted to publicly owned parts....if the public doesn't own the parcel it shouldn't be allowed free access to the waterfront. I'm a bit more liberal than that. I suggest that where the industrial uses present safety problems we should restrict public access. And where single family residences abut the water and have private dockage, then those should be areas where we don't necessarily invite the public. From this liberal standpoint, everything else should be publicly accessible. The population will continue to grow and as it does we need places to put them.

Several tools were discussed in addition to zoning and tax abatement. We talked about tax increment financing, creating a district, and financing improvements with an increased tax base. Other tools include a planning advisory service and the Urban Land Institute. Both have excellent resources in terms of information. You can go to both of these organizations and they will give you a wealth of information from dozens of perspectives. So you don't have to reinvent the wheel. It's out there in

many forms already. Also, we talked about public acquisitions, easements, donations with life estates, leasebacks and transferrable development rights (TDR). Those in the planning profession who have heard a lot about TDR's know that in most cases they don't work because there isn't a ready market for the right. But we didn't want to leave it out because there are cases where it has worked, but it's a very limited tool because it's a very limited market.

Obstacles to implementing policies include lack of public education. Getting people to understand the value of the waterfront, public uses of the waterfront, and industrial uses of the waterfront are important. We also identified the need to have three distinct zoning districts. One of them would be water dependent industrial, another one water dependent recreational, and we thought that probably shipping would be a third. As the case in Miami seems to be indicating, the market value of waterfront property for shipping might be assessed at such a high level that if we allowed it into the water dependent industrial zoning district, shipping would displace the other water dependent uses that we are trying to protect. So there might be a need to have shipping as a separate and distinct zoning category. Another impediment is obviously something that we see far too often and that's corrupt deal making. We don't know how you thwart that but it is indeed an impediment.

In today's market probably the biggest impediment to policy implementation is funding. It is difficult for those of us who are out there trying to put projects together today to find a lender who is willing to add a real estate project to their portfolio. Another impediment is special interest groups. You can define those however the local circumstances dictate but you always have a vocal minority who has a tendency to color issues to make them look as if they're either very pro or very anti to their particular interest. That's a public education problem, or a council education problem, if you will.

We ended up looking at research topics for Sea Grant. One of these would be examining enabling legislation for what has been referred to as blue belting for purposes of tax deferral. We also need to have more facts. For example, is shipping indeed a high enough revenue generating operation that it does need a special category apart from water dependent industrial? Economics drives everything and if we're trying to protect those commercial fishers and other water dependent businesses that serve those people on the water, we need to make sure market forces out there will not drive them out even though legislation is passed to protect them.

Session 2

Factors Influencing the Pattern and Rate of Conversion Between Current and Future Uses of the Waterfront (Summarist: Charles Adams, Florida Sea Grant, University of Florida)

Objective

Waterfront property may be used to support a wide variety of residential, recreational, and commercial activities. The conversion of waterfront property from one activity to another, particularly from water dependent or what may be viewed as "traditional" to nonwater dependent or "nontraditional" uses, has prompted concern and a call to action among industry and citizens interest groups. What is observed in this process is the act of converting land from one use to another. What are not observed are the underlying factors that influence or encourage waterfront land use change. The objective of the working group is to identify the social and economic factors influencing waterfront land use change in Florida.

Our task was to identify factors that are influencing the pattern and the rate of change between current and future uses of the waterfront. Similarly, what are the factors that are affecting the rate of change between the water dependent and the non-water dependent uses of the waterfront around the state? We realize there is feedback that might exist between some of these factors. In other words, they are occurring simultaneously. They may be having a simultaneous influence in the decision making process related to the waterfront.

The first factor we identified is local taxation and revenue generation related to existing water dependent uses. A major issue discussed relates to a small, family-owned marina. It may become encroached upon on either side by high rise condominiums, for example, or dockominiums. This encroachment may have an effect on property-value appraisals if allowed by the existing zoning ordinance. Such encroachment may have an effect on the appraisal such that the marina's property tax would be bid, up which could, in turn have an effect on their financial viability. In fact, this revaluation of properties is one of the major motivations behind the blue belting concept, which is designed to preserve actual use in the face of pressure to converting to what is perceived as the best use. The group identified this as a problem, although we felt

that it may be more of a factor in terms of redevelopment decisions as opposed to initial development.

