

From: Dan Hinckley <dbhinckley@icloud.com>
Sent: Wednesday, August 13, 2025 12:03 PM
To: Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith <Holly.Smith@mysanibel.com>; Laura J. DeBruce <laura.debruce@mysanibel.com>; John.Henshaw@mysanibel.com; com.Mike.Miller@mysanibel.com
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Subject: SAD and dredging in the Wulfert Channel (UPDATE)

Summary:

The current project to dredge only in the Wulfert Channel is certainly one which can not, by any stretch of the imagination, be charged to Dinkins Bayou/Sunset Bay abutters: NONE of those abutters are abutters of Wulfert Channel.

Dear City Council Members,

CC: Sanibel City Manager
SAD Abutters

RE: SAD and dredging in the Wulfert Channel (UPDATE)

August 13, 2025

We are abutters of Dinkins Bayou and voting residents of Sanibel.

1. SAD Cost Sharing

The current project to dredge only in the Wulfert Channel is certainly one which can not, by any stretch of the imagination, be charged to Dinkins Bayou/Sunset Bay abutters: NONE of those abutters are abutters of Wulfert Channel.

The additional dredging into Dinkins Bayou is for spoil removal and certainly doesn't constitute a proper dredging project.

With thanks for your consideration.

Katherine and Dan Hinckley
2498 Harbour Lane
Sanibel, FL 33957

From: Markland Headley <marklandheadley@gmail.com>

Sent: Wednesday, August 13, 2025 7:25 AM

To: Vicki L. Smith <vicki.smith@mysanibel.com>

Subject: Support for Wulfert Channel Dredging Project

Vicki-

We support the proposed Wulfert Channel Dredging project that is being proposed by the City. Dredging the channel is critical for both bay and gulf access. It has a direct effect on our quality of life and safety as well as the value of our property.

Thanks,

Mark and Tammy Headley

2552 Harbour Lane

Sanibel

From: von Birkensee Nikolai F. T.
Suelldorfer Mühlenweg 90
22587 Hamburg
Germany

2480 Harbour Lane
Sanibel FL 33957

To: Finance Department
City of Sanibel
800 Dunlop Road
Sanibel, FL. 33957
U. S. A

Re: Public Hearing August 19th, 2025
Assessment for Wulfert Cannel

Date: July 31, 2025

Dear Sirs,

I herewith object to the intended establishment of an assessment to fund dredging for the special benefit of the Wulfert Channel Area Dredging Assessment District as well as to all other assessments for dredging or other treatment of the aforementioned area.

This objection is motivated i.a. by the following:

-It is not the obligation of private property owners to pay for public improvements for water quality or accessibility of public waters.

-The dredging does not increase the value of the properties of the Assessment District, as the waterways and accessibility of Dinkens Bayou always changed in the past and will do so in the future without any essential effect to its navigability.

-As long as Dinkens Bayou is free accessible for anyone and not allocated especially to the property owners of the Assessment District and their households, this would lead to an obligation of a few to pay for the benefits of all.

-In fact, there is no need for any improvement at all regarding the navigability of Dinkens Bayou, and if the "improvements would include Wulfert Channel, the residents at Roosevelt Channel would benefit as well and should be included in the Assessment District.

-in any case, the scope of persons having a "benefit" of the "improvement" (which does not exist) can not be reduced to the property owners with waterfront alone, as there is a public ramp on Henderson Road, followed by the fact, that everybody can bring in his boat in over there, especially all residents of the Wulfert area, even if they do not have a waterfront.

I am sorry to have this sent by letter, but I am in Germany right now and therefore unable to attend the hearing at August 19, 2025. Nevertheless, I hope you will consider the aforementioned thoroughly.

