

BEACH AND SHORE PRESERVATION ADVISORY COMMITTEE

The Indian River County (IRC) Beach and Shore Preservation Advisory Committee (Beach) met at 3:00 p.m. on Monday, October 16, 2006, in the First Floor Conference Room "A", County Administration Building, 1840 25th Street, Vero Beach, Florida.

Present were Chairman Bill Glynn, Ralph Sexton, Bob Anderson and John Berrigan, Board of County Commissioners (BCC) Appointees; Mayor Tom White, City of Vero Beach Appointee; and Robert Tench, Town of Orchid Appointee.

Absent were David Barney, BCC Appointee; Council Member Nathan McCollum, City of Sebastian Appointee; Councilman Paul Johnson, Town of Orchid Appointee; Councilman William Ahrens, Town of Indian River Shores Appointee; and Mayor Sarah Savage, City of Fellsmere Appointee (all excused); Cheryl Gerstner, BCC Appointee (unexcused).

Also present were IRC staff: Commissioner Liaison Arthur R. Neuberger; William K. DeBraal, Assistant County Attorney; Jim Davis, Public Works Director; Dr. Jonathan Gorham, Coastal Resource Manager; James Gray, Coastal Engineer; and Terri Collins-Lister, Staff Assistant IV. Others present were Michael Walther, President, Coastal Technology Corporation (Coastal Tech); Beth Mitchell, Executive Director, Sebastian Chamber of Commerce; Marty Smithson, Administrator, Sebastian Inlet Taxing District (The District); Don Dexter, City of Vero Beach, Public Works Department; Henry Stephens, Press Journal; Sheryl Koenes, Disney's Vero Beach Resort; Lawrence Brashears, Michael Hardie, Norm Lange and George O'Malley, Interested Citizens.

Call to Order – Chairman Bill Glynn

The meeting was called to order at 3:00 p.m. and no quorum was present at the time.

Presentation on the HESCO Bastion Concertainer System – Mr. Steve Smith, Coastal Property Protection, LLC.

Mr. James Gray, IRC Coastal Engineer, told the committee Mr. Steve Smith was unable to make the October 16, 2006 Beach Meeting, however he had sent pamphlets on the HESCO Bastion Concertainer Units (HESCO Unit) and included a pricing sheet, a copy of which is on file in the Commission Office. Mr. Gray gave a brief summary of the HESCO unit pricing sheet and noted the cost per unit or pallet. He questioned whether the committee would like for Mr.

Smith to attend the November 21, 2006 meeting for further discussion. Mayor White responded in the affirmative because of any questions the committee may have on the HESCO units. Mr. Anderson asked if the Department of Environmental Protection (DEP) and the U.S. Army Corps of Engineers (Corps) had an opinion on the use of the HESCO Units. Mr. Gray stated the HESCO units have been used on the west coast of Florida and opined it would be in the best interest of IRC to use them as a temporary structure if there was a declaration of emergency because of the high turtle nesting density on the beaches.

A discussion ensued on the HESCO Units.

Mr. Sexton arrived at 3:12 p.m.

Approval of Minutes from September 19, 2006

ON MOTION by Mr. White, SECONDED by Mr. Anderson, the Committee voted unanimously (6-0) to approve the minutes of September 19, 2006 as presented.

Status of Sectors 1, 2 & 7 Permits and Project Dates – Dr. Jonathan Gorham, IRC Coastal Resources Manager

Dr. Gorham gave an update on Sectors 1 and 2 renourishment project located in Ampersand and the Sector 7 renourishment in the south county. He noted these were the two projects under contract to be constructed in the dredging season from November 1, 2006 through May 1, 2007 and emphasized the preconstruction biological monitoring was necessary for the project.

Dr. Gorham told the committee that Mr. Anderson had addressed some concerns on the Sectors 1, 2 and 7 biological monitoring. He indicated a question and answer sheet listing Mr. Anderson's concerns had been prepared and given to all members, a copy of which is on file in the Commission Office.

Dr. Gorham summarized the state requirements for the permitting of Sectors 1 and 2. The County had asked the DEP to modify the existing permit to allow placement of 290,000 cubic yards of sand on that project using the funding from the Federal Emergency Management Association (FEMA) to replenish the sand loss on the beach from the storms. He indicated to date, the County had responded to the seventh request for additional information from the DEP on the Sectors 1 and 2 project. The DEP had requested a biological opinion from the

United States Fish and Wildlife Service (USFWS) in order to formulate draft permit conditions. He reported the biological opinion from the USFWS was completed and the County had transmitted the terms and conditions contained in that opinion to the DEP and the County was awaiting draft permit issuance for the Sectors 1 and 2 project. Chairman Glynn asked if the draft permit would be the final step. Dr. Gorham responded in the affirmative.