A second factor identified is the basic financial viability of these industries as they currently exist. Empirical work done by the Florida Sea Grant Program has evaluated rates of return on small, family-owned, private marinas. Low rates of return to owner equity suggest these firms may very well be making a financially sound decision to sell out. Small-scale commercial seafood processing facilities are becoming less and less profitable for a number of reasons. Some of these firms may very well make a sound financial decision to sell out to a nonwater dependent use if the current zoning ordinance allows them to do that. The lack of marketing and financial innovation can play a role in this decision. There may be opportunities to get into different markets, such as value-added processing. There may be other ways to enhance the profitability of the business by horizontally or vertically integrating the operation. Maybe there are sources of financing that haven't been exhausted yet. The possibility exists that they have not been innovative enough to address some of these profit enhancing possibilities. Therefore, a lack of innovation in terms of seeking alternative financial support or in terms of seeking new markets for products, may decrease the level of profitability in the face of factors that are driving profit margins down. Addressing these issues may reduce the firm's vulnerability to property tax changes.

The third area discussed was the changing demographics, which can be manifested as a changing sets of demands being exerted on the waterfront. If the growth rate of the Florida population continues unabated, Florida is projected to be the third or fourth most populous state in the nation by the year 2000. Allegedly 80 percent of all this population growth is going to occur in the coastal communities of the state and a changing set of demographics will occur in many areas. Those changing demographics are going to create a changing set of demands for the goods and services offered by the waterfront industry. This will likely have considerable influence on how that waterfront is going to be used. A changing population, therefore, will certainly be a motivating factor behind some of the decisions being made regarding what shows up in the waterfront. In some cases an evolving coastal population may bring about change at such a rate that it can overpower the decision making processes concerning waterfront use. The sheer volume of people in

one demographic group may actively overpower the political processes in their favor.

In terms of demand, it has been observed that we are moving from a manufacturing or production-based industry to a service-based industry. That can have an impact on what shows up on the waterfront. A community may feel they need to have an office, retail, restaurant complex on the waterfront instead of that commercial seafood offloading facility which has been there for the past 40 or 50 years. Related to this, changing ownership patterns, coupled with the possibility of increased numbers of absentee owners in a coastal community, could manifest itself as an increased lack of understanding of some of the traditional water dependent industries. These absentee owners may become more powerful in the local political decision making process, but not have the appreciation for traditional water dependent industries. These interests may exert considerable influence in the local decision making process, making it more difficult to retain some of these traditional waterfront industries in the local communities.

The fourth factor discussed was the unintended effect on waterfront development due to indirectly related policies and regulatory decisions. An example given was the dramatically increased awareness of environmental concerns in Florida which has promulgated decisions to try to save manatees. The statewide moratorium on marina sighting may have an effect on the rate of change in waterfront development that we might see in certain areas, specifically in terms of sighting new marinas. Another issue was the lagged effect of zoning policies that were put in place several years back. In the Florida Keys, there exists very restrictive historical zoning policies which dictate that properties within a certain zoning district have to be water dependent. What if someone in that zoning district wants to get out of that water dependent industry, yet is restrict

ed from doing that? Is that a result of lack of foresight when that zoning policy was established? Maybe there should be an attempt now to make current and proposed zoning districts for waterfront properties more flexible to allow people who want to make a sound financial decision a chance to get out and to convert over. Would such flexibility endanger the cohesiveness of a working waterfront?

Unintended effects from federal policies might also have an impact on water dependent usage. For example, the effectiveness of the CBI (Caribbean Basin Initiative) policy might have an impact in terms of increasing the shipping that will be occurring in certain port facilities. Providing centers for trade between Caribbean countries may increase the facility needs for certain ports. The importance of international markets is changing. This will have an effect on existing port facilities as we become more dependent on imported products and local communities attempt to tap into world trade. This involvement is going to change the demands on our existing maritime and nonmaritime port facilities, which may affect the rate of change occurring on the waterfront, particularly in maritime ports of entry.

The cultural attributes of these water dependent industries could affect some of the waterfront related decisions going on in local communities. For example, the commercial fishing industry allegedly has difficulty getting organized and gaining the "ear" of the policy making bodies at the state and community levels. It has been suggested that the decision making process has ignored their interests. If they became better organized locally, their interests may have been reflected to a greater extent in that decision making process. The inclusion of the interests of any such traditional water-dependent industry may have a dramatic effect on the future mix of industries on the local waterfront.

Session 3

Objectives of Waterfront and Coastal Community Planning (Summarist, Eric Thunberg, University of Florida).

