

BEACH & SHORE PRESERVATION ADVISORY COMMITTEE

The Indian River County (IRC) Beach and Shore Preservation Advisory Committee (BSPAC) met at 3:00 PM on **Monday, July 20, 2020**, by Zoom videoconference and in room Building B, Conference Room B1-501, 1800 27th St, Vero Beach, FL. You may hear meeting audio and review the agenda and minutes on the IRC website: www.ircgov.com/Boards/BSPAC/2020.

Members present

Christian Hendricks, Chairman, Board of County Commissioners (BCC) Appointee
David Barney, Vice Chairman, BCC Appointee
William “Tuck” Ferrell, BCC Appointee
David Morgan, BCC Appointee
Pamela Parris, City of Sebastian Appointee
Noah Powers (for Paul Knapp), City Manager, Town of Orchid
Francisco San Miguel, BCC Appointee
Commissioner Joseph Flescher, BCC Representative (non-voting member)

Members absent

Robbie Brackett, City of Vero Beach Appointee
Sam Carroll, Town of Indian River Shores Appointee
Inocensia Hernandez, City of Fellsmere Appointee
Mark Tripson, BCC Appointee

IRC staff present

Michael Zito, Assistant County Administrator/General Services
Quintin Bergman, Environmental Specialist
Eric Charest, Natural Resources Manager
James Ennis, Assistant Public Works Director
Kevin Kirwin, IRC Director of Parks & Recreation
Molly Klinepeter, Lagoon Plan Environmental Specialist
Susan Prado, Assistant County Attorney
Dylan Reingold, County Attorney
Brian Sullivan, IRC Legislative Affairs & Communications Manager
Commissioner Bob Solari, BCC District 5
Ed Offutt, Commissioner Assistant, Recording Secretary

Others present

James Gray, Executive Director, Sebastian Inlet District
Jeff Tabar, Senior Associate, Senior Coastal Engineer, Stantec

Call to Order

(3:00 PM) Chairman Hendricks called the meeting to order and noted a quorum was present.

Approval of Minutes from February 24 and June 30, 2020

(3:01 PM) ON MOTION BY Mr. Ferrell, SECONDED BY Mr. Barney, the members voted unanimously (6-0) to approve the minutes of February 24 and June 30, 2020, as presented. (Ms. Parris arrived late to the meeting.)

Coastal Division Updates

A. Beach Preservation Plan (BPP) Update – Mr. Charest

(3:02 PM) Mr. Charest advised that staff is currently reviewing the final draft of the BPP from Stantec. (See Attachment 1 for a summary of Mr. Charest's report.) Mr. Barney requested that Mr. Tabar be present at the next BSPAC meeting, and Chairman Hendricks requested 30 days for committee review once the BPP is ready.

B. Round Island Beach Access Project – Mr. Charest

(3:05 PM) Mr. Charest revealed that Coastal Waterways, the Round Island project consultant, had submitted final design plans to the staff. (See Attachment 1 for a summary of Mr. Charest's report.) There were no questions.

C. Offshore Sand Source Investigation – Mr. Charest

(3:06 PM) Mr. Charest reported that the process of identifying and permitting a new sand source for future renourishment projects – in the amount of 3-4 million cubic yards – would cost between \$800,000 and \$1M. (See Attachment 1 for a summary of Mr. Charest's report.) Mr. Barney asked if the \$1M figure was accurate, stating that it seemed very high. Mr. Bergman commented that the amount would reflect all three phases of the process, from start to finish. Mr. Barney and Mr. Farrell asked for clarification on whether the County staff had ideas on where possible sites might exist, but Mr. Ennis cautioned that such ideas exist in a general sense only and will need examination and approval. Mr. San Miguel requested a breakdown of the costs for the various phases of the project, and Mr. Charest said he could provide that. Mr. Barney wondered whether core sampling would allow the County to evaluate the sand reserves available at various sites, and Mr. Ennis replied in the affirmative but cautioned that the process is "not far along."