Dr. Gorham reviewed the federal requirements for the Sectors 1 and 2 project and told the committee the Corps had sent the Ten Day Letter, a Notice of Intent to issue permits, to their various commenting agencies. He indicated all of the submittals and pre-project monitoring had been completed for Sectors 1 and 2 with the exception of the final construction plans which were awaiting a final topographic and bathymetric survey and underwater biological monitoring. He emphasized all offshore and onshore monitoring had been completed and 40% of the underwater biological monitoring. He hoped to have the biological monitoring completed acceptably by October 31, 2006. The question was raised on what was defined as acceptable in terms of biological monitoring. Dr. Gorham explained acceptable meant to complete the pre-project monitoring as negotiated with the DEP.

Dr. Gorham turned the committee's attention to the Sector 7 project and summarized the DEP permit had been issued and was in place. He concluded the Ten Day Letter had been sent for the federal permit and all Notice to Proceed submittals and pre-project monitoring had been completed with the exception of the submittal for a final construction plan and the underwater biological monitoring. He reported Sector 7 underwater biological monitoring was 20% complete and would need four to five days of clear visibility in the field to complete as specified.

Dr. Gorham stated Continental Shelf Associates (CSA), the contractor performing the underwater biological monitoring had completed installing all the pins for underwater transects in Sectors 1, 2 and 7. He concurred the photographic work still remained and would require some underwater visibility. He informed the committee that CSA had collected video and photographic data on one out of the seven transects in Sector 7 and two out of six transects in Sectors 1 and 2.

Dr. Gorham emphasized in the event the biological monitoring could not be completed by the October 31, 2006 deadline, the County had authorized Morgan and Elklund, Inc. to conduct a topographic and bathymetric survey to locate the sand and reef interface at multiple points. He then stated the CSA divers would locate those points and would verify this interface by feel and collect physical

samples and voucher specimens of the reef. Dr. Gorham concurred the County would then ask the DEP to accept this third path data as being sufficient to issue a Notice to Proceed with the dredging.

A discussion ensued regarding the contract with Great Lakes Dredge and Dock Company, LLC (Great Lakes), the contractor performing the sand pumping.

Dr. Gorham mentioned several people had inquired if the non-issuance of the permits would affect the contract with Great Lakes and would the County be subject to a breach of contract if unable to start construction during the winter. He explained the County would not be subject to action for breach of contract and the contract was contingent on the receipt of all necessary permits and authorizations for the project by the County. He remarked a clause was incorporated into the contract, which gave the County the right to terminate any or all of the contract work at its sole discretion.

A discussion ensued.

Mr. Anderson thanked Dr. Gorham and Mr. Gray for preparing the question and answer report on the biological monitoring and for their hard work.

MOTION BY Mr. Anderson, SECONDED BY Mayor White, the Committee voted unanimously (6-0) for the October 16, 2006 meeting minutes to reflect Dr. Gorham and Mr. Gray's hard work on the Biological Monitoring Update Report.

A discussion followed on the Great Lakes dredging schedule.

Mr. Marty Smithson, Administrator, Sebastian Inlet Tax District (The District), provided input on the Sectors 1 and 2 project and wanted to make the committee aware of The District's efforts in working with the County through the Interlocal Agreement. He mentioned there was a dire need to have the trap dredged and The District's Commissioners had contacted State Representatives and Congressman to help push these projects forward. He felt the regulators were being pressured because of the issues with the County's Beach Projects and The District pushing from a different position as just shear maintenance of managing the Sebastian Inlet. He told the committee the County and The District was in the same boat, except for pushing from two different directions. He noted The District had their permit from the state and were pushing to dredge the trap this winter.

Mr. Smithson said, he had spoke with Dr. Gorham and there was an understanding that the District had 105,000 cubic yards of sand and maybe adding another 15,000 to the beach this winter; however it could potentially jeopardize a portion of the projects FEMA was funding if the state should shut the entire project down.

Chairman Glynn thanked Mr. Smithson and The District for their cooperation with the County.

Status Report of the Beach Preservation Plan – Mr. Michael Walther, Coastal Tech

Mr. Walther reported on the progress of the Beach Preservation Plan (BPP) and provided an update on the Sector 3 Project Design with the intention that Coastal Tech would come back at the November 20, 2006 meeting to present the recommended BPP. He stated Coastal Tech was working with County staff to refine the BPP and gave a summation of comments received from the August 21, 2006 Charette. He indicated based on the discussions with County staff to date, Coastal Tech was specifically looking at including some kind of structure to retain sand on the beach, therefore helping to reduce the amount of sand needed to be put on the beach to avoid impacting near shore reefs. It was mentioned that Coastal Tech would like to shape the structure so it might enhance the surfing along the beach.

Mr. Walther told the committee every alternative mentioned at the Charette would be brought forth in the planning document and most of those suggestions were consistent with the direction the County had proposed as general alternatives for the BPP. He presented a graph of the sector boundaries considered and noted the changes in the shoreline from 1972 thru 1986, compared to 1986 thru 2005. He pointed out there was general erosion in Sectors 1 and 2 from the period of 1972 thru 1986 and opined with the sand transfer activities by The District, the sand that had been placed on the shoreline to the north of the Sebastian Inlet had seen significant shoreline advancement.