Objective

Public planning processes are rarely conducted for a single purpose or objective. In most instances communities are concerned with a variety of social and economic objectives that may be complementary but are often competitive. Planning decisions are often made (explicitly or implicitly) on objectives. Waterfront land can support a variety of activities each of which may have different implications for community planning objectives. The objective of this working group is to:

1. identify the principle objectives of coastal communities as they relate to the use of their waterfront resources,
2. identify the effect on those planning objectives of water dependent, nonwater dependent, and mixed uses of waterfront land,
3. note and highlight differences between planning objectives of rural and urban coastal communities, and
4. compare and contrast the planning objectives of communities that have highly diversified waterfront industries with those that are less diversified.

Our group was charged with the task of identifying how community planning objectives might influence the rate, pattern, and decision making process regarding how waterfront areas are used. When we were organizing this workshop this was an area of particular interest to myself. I had hoped to be able to elicit a broad range of social, environmental and economic planning objectives associated with waterfront land use and allocation. However, it became relatively obvious that such broadly defined objectives are not particularly well articulated. Perhaps it is because these objectives may not be a part of conscious decision making processes.

The overriding theme of our session was the need for community education or educational assistance to help communities develop a waterfront plan that would be by the community and for the community. This suggests, perhaps, a fundamental difference from a model of planning in which communities would solicit bids for development of public

lands and then choose whatever seems to be the best plan. What our group suggested as being an alternative might be to get the community together and then have the community decide what it wants, how to assess what the different alternatives are, and what the different opportunities might be. Once a plan is selected, find that group, consultant or developer, that is most capable of delivering the chosen plan. This is a different model of planning that is actually implemented in some areas but may not be being used in others.

There are several elements that would go into an education program designed to provide planning assistance. One element would be how to conduct a simple inventory of current uses of the waterfront, how does the waterfront contribute to the local economy, and what is its contribution to the community fabric. The second educational need is, how to identify waterfront opportunities. Third is identification of waterfront alternatives. What are the alternative uses that waterfront land can be put relative to the alternatives that currently exist? Then there is a need for educational programs to assess these alternatives and assist in implementation strategies for the chosen or selected plan.

There are some other things we talked about and one of them is the need for public awareness programs to describe the comprehensive planning process and how citizens can participate in that process. Some of these things may have been done in some areas by other public agencies, but there was a perceived need for Sea Grant to do some workshops or mailings to increase the awareness of the comprehensive planning process and how individual citizens living in various communities can affect that process and be an active participant in it. Other public awareness needs that were discussed included how to go about making the public aware of what the waterfront is and its value to the economy. Economic assessment, situation and outlook reports for water oriented and other coastal land uses were discussed.

In the state right now we have something called the Florida Aquacultural Regulatory Sourcebook. The Department of Agriculture and Consumer Services has commissioned this particular sourcebook which lists each statute, the agency responsible for overseeing that statute and what individuals are affected by the particular regulation. It was suggested that a regulatory sourcebook for those involved in coastal land use might be of some help. This is something that may be consistent with the tradition-

al role of Sea Grant Extension as an information clearing house. Additionally there are a variety of different publications, federal, state, and local that provide information on innovations in other areas throughout the country. The Waterfront Center publication Waterfront World is an example of a source of that kind of information. In some instances, Sea Grant could be involved in identifying what information sources are out there, and how to get them. Along those lines, one of the suggestions was that the Sea Grant publications mail distribution list needs to be revised to include people such as industry groups, planning groups and development and consulting groups that may not be on the mailing list now.

Another topic of discussion was development of a transactions matrix of coastal economy and infrastructure needs. Such a matrix would quantify the relationships between waterfront alternatives and the infrastructure needs and ancillary services that each of those different alternatives would require. The matrix would be useful so that when evaluating a specific development, all the other things that happen exterior to the development itself, but may influence the entire community as a whole, can be evaluated.

Session 4

Assessing Social, Cultural, and Environmental Tradeoffs and Uncertainties Related to Waterfront Uses (Summarist: Linda Lampl, T.A. Herbert and Associates).