Very sincerely



Nikolai Teuffel von Birkensee

From: Caroline <cpeirce27@comcast.net>

Sent: Monday, August 11, 2025 11:50 AM

To: rsbcsb <rsbcsb@aol.com>

Cc: Dan Hinckley <dbh@suiattle.org>; Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith <Holly.Smith@mysanibel.com>; Laura J. DeBruce <laura.debruce@mysanibel.com>; com.Mike.Miller@mysanibel.com <com.Mike.Miller@mysanibel.com>; Vicki L. Smith <vicki.smith@mysanibel.com>; citymanager <citymanager@mysanibel.com>; Dr. von Teuffel Niko Frhr. <vteuffel@hansalawyers.com>; Nancy Krahmer <krahmer6@verizon.net>; llsikon@comcast.net <llsikon@comcast.net>; Meg Barclay <meg.barclay12@gmail.com>; catherine bannister <cathiebannister@gmail.com>; Meg Born <megvborn@icloud.com>; M Lori Reidel <mlorir@gmail.com>; Ron Fields <georgiaf@roadrunner.com>; cloiselle@yahoo.com <cloiselle@yahoo.com>; vloiselle@gmail.com <vloiselle@gmail.com>; BARBARA MAUGHAN <barbara@maughan.com>; Maughn Jason R. <JM@malawgroup.com>; Betsy Baumgartner <Betsy.Baumgartner@gmail.com>; Bill Baumgartner <wbaumgar@jhmi.edu>; Funchion Matt <mfunction@pennbeer.com>; dianafunchion@gmail.com <dianafunchion@gmail.com>; amymcneil83@gmail.com <amymcneil83@gmail.com>; jim.mcneil@akerman.com <jim.mcneil@akerman.com>; Karenvollmer@me.com <Karenvollmer@me.com>; anneentwistle@juno.com <anneentwistle@juno.com>; Anne Entwistle <Erik@erikentwistle.com>; Penny Weinstein <penelopeart@comcast.net>; Gloria Castellitto <gcastellitto@aol.com>; Diane Roach <dmlr57@gmail.com>; tsenft@sbcglobal.net <tsenft@sbcglobal.net>; Jennifer Shaver <jldrenik19@gmail.com>; docshaver@twc.com <docshaver@twc.com>; rushcom@aol.com <rushcom@aol.com>; William Gerhardt <willgerhardt4@gmail.com>; hhgerhardt@yahoo.com <hhgerhardt@yahoo.com>; Steve Wolfe <Wolfesteve@aol.com>; John Noel <johnnoelct@gmail.com>; John Harrington <harrinj@comcast.net>; Deborah Marston <dahbs@comcast.net>; Linda Stafford <lgs1@staffordsmith.com>; jsmajeski@aol.com <jsmajeski@aol.com>; Paul Majeski <paul@musictrades.com>; SARAH WILSON <sarahwilsonprivate@me.com>; kay@kaycasperson.com <kay@kaycasperson.com>; catherineloanderson@gmail.com <catherineloanderson@gmail.com>; eanderson@forthrightsolutions.com <eanderson@forthrightsolutions.com>; mikeqmm@gmail.com <mikeqmm@gmail.com>; Doug Born <dborn1957@gmail.com>; grace4td2@icloud.com <grace4td2@icloud.com>; Judy Bellestri <judy.bellistri@gmail.com>; kitty koch <kittybaconkoch@gmail.com>; gfb55@hotmail.com <gfb55@hotmail.com>; sanibelsas53@hotmail.com <sanibelsas53@hotmail.com>; anngrahamalfes@gmail.com <anngrahamalfes@gmail.com>; Susan Newton <susannewton881@gmail.com>; merrillbp@gmail.com <merrillbp@gmail.com>; Tiffany Paul <paultiffany1@gmail.com>;

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Subject: Re: Dredging Wulfert Bayou and who pays.

Unfortunately not enough people were at the deciding meeting. It has already passed. The cost to the homeowners is around \$2500. The special tax district is for only 1 calendar year. If this is brought up again in future years, maybe we can shoot it down if more people show up, and or send emails and letters to the city council. I believe the State of Florida, Lee County, The City of Sanibel should look into setting up a fund for waterway maintenance. Since our waterways are open to all boaters in SW Florida maybe they should look into an annual boating fee to fund this! Not homeowners!!!

Sent from my iPhone

From: Wendy West <fishcrowroad@gmail.com>

Sent: Sunday, August 10, 2025 5:29 PM

To: MikeMiller@mysanibel.com; HollySmith@mysanibel.com;
LauraDeBruce@mysanibel.com; JohnHenshaw@mysanibel.com; citymanager
<citymanager@mysanibel.com>

Subject: Dredging Wulfert Bayou

Dear Council Members,

I am a long time resident of Sanibel and live in the DelSega neighborhood and feel that the residents should not have to bear 66% of the cost of dredging an area that is open for public use. The County should bear the majority of the cost and the city should bear some if the cost.

I think the council should listen to the residents of the affected and seriously think about the time of this project.

Sincerely,

Winifred West

2529 Harbour Lane

From: rsbcsb <rsbcsb@aol.com>

Sent: Sunday, August 10, 2025 3:24 PM

To: Dan Hinckley <dbh@suiattle.org>; Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith <Holly.Smith@mysanibel.com>; Laura J. DeBruce

<laura.debruce@mysanibel.com>; com.Mike.Miller@mysanibel.com; Vicki L. Smith <vicki.smith@mysanibel.com>; citymanager <citymanager@mysanibel.com>

Cc: Dr. von Teuffel Niko Frhr. <vteuffel@hansalawyers.com>; Krahmer Nancy <krahmer6@verizon.net>; llsikon@comcast.net; Barclay Meg

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Subject: RE: Dredging Wulfert Bayou and who pays.

Informative and thank you. Unfortunately the statute passed by FL legislature allows municipalities to assess any one under the guise of increasing property value(ie then raise taxes). As property taxes have not risen wrt mill rate , I believe this is the driving force behind this. The best counter argument seems to be the universal access to these waterways being supported by the relatively few homeowners, even less so in that not all own a boat or have a dock but simply the right to have both (how would their property increase in value then?)

What concerns me most is the liability we would incur as result of paying for said dredging and an injury occurs during or after dredging(when inadequate dredging causes injury). I have yet to see that addressed. The city may have such liability coverage, but homeowners are not covered.

Fingers crossed this fails...

Bob Berger 2470 hrbr ln

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Dan Hinckley <dbh@suiattle.org>

Date: 8/10/25 12:24 PM (GMT-05:00)

To: Mike Miller <Mike.Miller@mysanibel.com>, Holly Smith <Holly.Smith@mysanibel.com>, Laura.DeBruce@mysanibel.com, com.Mike.Miller@mysanibel.com, vicki.smith@mysanibel.com, citymanager@mysanibel.com

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Subject: Dredging Wulfert Bayou and who pays.