Mr. Walther concluded in Sectors 1 and 2, the beach benefited from the renourishment project; however in Sector 3 there was a trend of volume losses with shoreline recession and remarked a project was needed. He described in Sector 4 there was some shoreline advancement, volumetric gains and very dramatic losses in the dune as a result of the 2004 and 2005 hurricanes and Sector 5 had volumetric losses; however there was shoreline gain as a result of sand from the dune. He pointed out Sector 6 would not require any work, Sector 8 was relatively stable, and the County was proposing to place sand in Sector 7

this winter.

Mr. Walther gave a synopsis on the concept and the direction of the BPP. He noted there was a lot of work to be done to the BPP and indicated Coastal Tech still needed to incorporate the public access information such as the location of the public accesses to the beach, identify the critically eroded beaches and work with County staff to formulate a program to finance these projects as outlined in order to complete the BPP.

A discussion ensued on the Sector 3 design project and the issues with the location of rock hard bottom, which were natural reefs, characterized as essential fish habitat by natural marine fisheries and were a very valuable natural resource carefully monitored by state and federal agencies so only a minimal project would be permitted. Mr. Walther indicated there were gaps in the reef and perhaps sand was migrating out and felt it would be an opportunity to construct some kind of structure to close those gaps.

A discussion followed on beach projects.

Sea Turtle Nesting Update – Mr. Rick Herren, IRC Environmental Specialist

Mr. Herren reported the turtle nesting season was over and 10% of the nests remaining on the beach were incubating and would soon emerge in November with some of those being Green Turtle nests. He noted there was only one-third of the Leatherback Turtle nests compared to last year and Green Turtle nesting was down by 50%; although it had been expected because of the Green Turtle Nesting Biology tend to go up and down. He indicated it was the second year the County had completed a countywide nesting survey and reported 3,186 Loggerhead Turtle nests counted this year which was down by 646 nests compared to last year.

Mr. Herren related the overall number of Green Turtles and Leatherbacks Turtle nests had been increasing statewide, but did not have the Loggerhead Turtle count as of yet. He opined it would be a below normal year for Loggerhead Turtle nesting statewide, and noted Loggerhead nesting had been declining for the last six years.

Mr. Herren pointed out of 20% of the turtle nests surveyed and marked there had been an 88% hatching success. He felt the high hatching success was due to a low storm season this year.

Mr. Larry Brashears, 915 Ladybug Lane, Vero Beach told the committee

he had heard that dogs were on the beach digging up turtle nests and wondered if this was an ongoing situation or an isolated incident around the County. Mr. Herron responded there was a meeting scheduled with Dr. Gorham, USFWS, County and state staff to address the dog problem and noted there had been 38 nests or an estimated 4,000 turtle eggs destroyed by dogs.

Mr. Brashears commented he had heard about individuals at the beach watching sea turtles coming on to shore and butting their heads on the seawall three to four times and then would leave and asked Mr. Herren if the turtles come back to lay their eggs. Mr. Herren replied if a turtle bumps into a large seawall or dune they would either deposit a nest in front of the obstacle or if the sand or the slope was not right and the tide was high during that period on the beach they would be more likely go back into the water and return at night to another area.

The question was raised on why the turtles were not bred. Mr. Herren concluded sea turtles were threatened and endangered and Florida had the world's highest density nesting areas for Loggerhead Sea Turtles and becoming the second highest nesting area for Green Turtles. He concluded Florida has become a refuge for sea turtle nesting.

Dr. Gorham responded and told the committee at one time there had been a program called Head Start to breed sea turtles and was abandoned about 15 years ago, because there was no real evidence it had been successful, so the agency decided the better approach was to protect the habitat.

A discussion ensued.

Status of County Beach Parks – Jim Davis, IRC Public Works Director

Mr. Davis stated all of the County Parks were opened to the public and asked Mr. Walther to update the committee on the status of the Wabasso Beach Park.

Mr. Walther replied Coastal Tech had advanced the preliminary design and had met with the County's Technical Review Staff. He noted the only item needed at this point to initiate the formal permit applications was the updated survey by Morgan and Eklund, Inc. He noted Morgan and Eklund, Inc. had completed the field work, the survey drawing was being prepared at this point and he anticipated the permit applications should be in by November, 2006.

Update from the Sebastian Inlet Taxing District Commission

Mr. Smithson reported it was a banner year for sea grass growth in the Indian River Lagoon, however the bad news was the sea grass had spouted up in an area that had never been documented to exist in the footprint of migration shoal to be built in front of Pelican Island. He summarized the USFWS and the managers at the Pelican Island Refugee did not want to place a mound of sand on existing sea grass so the project was discontinued.

Mr. Smithson reported the Corps had reviewed the dredging project and opened up a new avenue for mitigation which was stormwater retrofit to improve storm water quality that would result in more sea grass growth. He added if The District contributed to the stormwater retrofit, the Corps would allow The District to count it as a credit toward the mitigation. He noted The District was working with the County to contribute towards the main relief canal project which had been delayed due to a lack of funding.

There being no further business, the meeting was adjourned at 4:15 p.m.