Objective

In many instances the financial consequences of waterfront planning or decisions to grant permits or easements affecting waterfront land use can be documented. However, waterfront land use decisions also have consequences for social, cultural, and environmental resources that are intangible or difficult to measure. Quite often waterfront planning decisions must be made in which tradeoffs between financial or economic gains must be weighed against social and environmental losses. In some instances these losses may be minimal and need little consideration while in others the social and environmental losses may be quite large. In the latter case decision makers must rely on public hearings, university research, or hired consultants, or some combination of the three to identify the social and environmental consequences of alternative policy actions. The objective of this working group is to:

1. identify the principle social, cultural, and environmental tradeoffs most often encountered in waterfront land use decision making,
2. identify the principle strategies or methods that decision makers require or use most often in eliciting or quantifying the tradeoffs between economic gains and social or environmental losses,
3. identify the principle research, information, and analytical tools that would provide assistance in waterfront land use decision making.

This group came up with a list of topics in addressing the cultural, social, and environmental tradeoffs, that we thought would be of interest and attempted to focus on three or four of those. We discussed the various kinds of access, without limiting ourselves to waterfront access. We addressed the accessibility of people who could make decisions, who wanted information, or who could get information. In terms of waterfront access or water access itself, we identified pedestrian access, public access, classification by water dependent industry,

and access to products from the water or those who fish in the water.

We also talked about what are client groups needs relative to waterfront utilization. Is anyone really interested or is it us who are interested. In terms of needs assessment, we are not thinking just simply of what we perceive is needed but actually going out to people and finding out what they need.

We thought of the public as a client group. We also thought of elected officials as a user group because they would be using information. The term accessible was introduced. We were thinking about accessibility of decision makers, but that was discussed in terms of timing. Timing is an important issue in that it has to do with where elected officials are in terms of the budget and where they are in terms of their reelection. Those are factors that we thought should be considered in dealing with local officials concerning waterfront issues.

The group also decided that there was a value assessment problem. Research should address what is a higher and best use for whom and what are the various values that are actually attached to that across user groups. Decision makers can then focus on what is the highest and best use for those who need access to the waterfront.

We had another thought in terms of timing. This addresses why decision makers are in such a hurry. Society itself sometimes seems to be in a hurry regarding the waterfront. It may take a lot longer to generate the conversation and ideas needed to parlay these various user groups. It may take longer to get their ideas instead of just those of us that have access to these kinds of forums on a routine basis.

This leads us to our real bottom line which is what Sea Grant can do to actually work out some kind of a facilitating process. Perhaps Sea Grant could set up not only these types of conferences which have a face to face type of interchange, but also set up smaller groups of people on a regular on-going basis, not just when you get to a crisis situation. There should be some kind of regular process set up and maintained and perhaps the responsibility for that could be Sea Grant. There are people who do not have access to this type of forum. They need to get their ideas heard, some of which are things that we haven't thought of, such as a value that might be different for someone who is already developing their waterfront. now. Those kinds of ideas need to at least be discussed before it gets to be a crisis situation.

Session 5

Current and Alternative Forms and Strategies for Mediating Conflict Between Competing Uses of the Waterfront (Summarist: Bob Goodwin, Washington State Sea Grant).

Objective

In instances where proposed waterfront land use changes displace "traditional" marine industries or challenge deeply held public perceptions about the appropriate uses of waterfront areas the potential for conflict between current and proposed waterfront uses and users exists. Quite often the usual avenues for conflict resolution are through a public hearings process or through the legal system. In these instances the claimants to waterfront land use are placed in an adversarial position where a "winner takes all" outcome is sought. However, there may be alternative institutions or forums for negotiation or conflict resolution that may yield preferable outcomes from the perspective of the conflicting parties and the public. The objective of this working group is to:

1. identify the potential sources and interest groups that are likely to come into conflict over waterfront land use,
2. identify the existing mechanisms for conflict resolution and assess their success,
3. identify alternative forums for conflict resolution that remove the adversarial barriers that often result from public hearing or legal processes.

This group looked at sources of conflict and ways of resolving conflict, both traditional and nontraditional. We tapped into some very deep thinking and very strong thoughts, emotional questions about governments, about accessibility to decision making, and about forums in which decision are made. There was a general consensus in our group that the existing system was strained to the hilt and was barely working. So there was the sense that we are being overwhelmed by growth, overwhelmed by scale, and that the system is becoming unmanageable. Our discussion tapped into that underlying frustration. There is a sense that the institutionalization of conflict resolution was a bad thing. This is because what we really ought to be doing is exercising self restraint in our behavior such that the imposition of regulation would be unnecessary.

We talked about a continuum of conflict resolution which starts off with war as a way of resolving conflict, extending through systems of law and regulation, and at the other end of the spectrum is self restraint. There is also a sense of realism that it is very difficult to rely on things like self restraint when you have massive urban systems that present an enormous and overwhelming scale of problems. In one sense we were bemoaning the state of affairs and wishing that things were simpler, and wishing to go back to small communities that were more manageable.