To our City Council Members.

From: jen maughan <maughan.jenni@gmail.com>

Sent: Sunday, August 10, 2025 1:53 PM

To: Dan Hinckley <dbh@suiattle.org>

Cc: Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith

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John.Henshaw@mysanibel.com; com.Mike.Miller@mysanibel.com; Vicki L. Smith

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<paultiffany1@gmail.com>; janettiffany@hotmail.com; mggriffith1@gmail.com; Debi

Griffith <nhizmij@gmail.com>; jenni@maughan.com; bruce.grossnickle@gmail.com;

jeanne.grossnickle@gmail.com; Nashashibi Karim <knashashibi@verizon.net>;

gyoung@american.edu; John MCCABE <mccajohn@gmail.com>; Barbara Joy Cooley

<b2cool@gmail.com>; cooley.1@osu.edu; susan@coile.com; garth@garthwebb.com;

nwine9@gmail.com; Chad Krahmer <ckrahmer@baystatefinancial.com>; Mark Calkin

<mtcalkin@comcast.net>; Missy Calkin <melissa.calkin@gmail.com>; Joan Klutch

<ajklutch1@gmail.com>; Joan Klutch <jklutch@mac.com>; amaazen1@gmail.com;
vandermaazendot1@gmail.com; john314lot@gmail.com; bcneillirwin@gmail.com;
cshielsb@aol.com; blogie777@outlook.com

Subject: Re: Dredging Wulfert Bayou and who pays.

Thank you Dan! Very informative

Good news the cut from blind pass to sunset is actually open. It started with a trickle and continues to grow. Unfortunately they keep putting sand around the bend and it gets pushed into the pass. We need to find a solution and not get sidetracked.

Thanks again

Jenni

Sent from my iPhone

> On Aug 10, 2025, at 12:25 PM, Dan Hinckley <dbh@suiattle.org> wrote:

>

> To our City Council Members.

>

> <Dredging-CityCouncil-Aug-19th.docx>

>

From: Dan Hinckley <dbh@suiattle.org>
Sent: Sunday, August 10, 2025 12:24 PM
To: Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith <Holly.Smith@mysanibel.com>; Laura J. DeBruce <laura.debruce@mysanibel.com>; John.Henshaw@mysanibel.com; com.Mike.Miller@mysanibel.com; Vicki L. Smith <vicki.smith@mysanibel.com>; citymanager <citymanager@mysanibel.com>
Cc: Dr. von Teuffel Niko Frhr. <vteuffel@hansalawyers.com>; Krahmer Nancy <krahmer6@verizon.net>; llsikon@comcast.net; rsbcsb@aol.com>; Barclay Meg <meg.barclay12@gmail.com>; bannister catherine <cathiebannister@gmail.com>; Born Meg <megvborn@icloud.com>; M Reidel Lori <mlorir@gmail.com>; Fields Ron <georgiaf@roadrunner.com>; cloiselle@yahoo.com; vloiselle@gmail.com; MAUGHAN BARBARA <barbara@maughan.com>; Maughn Jason R. <JM@mhalawgroup.com>; Baumgartner Betsy <Betsy.Baumgartner@gmail.com>; Baumgartner Bill <wbaumgar@jhmi.edu>; Funchion Matt <mfunction@pennbeer.com>; dianafunchion@gmail.com; amymcneil83@gmail.com; jim.mcneil@akerman.com; Karenvollmer@me.com; anneentwistle@juno.com; Entwistle Anne <Erik@erikentwistle.com>; Weinstein Penny <penelopeart@comcast.net>; Castellitto Gloria <gcastellitto@aol.com>; Roach Diane <dmlr57@gmail.com>; Peirce Caroline <cpeirce27@comcast.net>; tsenft@sbcglobal.net; Shaver Jennifer <jldrenik19@gmail.com>; docshaver@twc.com; rushcom@aol.com; Gerhardt William <willgerhardt4@gmail.com>; hhgerhardt@yahoo.com; Wolfe Steve <Wolfesteve@aol.com>; John Noel <johnnoelct@gmail.com>; Harrington John <harrinj@comcast.net>; Marston Deborah <dahbs@comcast.net>; Stafford Linda <lgs1@staffordsmith.com>; jmajeski@aol.com; Paul Majeski <paul@musictrades.com>; WILSON SARAH <sarahwilsonprivate@me.com>; kay@kaycasperson.com; catherineloanderson@gmail.com; eanderson@forthrightsolutions.com; mikeqmm@gmail.com; Born Doug <dborn1957@gmail.com>; grace4td2@icloud.com; Bellestri Judy <judy.bellestri@gmail.com>; koch kitty <kittybaconkoch@gmail.com>; gfb55@hotmail.com; sanibelsas53@hotmail.com; anngrahamalfes@gmail.com; Newton Susan <susannewton881@gmail.com>; merrillbp@gmail.com; Paul Tiffany <paultiffany1@gmail.com>; janettiffany@hotmail.com; mggriffith1@gmail.com; Griffith Debi <nhizmij@gmail.com>; jenni@maughan.com; bruce.grossnickle@gmail.com; Jeanne.grossnickle@gmail.com; Nashashibi Karim <knashashibi@verizon.net>; gyoung@american.edu; MCCABE John <mccajohn@gmail.com>; Cooley Barbara Joy <b2cool@gmail.com>; cooley.1@osu.edu; susan@coile.com; garth@garthwebb.com; nwine9@gmail.com; Krahmer Chad <ckrahmer@baystatefinancial.com>; Calkin Mark <mtcalkin@comcast.net>; Calkin Missy <melissa.calkin@gmail.com>; Klutch Joan <ajklutch1@gmail.com>; Klutch Joan <jklutch@mac.com>; amaazen1@gmail.com; vandermaazendot1@gmail.com; john314lot@gmail.com; bcneillirwin@gmail.com; cshieldsb@aol.com; blogie777@outlook.com
Subject: Dredging Wulfert Bayou and who pays.