D. Derelict Vessel Removal – Mr. Charest

(3:11 PM) Mr. Charest divulged that the County arranged for removal of six derelict vessels from the Indian River Lagoon, using a grant from the Florida Fish and Wildlife Commission. (See Attachment 1 for a summary of Mr. Charest's report.) Mr. San Miguel asked if there were more vessels to remove and Mr. Charest advised that there were, but all that could be taken during this iteration of the process had been removed. Answering another question, Mr. Bergman explained that Florida has a "no salvage" law for derelict vessels, so those taken from the lagoon can only be scrapped.

E. Sector 4 Critically Eroded Area – Mr. Charest

(3:14 PM) Mr. Charest announced that the BCC had approved APTIM's proposal to apply for re-designation of Sector 4 as a Critically Eroded Area. (See Attachment 1 for a summary of Mr. Charest's report.) There were no questions.

F. IRC Beach Restoration Project Updates – Mr. Charest

(3:14 PM) Mr. Charest disclosed that the Sector 5 beach renourishment project was complete, and that post-construction monitoring was underway; he then proceeded to discuss the status of Sectors 3 and 7. (See Attachment 1 for a summary of Mr. Charest's report.) Upon seeing the public easement response map on the County website, Chairman Hendricks asked about the current plan for the yellow (non-response) properties. Mr. Charest remarked that the County was trying to contact applicable HOAs to make the necessary contacts, as well as other sources. Mr. Barney declared that the project couldn't move forward "with this many holes." Mr. Bergman revealed that County staff has made contact with

some of the yellow-designated properties, and that some of these had seen the County's beach renourishment presentation and were contemplating the easement requests. Chairman Hendricks inquired as to "what constitutes victory or defeat," and Mr. Ennis replied that the Public Works Director would make the final recommendation to the BCC as to whether either or both projects should move forward.

(3:29 PM) Mr. Charest explained that the County is in a similar position with Sectors 3 and 7 today as with Sector 5 at a corresponding point in 2019 – "we're doing okay." Chairman Hendricks encouraged use of "the press and the neighbors" to push the renourishment message. Mr. Morgan wondered if property owners were being told "the downside" of not signing their easements, and Mr. Charest recited that the County staff was emphasizing the need for a contiguous project to achieve maximum effectiveness. In response to further discussion amongst the committee members, Mr. Reingold affirmed that the primary reasons given for declining easements were (1) the perpetuity of the agreement and (2) the "customary use" language (meaning some believe that allowing sand to be placed on their property will open their private beach to public use); he remarked that, in the end, the County still received enough support in Sector 5 to complete that project. Mr. Farrell mentioned the problem of people damaging the dunes by climbing on them, and he described how Brevard County communicated the idea of an "engineered beach" that protects everyone from storm surge.

(Approximately 3:30 PM – Ms. Parris arrived via Zoom; exact time not observed.)

(3:39 PM) Chairman Hendricks agreed that beachfront homeowners dislike how the public abuses the dunes and questioned whether the County might do more to prevent such damage, but Commissioner Flescher remarked that homeowners also dislike large numbers of signs on their property and felt that there was already sufficient signage to convey the message to beachgoers. Reverting back to easements, Mr. Barney asked if some people opt not to sign because they have a seawall in-place, and Mr. Bergman admitted that this does come up occasionally. An audience member asked for the Sectors 3 and 7 project timeline moving forward, and Mr. Charest replied that the bid must remain open for 30 days, with Mr. Bergman adding that the County won't have a firm grip of the timeline until the bid is awarded in September. Mr. Ennis contributed that the timeline also depends on the type of project, either a truck haul or an off-shore dredge; he added that the request for bids will be advertised on Sunday, July 26th, and will remain open for 30 days, after which it will require two weeks to review the bids and send the recommended proposal to the BCC for approval. Mr. Ennis believed that the month of October would be used by the winning contractor for mobilizing their efforts, with sand placement starting on November 1st. The same audience member asked whether the project's impact to local resorts could be lessened by including specific windows of time for contractor action in certain areas, but Mr. Reingold voiced that it would be difficult to include such specificity in a contract. Mr. Barney inquired as to where the \$14.8M estimate for Sector 3 came from, and Mr. Ennis replied that it was an engineering estimate based on the size and scope of the project. Mr. Farrell questioned whether the Sectors 3 and 7 bids were separate events, and Mr. Charest explained that they would both go out simultaneously but were fully separate. Mr. Reingold reminded the committee members of their obligations under the "Sunshine Law," and Commissioner Flescher concurred that information can come forward to the recording secretary for dissemination to all members but not flow directly between them. Mr. Reingold added that once the request for bids is advertised, a cone of silence exists over the bid process. Another audience member asked whether a specific number of signed easements was required before construction could begin, and Mr. Ennis again specified that 90% was a general goal, but the real test concerned the County's ability to assemble a "complete" project.