A common tool for conflict resolution is the use of hearings. Often, however, the hearings process tended to exacerbate differences rather than bring people together. The hearing process provides an opportunity for grandstanding, provides an opportunity for hyperbole, exaggerated problems taking extreme positions on both sides such that conflicts become more difficult, rather than moving towards resolution. But the present forms of conflict resolution as they pertain to waterfront resource issues, such as zoning and reliance upon law enforcement as a way to enforce behavior and resolve conflicts, is a recognition that you can't hire enough "water cops" to keep everyone well behaved. There was a feeling that there are alternatives to these traditional conflict resolutions systems. Tools such as mediation, arbitration, bringing in an ombudsman perhaps, hearings examiners or hearings masters were suggested as other ways of dealing with conflict. The idea surfaced that you needed a fair neutral party to examine the issue and arrive at a decision --- sort of a Solomon-like person.

Constraints on waterfront resource development were felt to embody some notion of carrying capacity and that conflicts could be resolved by adopting some commonly perceived carrying capacity limits, such that somehow there might be a technological or a scientific fix. If you knew what those carrying capacity limits were, they may contain an ecological constraint that would keep you from having to resort to regulation, laws, etc. There would be limits imposed by commonly accepted carrying capacity limits. A feeling existed that universities could do a lot to examine how those carrying capacities are measured and what they might be.

Florida, in particular has become attractive to very wealthy, very successful people in their retirement years. These people are accustomed to winning. They do not take defeat kindly and where you have a group dominated by successful strong willed

people who are used to winning then the hearings process becomes war. That exacerbates the problem of using the hearings as a way to resolve conflict. There was general bemoaning about the "not in my back yard" self serving testimony and the distortion of science to make a point.

We got to an interesting juncture this morning, I think, in regards to formulating a model of the problem of conflict. The culprit of the waterfront resource is personified by those who wish to protect that waterfront environment in a strongly pro-environment, pro-protection, pro-conservation position, as opposed to management. There are the typical resource users services provided to us, the boat manufacturers, the marinas, marine services that provide services to the waterfront user, whether it would be the boater or the person who eats on the waterfront, whatever. There are several parties that are involved in the conflict. Part of the conflict has to do with the perceptions of rights and degree of rights to the resource. Are these rights really equal? Do people who have just arrived in the state have the same kind of rights as the people who have lived here all their lives? Does this longevity play any role in the way conflicts are resolved? It might be similar to the western water rights-issue- first in time, first in right. If you got to a stream first and started extracting water, that's a senior right and you get rights to the water. The subject who comes later doesn't get as much.

There is a notion too, of balancing the insults to the environment. That is, if I'm a boater and I'm told that my outboard motor oil is leaking into the water or that I pump my head in the wrong place, I'm creating a problem. Yet the city is allowed to dump storm water runoff with numerous heavy metals and the hydro carbons in the same water. That Ain't Fair! So there is this idea of balancing the insults to the environment. There's a conflict that's created because of unequal treatment of the problem by the different participants in the creation of the same problem.

A problem also exists in identifying the spokesperson who speaks for what interests and how do they speak for those interests and why do they have more legitimacy than someone else? That's a problem with resolving conflict. I might add that there is always the overlooked constituency that doesn't emerge until the settlement is just being reached. Somebody pops up and says, "Wait a minute, you have to consider this."

Let me return to the question of what Sea Grant is. Sea Grant, and the university system that houses it, was perceived as a neutral and trustworthy organization that therefore had perhaps some strengths that agencies and other governmental bodies were not perceived to have. I'd like to think that we are trustworthy. I'd really like to think that the government is trustworthy too. There is the feeling that Sea Grant research could focus on the processes of conflict resolution and the identification of alternative models of conflict resolution. A viable role may be to look for what works elsewhere and try to find out why some techniques do not work. Sea Grant would help determine what is wrong with what does not work and generate a menu of conflict resolution techniques. There was a feeling that we could be the neutral critic. There was a feeling that we could be involved in conferences and workshops like these that might examine resource issues on a statewide basis. An example, is the manatee problem, which kept coming up in our group. What role will Sea Grant play or not play in beginning to resolve, in an acceptable fashion, statewide marine resource problems?