To our City Council Members.

Dear City Council Members,

CC: Sanibel City Manager
SAD Abutters

RE: SAD and dredging in the Wulfert Channel.

August 11, 2025

We are abutters of Dinkins Bayou and voting residents of Sanibel.

1. SAD Cost Sharing

First of all, the comparison by the City using the SAD arrangement at Shell Harbor is very misleading: Shell Harbor is a man-made creation, and as such is not a Navigable Waterway, so the City does indeed have some responsibility.

The waters of Wulfert Channel and Dinkins Bayou (excluding canals) are Navigable waterways.

How it is that the City feels it can charge abutters for dredging those waters escapes us. The Council has clearly failed to grasp that a great many of us feel we are being charged for dredging waterways used by many boaters other than those from Sanibel, and that they will benefit from our contributions at no cost.

If the City somehow concludes that it must do any dredging until a more comprehensive solution is implemented (BPIMP), it should at a minimum be paid for by the City. If the Council still feels abutters should participate, then we suggest the percentages be reversed: City: 66%, abutters 33%; or better yet, City 80%, abutters 20%.

2. Blind Pass Inlet management Plan

It is clear that only two Council members recall the details of the Blind Pass Inlet Management Plan. We participated actively in the hearings for that plan, and as Holly mentioned, it includes solving the Sunset Bay issue. That plan was hugely improved by us participants demonstrating to the engineering firm that the old Blind Pass passages through Sunset Bay would vastly improve the water flow through Blind Pass and the Wulfert Channel. It is true as she said, that enabling the Preferred Option (Option 5) would need additional permitting but this is something Sanibel hopefully should be able to lobby Lee County and FL DNR about.

BPIMP was also justified on environmental grounds, and thus supported by FL DEP. As a consequence, we would be remiss not to immediately seek all possible alternatives to re-starting the permitting of the preferred option for that plan, especially given that short-term solutions are available while such lobbying proceeds.

[Blind Pass Inlet Management Plan](#)

3. Navigational Safety

There has been much discussion about this project being about navigational safety. But unless I am mistaken, that is not the responsibility of the City. Wulfert Channel and Dinkins Bayou are not man-made canals; they are Navigable Waters within the meaning of the act, and as such are the responsibility of the USACE (US Army Corps of Engineers), (please see sections of the US CFR attached) thus subject to USACE oversight.

Navigation safety on the waters of the US is almost certainly the responsibility of the Coast Guard, not the City. I doubt that using it as a justification for the project is a defensible position.

4. Current Use in Dinkins Bayou

Having spent many years navigating Dinkins Bayou, including the Pine Tree canal and beyond, we can say clearly that the dredging issues in the upper reaches of the Bayou are exaggerated. There are indeed shoal spots, which can be avoided with skill and attention.

We can assert from personal observation of Dinkins Bayou from Feb 5 - May 22, 2025, that large outboards of 23 - 26 ft. with 1 or 2 engines were successfully leaving the Bayou during that period. Their most serious issue is very likely the shoal in the Wulfert Channel.

5. Water quality in Dinkins Bayou:

There has been mention that full-scale dredging would improve the water quality in Dinkins Bayou. In fact the BPIMP addresses this for Sunset Bay.

However, the best way to improve the water quality in the Bayou is to allow the opening to the Gulf which is occasionally re-opened by storms, to remain open. These breaches usually close up again within weeks but instituting a plan to keep that breach open would hugely improve the water quality of both Clam Bayou and Dinkins Bayou. Instead, recently there has been an effort to build up the beach in that breach area. We would strongly

recommend that Council and the City review carefully the viability of keeping this breach open.

6. Additional Points:

It defies logic to propose beginning a dredging project right before the first day of the two most dangerous hurricane months of the year.

The concept of a 10 year planning horizon for a dredging SAD is simply unrealistic in today's circumstances. Indeed the City Manager said (June 3) that they had been obliged to dredge more frequently than planned at Shell Harbor.

The Blind Pass Inlet Management Plan is the only carefully studied, including full-fledged public participation, approach to managing the problems associated with Blind Pass, and has the added virtue of offering a solution to the situation on Sunset Bay. We would be far better off to focus our energies on re-starting that Plan as soon as possible. Note that because the BPIMP was based on environmental issues (water quality of Pine Island Sound, etc.), that it automatically attracts State, and perhaps even Federal support. The proposal before us has no such advantage.