G. Sea Turtle Updates – Mr. Bergman

(3:56 PM) Mr. Bergman announced that sea turtle numbers are up, with leatherbacks nearly doubling their nest counts from last year and green turtles showing up in surprisingly strong numbers in what had been expected to be a weak year. (See Attachment 1 for a summary of Mr. Bergman's report.) Mr.

Barney inquired as to whether the large numbers of green turtle nests might show underlying population strength, and Mr. Bergman said it could be so.

H. Lagoon Update – Ms. Klinepeter

(3:58 PM) Ms. Klinepeter mentioned that County staff had presented the Quarter 1 update of the Research and Review phase of the Lagoon Management Plan to the BCC on June 16th, and that this had been well-received. (See Attachment 1 for a summary of Ms. Klinepeter’s report.) The committee had no questions.

Update from the Sebastian Inlet District (SID) – Mr. Gray

(4:00 PM) Mr. Gray revealed that the SID had requested easements on 90 parcels to commence work on a dune repair project; he reported that the SID was on a similar timeline as the County for bidding their project. Mr. Barney asked whether the SID was using available sand from the Dredge Material Management Area (DMMA), and Mr. Gray answered in the affirmative.

Update from the Sebastian Inlet District – Mr. Kirwin

(4:04 PM) Mr. Kirwin first discussed repairs to the Seagrape Trail Crossover, specifically how the permit application had been “double-tracked” with both the Florida Department of Environmental Protection and the Town of Indian River Shores to save time. He reported that this project was also slated to begin on November 1st, and thanked Coastal Division for their inputs on the Seagrape effort. Next, Mr. Kirwin discussed the ongoing trial period for a new grounds maintenance contract for the parking lots at Round Island and Riverside, explaining that the County could save up to \$32K by using the new contractor if the performance is satisfactory. Finally, he remarked on the possibility of moving a lifeguard station forward to allow better sightlines of the water in relation to a nearby dune, but said he would present more details at a later meeting.

Commissioner’s Matters – Commissioner Flescher

(4:09 PM) Commissioner Flescher noted the gradual improvement in completed easements for the Sectors 3 and 7 projects, and thanked the committee for their hard work. He reiterated the importance of avoiding any “Sunshine Law” violations between committee members. Commissioner Flescher then asked for clarification as to whether property owners who provide “very late” signed easements (specifically, after seeing the final product) could still have sand placed on their beachfronts. Mr. Ennis answered yes, this is possible, but it depends on how far past the subject property the contractor has progressed, as there are additional costs involved in “backtracking.” Finally, Commissioner Flescher stressed the message that beach renourishment is not just in “the County’s interests,” but the interests of each citizen and homeowner.

Committee Members Matters

(4:13 PM) There were none.

Chairman’s Matters

(4:13 PM) Chairman Hendricks asserted the importance of completing the Sectors 3 and 7 renourishment projects, and urged the committee to keep up the hard work.

Public Discussion Items

(4:14 PM) There were none.

Adjournment

(4:14 PM) With no further business, Chairman Hendricks adjourned the meeting.

The next meeting of the BSPAC is scheduled for **August 17, 2020, at 3:00 PM**, in Building B, Conference Room B1-501, at 1800 27th Street, Vero Beach, FL.

Attachments

Attachment 1 -- Beach and Shore Advisory Committee Updates from the Coastal Engineering Division, July 20, 2020 (E. Charest)