Conclusions and Recommendations

The workshop proceedings provide a basis for a plan of action for Florida Sea Grant Marine Advisory and marine research programs for addressing problems of waterfront development and utilization in Florida. The principle issues identified by the workshop participants are listed below. For each issue recommendations for Florida Sea Grant action are made. These recommendations are based on the workshop proceedings, our own impressions of potential waterfront programs, as well as informal contacts. The emphasis below is on those issues and potential actions that Sea Grant is uniquely qualified and able to provide. In some instances programs may address more than one issue and wherever relevant, such program overlaps are highlighted.

1. **Maintaining a Working Waterfront:** That there is a value whether social, cultural, heritage, or economic, of maintaining a working waterfront was a recurrent theme throughout the workshop. There was a general recognition that certain activities require a waterfront location for their mere operational existence and that there is a certain value in assuring their continued operation. At issue, however, is what marine industries should be protected and how?

Recommended Actions:

- A. **Land Use Policy Alternatives:** Sea Grant should review the various land use policies that may be available to municipalities to regulate waterfront land use. Waterfront zoning, development rights transfers, land conservancies and other policies that have been used in waterfront and agricultural land use control programs. Each policy should be described and specific examples given on their use in Florida and elsewhere. Special emphasis should be placed on describing implementation strategies for each policy and the potential problems that may be created.
- B. **Enabling Legislation for Marine Blue Belting:** Blue belting for marine industries would provide a tax incentive for maintaining coastal land in a marine oriented use. Sea Grant should conduct a legal review of existing

legislation regarding tax incentive based land use controls and establish the legal basis for extending such programs to waterfront land.

- C. **Revise Sea Grant Mailing List:** There was a general consensus that Sea Grant publications and other forms of information could be of use to individuals beyond its traditional client base. These individuals are members of the planning profession and representatives of citizens organizations involved in coastal land use and environmental issues. Expansion of Sea Grants mailing list would expand its client base and would make Sea Grant's research and marine advisory resources available to individuals involved in waterfront planning and decision making.

- D. **Information Clearing House:** Sea Grant has traditionally filled the role of disseminator of information and as a clearing house for marine related information. Although there are a number of unmet research and information needs, there are a number of sources of information that address waterfront planning issues. Sea Grant should identify these sources and incorporate them into its own information dissemination programs.

2. **Conflict Over Highest and Best Use of Waterfront Land:** Conflict arises over waterfront land use whenever there is a disagreement over the highest and best use of land. Such conflict usually does not hinge on a disagreement over the highest use as this has come to be associated with the market value of land. Rather, conflict arises over what is the best use of the land to whom. In cases such as these the market value of land may be of little consequence. Public debate over the best use of waterfront land is going to be an evolutionary process and will continue as long as such decisions must be made. Sea Grant's role in that process will be one of information provider and promoter of vehicles for informed debate.

Recommended Actions:

- A. **Identification of Market Failures:** Divergences between highest and best use of waterfront land may be argued to be a consequence of market failure. Market failures may arise under a number of circumstances all of which tend to result in a divergence between private and social values of waterfront land. Waterfront land may provide a range of services that may be valued by the community for which the landowner can extract no payment. Since these values are not reflected in land markets the social value of certain uses of land are not considered in the decision making processes of private landowners. Therefore, Sea Grant should identify the potential sources of market failure and identify public policies or opportunities for institution building to resolve waterfront land use conflicts. Additionally, wherever possible Sea Grant should identify and measure the social costs and benefits of land use planning alternatives.
- B. **Promotion of Forums for Community Decision Making:** There was a perception among workshop participants that the waterfront development decision making process was being captured by waterfront developers. Consequently, decisions regarding the use of waterfront land may not be consistent with larger community planning objectives. Sea Grant should provide a vehicle through which land use plans can be formulated through community initiative and support. Although the Comprehensive Planning Act provides the

framework within which all Florida communities must make land use decisions smaller communities may lack the resources or expertise to take advantage of all provisions of the Act. In developing programs directed toward community planning Sea Grant should target its efforts toward smaller communities.

- C. **Alternative Financing for Public Projects:** In order to keep land in its "best" use some form of public expenditure may be required. Fee simple purchase of waterfront land, for example, requires the raising of public revenues. Sea Grant should develop information materials targeted for public agencies describing alternative financing alternatives for public projects.