If the occasional short-term band-aid dredge is in order, so be it, so long as we do not lose sight of the fact that a longer-term plan exists to address these issues.

With our thanks for your attention.

Sincerely,

Katherine and Dan Hinckley
2498 Harbour Lane
Sanibel, FL 33957

US CFR:

<https://www.ecfr.gov/current/title-33/chapter-II/part-329>

<https://www.nap.usace.army.mil/Portals/39/docs/regulatory/regs/33cfr329.pdf>

§ 329.4 General definition.

Navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to

transport interstate or foreign commerce. A determination of navigability, once made, applies laterally over the entire surface of the waterbody, and is not extinguished by later actions or events which impede or destroy navigable capacity.

§ 329.7 Intrastate or interstate nature of waterway.

A waterbody may be entirely within a state, yet still be capable of carrying interstate commerce. This is especially clear when it physically connects with a generally acknowledged avenue of interstate commerce, such as the ocean or one of the Great Lakes, and is yet wholly within one state. Nor is it necessary that there be a physically navigable connection across a state boundary. Where a waterbody extends through one or more states, but substantial portions, which are capable of bearing interstate commerce, are located in only one of the states, the entirety of the waterway up to the head (upper limit) of navigation is subject to Federal jurisdiction.

329.12 Geographic and jurisdictional limits of oceanic and tidal waters.

(a) ***Ocean and coastal waters.*** The navigable waters of the United States over which Corps of Engineers regulatory jurisdiction extends include all ocean and coastal waters within a zone three geographic (nautical) miles seaward from the baseline (The Territorial Seas). Wider zones are recognized for special regulatory powers exercised over the outer continental shelf. (See [33 CFR 322.3\(b\)](#)).

From: lordh@realtracs.com <lordh@realtracs.com>

Sent: Tuesday, August 5, 2025 5:43 PM

To: Dana A. Souza <Dana.Souza@mysanibel.com>

Subject: Dredging Wulfert Channel

Hello Dana,

I attended two of the city council meetings as the city council considered how to best solve the shallow water problem in Wulfert channel. I was in favor and fully supported the first proposal although I understood why some residents felt it was going to be too much of a financial impact for them.

I absolutely do not understand anyone being opposed to the final proposal. The cost to each property owner is less the 20% of the original estimate and there is no future proposed assessments.

Please accept this letter as my full support of this project for 2520 and 2544 Harbour Ln.

Herb Lord

From: beardyw@comcast.net

Date: July 30, 2025 at 5:03:59 PM EDT

To: Mike Miller <Mike.Miller@mysanibel.com>

Cc: Dan Hinckley <dbh@suiattle.org>, Doug Born <dborn1957@gmail.com>, Mark Calkin <mtcalkin@comcast.net>

Subject: The dredging project

Mike:

I continue to be concerned about the way this project is evolving!

Many of our neighbors have reached out to us with their complaints and concerns.

I know the City is looking for a way to cover some of the dredging costs (and assessing the waterfront properties is an easy target to recover these costs).

Whether we need this dredging or not is certainly still an issue, but the biggest issue is the City's unfair way of dealing with this cost. Of all the users of the dredged areas, we, the waterfront property owners are being asked to cover the costs for ALL the users. Those of us who do not (and will not) have any/or large boats are also required to pay. TOTALLY UNFAIR!!

Mike, please forward this email to ALL THE OTHER Council members.

We hope you can find another alternative!!

Penny and Steve Weinstein
Castaways Lane

From: llsikon@comcast.net <llsikon@comcast.net>

Sent: Wednesday, July 30, 2025 2:13 PM

To: Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith

<Holly.Smith@mysanibel.com>; Laura J. DeBruce <laura.debruce@mysanibel.com>; John

Henshaw <John.Henshaw@mysanibel.com>; Richard Johnson

<richard.johnson@mysanibel.com>; citymanager <citymanager@mysanibel.com>

Subject: Wulfert/Dinkins dredging project

To City of Sanibel Council Members and City Manager:

My husband and I along with our Del Segua community continue to follow this dredging project, most significantly the special assessment district formation and potential final approval/implementation. After watching the recent council meeting, there continues to be significant questions and confusion regarding the actual dredging scope and who pays. We came across last week's article in the Santiva Chronicle entitled "Commission Approves Dredging in East Sanibel River". We read that this project is fully funded by two \$1M grants (State and Federal) and no property owner along the Sanibel River will be responsible for any portion of this project. Why we ask is the Wulfert/Dinkins improvement/project any different? Dredging waterways should be for safety, water quality, flood management, as well as boat navigation to name a few, and grants should absolutely be contributing to such public improvements not significantly paid for by private property owners MANY with NO "benefit". The Sanibel River dredging article mentions mucking out 5500 cubic yards to improve weirs and impact future flooding of the road and dredging this waterway will obviously impact boater navigation as well. The scope of the Sanibel River project is larger than Wulfert and Dinkins to date! We know there are many boaters residing along the river as well as many non boaters. And, this river is used by boaters from all over. Why is City Council continuing to pursue a SAD for a project that benefits the public? Benefits some boaters? Does NOT positively impact our property values? There are many residents within this proposed SAD that continue to have questions/concerns. Where is the survey that was discussed at the June 12 meeting? The survey the Mayor encouraged that would provide needed feedback from all of us in this proposed SAD? We certainly hope there is continued research and discussion regarding moving forward with a project that has still so many loose ends.