3. **Environmental and Community Infrastructure Carrying Capacity:** The notion of carrying capacity implies that there are limits beyond which environmental quality or community infrastructure become stressed. For environmental resources degradations in environmental quality may result in lower physical output of fishery products as well as diminished intrinsic enjoyment of the environment. Similarly, at any given time a community has a limited capacity to provide fire and police protection, road repairs, and other municipal services. Any given use for land may have different effects on environmental and infrastructure carrying capacity. Therefore, there is a need for assessing the link between waterfront land use and environmental and community infrastructure carrying capacity.

Recommended Actions:

- A. **Develop Guidelines for Setting Environmental Quality Standards:** Before determining whether environmental carrying capacity has been exceeded one must have some standard or criterion by which environmental quality can be measured. Although certain minimum criteria for environmental quality are mandated by under the Comprehensive Planning Act some communities may wish to set higher environmental quality objectives. Sea Grant should develop information programs designed to assist local communities to determine appropriate environmental quality objectives.
- B. **Assist in Developing Community Infrastructure Needs Assessment:** Any given land use will require a specific level and set of demands for community infrastructure services. Therefore, any given plan for waterfront land use will have different implications for community infrastructure needs. A Sea Grant research and information program should be developed to identify community infrastructure needs for different land use alternatives. Such a program would establish the technical relationships between specific uses of land and intensity of use and the community infrastructure needs in order to support that activity.
- C. **Develop Strategies for Citizen Participation in Formation of Comprehensive Plans:** Each county must prepare a coastal element for its County Comprehensive Plan. Contained in the coastal element must be consideration of existing land uses, projections for future land use, and provisions for dealing with water dependent industries. The workshop participants indicated that there was a lack of understanding of the purpose of the comprehensive planning process and the opportunities for citizen involvement in that process. Therefore, Sea Grant should develop information programs targeted for individual citizens describing the comprehensive planning process and citizen involvement. Such information programs should be directed toward the coastal element of the plan.

- 4. **Public Access:** Access to the waterfront, whether visual, physical, or economic, was a recurrent theme throughout the workshop proceedings. Because waterfront land provides the link to the water's edge access is a natural point of conflict among waterfront user groups. Conflict may arise whenever a private landowner's activities may restrict public access to the water. Therefore, Sea Grant should develop information programs directed toward public awareness of strategies for increasing public access to the water.

Recommended Actions:

- A. **Awareness Programs for Waterfront Developers:** Conflict over waterfront access seem to arise over development or redevelopment of waterfront land. Such conflict may be mitigated through information programs targeted for developers of waterfront land to increase private awareness of the need for and initiative in providing public access. Sea Grant should develop public access education programs to fill this need.
 - B. **Access Oriented Waterfront Project Design:** Public access can be enhanced through appropriate project design. Sea Grant should develop guidelines for access oriented waterfront project designs. Such a program could be accomplished through a review of existing access oriented waterfront design projects. Each project could then be evaluated selecting the best design characteristics and make recommendations for proposed development projects.
 - C. **Forums for User Group Interaction:** Conflict over waterfront access will continue unabated for the foreseeable future. However, conflict may be minimized through regular interaction among the various waterfront user groups on access related issues. Sea Grant should foster a dialogue between waterfront user groups to increase the awareness and understanding of one another's needs.
- 5. **Matching community needs with waterfront planning and development:** Although exceptions can be found, the overall pattern of Florida's waterfront utilization possesses a history of

"piece-meal" planning without careful consideration of the effects proposed specific projects and general development might have on the local community needs related to the waterfront. These current and future community needs should be, where possible, reflected in waterfront development activities.

Recommended Actions:

- A. **Waterfront Development and Regulatory Sourcebook:** A useful tool for developers and interested citizen groups alike would be a reference containing listings and annotations of current waterfront development/utilization regulations in Florida. This might contain current state statutes, local ordinances, public trust doctrine reviews, concurrency constraints, appropriate agencies, etc. which might apply to waterfront development/redevelopment in Florida on a region, county, or municipality basis. The Sea Grant document could also contain a list of the various waterfront/waterway advisory groups in the state. This may effectively serve as a "practitioners guide" to waterfront use in Florida.
- B. **Increase Citizen Awareness of County Comprehensive Planning Process:** Citizens need to be made aware of the county comprehensive planning process and the role they can play in the development and periodic amending of the coastal element of the plan for their county. This can be an effective avenue for local community needs to be incorporated into local waterfront related development activities. Florida Sea Grant could be instrumental in organizing educational workshops for interested citizens to be more knowledgeable of the comprehensive planning process.
- C. **Describe Methodology for Economic, Environmental, and Social Impact Analysis:** Local planners and citizen groups need to identify and evaluate the various impacts to the community of proposed waterfront development projects. A document that would describe the appropriate methodologies for measuring the economic, environmental, and social impacts and tradeoffs of proposed projects was identified as a potentially useful

tool. Such a document would allow a more complete understanding of how consistent a proposed project would be with community objectives.