Leslie and Tim Sikon
2460 Harbour Lane

From: David J Stafford <djs@staffordsmith.com>
Sent: Tuesday, July 29, 2025 4:19:29 PM
To: Vicki L. Smith <vicki.smith@mysanibel.com>
Cc: David J Stafford <djs@staffomith.com>
Subject: Wilbert Channel Dredging Assessment District

I received an email regarding the "Wulfert Channel Dredging Assessment District" that is asking the question, "who is assuming the liability exposer if a adverse event occurs".

Can you answer that question for me?

It was shared that the city is not addressing this.

There must be a way that the home owners involved are not liable for any lawsuit that might occur during this project.

From: tjsikon@comcast.net <tjsikon@comcast.net>

Sent: Tuesday, July 29, 2025 2:44 PM

To: Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith <Holly.Smith@mysanibel.com>; Laura J. DeBruce <laura.debruce@mysanibel.com>; John Henshaw <John.Henshaw@mysanibel.com>; Richard Johnson <richard.johnson@mysanibel.com>

Cc: citymanager <citymanager@mysanibel.com>

Subject: SAD Wulfert and Dinkins

City Council Members:

Over the last several months, my wife and I have closely monitored city council meetings and correspondence regarding the above referenced matter. The scope of this project has changed multiple times over this time frame, and it is no matter why. After watching the July 15 council meeting, the City Manager and staff still cannot answer some basic questions about the project. It's clear from the meetings that council is trying to rush this project through approval simply because of a deadline with the permit. This is a terrible reason to approve a project especially when you are demanding that a small number of residents, many of whom will obtain no benefit from the project, pay the bulk of the project cost. We are summarizing several issues we have with the project to support the actions we may be forced to take.

1. Throughout the project the town has never provided concrete evidence of the necessity to dredge these public waterways. Early on, council mentioned that a few residents complained about the navigation of Wulfert pass. Council needs to clearly explain why this project is necessary – did the Army Corp of engineers or Lee County or any other waterway governing body expressly determine that dredging is required? Since nothing has been presented by the Town Manager, we can only assume that no governmental body has declared this emergent. Have there been any documented injuries, accidents, or deaths from navigation in this area?
2. In addition to necessity, this project has been poorly initiated and planned with still too many unanswered questions. For example, the issue with sand removal appears to be driven by project/permit deadline as opposed to what is best for Sanibel or what is most cost effective. Holly Hildebrandt stated in the last meeting that sand was being removed from the island because it was “the most straight forward option to obtain the permit”. Also no one could answer the simple question of who pays for demobilizing/mobilizing the equipment in the event of a storm. There has also been no discussion about who pays for cost overrun or change in project scope.
3. We continue to fully disagree with both the definition of “properties that benefit” from the project as well as the requirement of the group of 196 property owners to pay for most of the project cost. Council continues to state that the project will increase property values to those in the SAD but have provided no proof that this is true. In fact, we believe the opposite is true as the existence of a SAD must be disclosed by any Seller of their property. In researching a Special Assessment

District, the common denominator for creating a SAD is that “the benefit must be local and specific to the properties within the SAD, not a general benefit to the wider community” and “assessments are typically calculated based on the proportional benefit each property receives from the improvement”. So, our issues with the SAD are two-fold (1) the project clearly is within a public waterway that benefits the wider community and (2) the assessment method you propose is not proportional as there are many property owners in the SAD who do not boat or use this waterway. It appears that property owners with large vessels will benefit the most from the project.

4. In the original project scope, the city committed to pay \$1,063,443 towards the project but now that the scope is reduced you have reduced your contribution correspondingly to approximately \$250,000. The City’s original commitment is more than adequate to cover the revised total project cost. So why is there a need to create a SAD and force an unnecessary financial burden on a small number of residents?
5. In the June council meeting it was recommended that the City do a survey of the SAD residents to determine their support or lack thereof for the project. The mayor agreed with the recommendation but to date we have not received any survey. Why not?

We want to be clear that we do not oppose the city performing dredging provided there is support from a governmental agency, and not just City Council alone doing this for a small handful of residents with big boats. We do however oppose the way you propose to pay for these costs.

If Council approves the plan to establish the SAD as proposed, we believe that you will be leaving many residents included in the SAD no choice but to take actions necessary to oppose this plan.

We are requesting that the Town Manager reply to this e-mail and provide us with the contact information for all 196 impacted property owners to include names, addresses and e-mail addresses.