6. **Economic Role of the Waterfront in the Community:** A general lack of understanding exists as to the role the waterfront plays in the social, cultural, and economic functioning of coastal communities in Florida. Without a clear understanding of these roles, local planners may inadvertently ignore nonmarket values of importance to the community as decisions regarding the waterfront are made.

Recommended Actions:

- A. **Public Awareness Workshops and Programs:** The general public may need to be better educated as to the various roles a working waterfront plays in the local community. These roles can be of an economic, cultural, or aesthetic nature. Workshops, riverwalks, and other forms of public awareness programs could be held that would provide a better understanding of the role played by the waterfront in the community.
- B. **Monitor Waterfront Use and Industry Activity:** The importance of the waterfront to the functioning of the coastal community can be better understood if the actual commercial and non-commercial use is monitored. Establishment of a monitoring effort that would data-base various waterfront-related activities (i.e. number of marinas and slips, seafood offloading/processing facilities, commercial and recreational vessel/boats, shipyards, etc.) would provide an accurate and on-going measure of community use and dependence on waterfront resources.
7. **Evolving Demand for Waterfront-Related Goods and Services:** The demographic nature of Florida's coastal population is changing. As a result, the demand for the various goods and services provided by waterfront-related industries is also changing. The mix of industries found on Florida's waterfront is evolving in response. An understanding of the factors causing this change in industry mix, and the associated changes in

coastal land use patterns, will help state, regional, and local planners make more accurate projections of future waterfront needs.

Recommended Actions:

A. **Assess Water-Dependent Industry Competitiveness:** Measuring how financially competitive traditional water-dependent businesses (i.e. marinas, shipyards, seafood establishments, etc.) are with water-enhanced businesses (i.e. office complexes, restaurants, etc.) will help local planners better anticipate and understand the tradeoffs which will result in allowing change to occur in the current mix of waterfront industries. This need will become even more acute as the demands exerted by the community for waterfront goods and services evolve more toward a non-water-dependent dominated market. A study could be conducted that would measure relative financial performance of key water-dependent and non-water-dependent businesses.

B. **Monitoring Waterfront Land Use Patterns:** As the demands for waterfront goods and services has changed, so has the nature of waterfront land use. A need exists for data describing the use of waterfront land parcels, and how the use of these properties have changed in recent years. A model could be developed that would identify key determinants of waterfront land use and provide projections on future waterfront land use patterns in Florida. Such a model would incorporate local demand for a wide range of waterfront-related goods and services.

8. Waterfront Policy Debate and Conflict Resolution: The "appropriate" use of the waterfront has become a contentious issue for several coastal communities in Florida. In some cases, the discussion has evolved from debate to conflict. The development of the initial land use plan for Monroe County provides an example of how separate and distinct user groups can enter into strong adversarial roles in an attempt to determine future local waterfront use. In one sense, conflict can be productive. As noted in the presentation by Bob Goodwin, conflict can serve to better define issues and help focus the true decision objectives. In many cases, however, conflict

can be counterproductive and argumentative, serving to stalemate a decision while consuming limited time and financial resources. Communities should investigate alternative methods of clearly defining the issues, assessing the tradeoffs, and arriving at a decision regarding local waterfront use in an equitable and efficacious manner.

Recommended Actions:

A. **Identify Alternative Forums For Conflict Resolution:** A useful process would to identify alternative forums for conflict resolution that remove the adversarial barriers that is often exacerbated by the public hearings process. Alternatives that could be examined include mediation, arbitration, hearings examiners and masters, or utilizing an ombudsman. Case studies could be performed, through literature review or site visit, as comparative analyses of experiences in other communities, states, or regions. These case studies could focus on communities that have successfully structured a waterfront use plan and assess the public choice methods utilized.

B. **Provide For On-Going Waterfront Use Discussion:** Proactive on-going interchange among waterfront user groups could be encouraged before disparate viewpoints reach crisis proportions. This may be accomplished through the organization of local waterfront advisory groups, such as have been initiated in several coastal communities in Florida. These groups could exchange information and experiences regarding waterfront land use decision-making processes.

Waterfront Development and Utilization in Florida

October 25-26, 1990

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