Leslie L Sikon
Timothy J Sikon
2460 Harbour Lane
Sanibel, FL 33957
440-821-3465

Robert Berger

123 Wallace Manor Road

Edgewater, Md 21037

Owners 2470 Harbour Lane, Sanibel

RE: 18 July Letter (enclosed)

Sirs:

I have and continue to object to ANY assessment to homeowners for the dredging of public waterways for the following reasons:

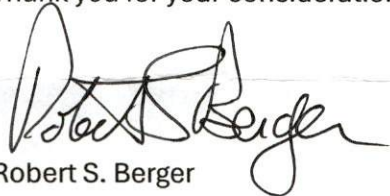
1. It is blatantly unfair to assess homeowners to dredge waterways that are open to be used by anyone, not restricted to homeowners. ~~The homeowners did not cause the requirement for~~ dredging and since one cannot restrict access to those waterways, you are "taxing" the homeowners to clear the way for universal usage simply because they abut the waterways. I have a dock, no boat and the dock has not been operative since hurricane Ian and is not likely to be repaired anytime soon. Some owners do not have a pier nor a boat, yet they will be charged to dredge. City, State, Federal and private donations should fund this, not the recovering homeowners after 3 devastating hurricanes.

2. By enlisting the Homeowners to pay for this, you are exposing us to liability should an adverse event occur during or after said dredging. Again, this is a blatantly unfair risk burden that you are imposing on homeowners without any say on our part if this is passed.

Have a bake sale but leave homeowners out of this unfair and unreasonable assessment.

I vote NO to ANY assessment to private homeowners for dredging public waterways under any circumstances.

Thank you for your consideration,



Robert S. Berger

Authorized member, Berger Ocean City Maryland, LLC,

Owner 2470 Harbour Lane, Sanibel FL, 33957

1. The first part of the report is a general

introduction to the subject.

2. The second part

describes the methods

used in the investigation.

3. The third part

contains the results of the

experiments.

4. The fourth part

discusses the conclusions

drawn from the results.

5. The fifth part

contains the references.

6. The sixth part

contains the appendixes.

7. The seventh part

contains the index.

8. The eighth part

contains the summary.

9. The ninth part

contains the conclusions.

10. The tenth part

contains the index.

11. The eleventh part

contains the appendixes.

12. The twelfth part

contains the index.

13. The thirteenth part

contains the appendixes.

14. The fourteenth part

contains the index.

LEGAL NOTICE OF PUBLIC HEARING

THIS IS NOT A BILL

July 18, 2025

RE: City of Sanibel Public Hearing to make a final decision on whether to establish the Wulfert Channel Area Dredging Assessment District and levy special assessments against property located within the Wulfert Channel Dredging Assessment District

Dear Property Owner:

The City of Sanibel expressed its intent to establish a one-time assessment to fund dredging for the special benefit of the Wulfert Channel Area Dredging Assessment District (the "Assessment District"). An Assessment District map is enclosed for your reference. The Sanibel City Council has established the date of **Tuesday, August 19, 2025, at 9:10 a.m., in MacKenzie Hall, 800 Dunlop Road, Sanibel, Florida** as the public hearing date at which to consider the propriety and advisability of establishing and implementing the Assessment District; and, if so, to further determine the cost of such dredging-related efforts, the manner of payment for such efforts, and the amount of such costs to be assessed against each property within the Assessment District.

As part of the public hearing, the Sanibel City Council will consider the adoption of a Rate Resolution to impose an assessment against assessed property located within the Assessment District for the Fiscal Year October 1, 2025, through September 30, 2026. The assessment is anticipated to be \$2,556.47 for each property with an existing dock, mooring space, etc., or the right to construct such dock or mooring space, which would result in an assessment for properties within the Assessment District of \$2,556.47 if paid in lump sum total. Installments of 2, 3, 4, or 5 annual payments, plus interest of 4.5% compounded annually, are also anticipated as payment options. The various proposed payment options are enclosed for your reference.

All affected property owners and interested parties have the right to appear at the hearing and to file written comments or objections with the City Council before the adjourned time of the public hearing. In accordance with the Americans with Disabilities Act, anyone needing special accommodations to participate in this process should contact the City Clerk's office at (239) 472-3700 at least 24 hours prior to the hearing.

Please direct all other questions or correspondence to:

Finance Department
City of Sanibel
800 Dunlop Road
Sanibel, Florida 33957
(239) 472-9615

Sincerely,

CITY OF SANIBEL

Enclosure: Exhibit A - Map of Assessment District
Exhibit B - Extended Payment Plan

From: Andy Vollmer <Andy@bellmarkpartners.com>

Sent: Tuesday, July 29, 2025 7:55 AM

To: Vicki L. Smith <vicki.smith@mysanibel.com>

Subject: Support email - Wulfert Channel Dredging Assessment District

Hi Vicki,

We have seen the recent notices regarding the Sanibel City Council public hearing Tuesday, August 19, 2025, to discuss the Assessment District, and we are not able to attend the meeting. I have emailed you my support previously for this initiative, and I do so again here.

Karen and I have a 2nd home at 2514 Blind Pass Ct in Sanibel. We purchased this home in 2015 as it offered two elements that were very important to us – proximity to the beach and a dock with water access.

Water access is critical to us, so we are highly supportive of the Wulfert Channel Dredging Assessment District including the assessment contemplated for the upcoming Fiscal Year. We also feel the beach areas which have been decimated near us need to be renourished but with a focus on replacing vegetation to hold the sand more effectively during storm surge events.

Thank you for your consideration and I hope City Council approves this initiative.

Andy Vollmer
Managing Director
BellMark Partners, LLC
25101 Chagrin Blvd., Suite 210
Beachwood, OH 44122

Office | (216) 575-1000 x115
Mobile | (216) 496-2333
andy@bellmarkpartners.com

Securities offered through BellMark Partners, LLC, Member FINRA, Member SIPC

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From: megvborn@icloud.com <megvborn@icloud.com>

Sent: Monday, July 28, 2025 6:27 PM

To: City of Sanibel - City Manager's Office <email-list-mysanibel.com@shared1.ccsend.com>; sancouncil <sancouncil@mysanibel.com>; Mike Miller <Mike.Miller@mysanibel.com>; Holly Smith <Holly.Smith@mysanibel.com>; Laura J. DeBruce <laura.debruce@mysanibel.com>; John Henshaw <John.Henshaw@mysanibel.com>; Richard Johnson <richard.johnson@mysanibel.com>

Subject: Wulfurt Dinkin's Dredging

Hello,

I want to make you aware that there are three oyster beds planted in Dinkin's Bayou by SCCF. I don't recall the exact year, but it was quite a while ago. (Charlie, maybe?). The summer before Ian, I discussed the current health of these beds with Eric Milbrandt at SCCF. He thought it might be a good time for them to reevaluate the beds, but then Ian hit. Obviously, other priorities took over.

As you know, oysters act as nature's water purifiers and indicate water quality. If any beds remain since Ian, they are crucial to Dinkin's. The seagrass in front of our lot, although small, was lost due to Ian, and I am concerned about the condition of the seagrass in other parts of the Bayou. Is there any way the City of Sanibel can get funding to reestablish these beds within the Bayou? It would make this whole situation more palatable.

Based on my research, the City of Sanibel can create a pathway to the Henderson Boat Ramp wherever they choose. They are not restricted to the channel on the Henderson Boat Ramp side of the Bayou, which they verbally claimed the barges would use. I'm concerned they will instead cut across the middle of the Bayou. The Sanibel Public Works Department has not provided specific details about the planned barge route within Dinkin's to the boat ramp. I've seen nothing in writing. Additionally, we, along with many of our neighbors who live on the island full time, have still not received any correspondence from the City.

I also worry that sediment from the barges coming from the Wulfurt Channel could spill into Dinkin's, especially when they are offloading to the dump trucks at the Henderson Boat Ramp. The City needs to mitigate the environmental impact by establishing buffer zones around the oyster beds and seagrass beds. They also need a buffer around the offloading area. Double protection.

Then there are the abundant manatees to consider, among other marine life. I can't live through another period where the manatees are dying in the Bayou, with their friends trying to hold them above the water to breathe. Or seeing dozens of dead manatees floating in the Bayou. Nor can I live watching the manatees beaching themselves on the shorelines, trying to breathe and eating the mangroves and buttonwood found there. It was horrendous and heart-wrenching.

I am aware that the permits have requirements addressing the above concerns. BUT, we all know there will be problems. Please ensure the contractors proceed with extreme caution, and include the requirement that the city and environmental scientists keep a daily watch on them. This has the potential to be a disaster.

Thank you,

Meg Born
megvborn@icloud.com
317-371-9604

From: cloiselle <cloiselle@yahoo.com>
Sent: Monday, July 28, 2025 3:45:47 PM
To: Vicki L. Smith <vicki.smith@mysanibel.com>
Subject: Proposed dredging

Hi Ms. Smith,

I am a property owner affected by the dredging plans for Wulfert Channel.

I am concerned about the potential liability should someone be injured during the dredging or after the dredging as a property owner who contributed to the project, albeit a forced contribution.

How is the city planning on protecting all the homeowners from future liabilities from the project. We have no say in the project or the selection of the contractor or any inspection etc. Seems to me the City of Sanibel should be protecting us.

Thank you for your insight and help.

Warm regards,
Carolyn Loiselle

Sent from my Galaxy

From: rsbcsb <rsbcsb@aol.com>
Sent: Monday, July 28, 2025 2:43 PM
To: Vicki L. Smith <vicki.smith@mysanibel.com>
Subject: Special assessment fir Wulfert channel dredging

Dear Ms. Smith:

My wife and I own a home at 2470 Harbour lane, Sanibel.

We object the the proposed dredging assessment for several reasons.

After 3 devastating storms, adding further financial burden to homeowners is borderline cruel. Just because you can does not mean you should. The property values will not be impacted by said project. The 3 storms did that.

Our dock has not and will not be repaired for some time due to lack of funding after storm damage. Adding over 2k of expense will further delay said repairs. Adding interest to split payments only worsens the situation. We do not nor will we have a boat. Just kayaks, which navigate fine.

More importantly, these waters have universal access. You are simply using the 2024 statute to levy a charge that benefits the entire world at the expense if a few homeowners. Simply not fair.

Most importantly, this will expose all homeowners to a liability risk should an adverse event happen during or after the dredging. No plaintiff's counsel would resist adding the homeowners to a lawsuit since their aggregate value us over 200 million(guess).

These are public waterways, not private. Public funding should address these fees.

Again, I strongly object to this assessment.

Robert Berger
2470Harbour Lane
Sent from my Verizon, Samsung Galaxy smartphone