

## **BEACH & SHORE PRESERVATION ADVISORY COMMITTEE**

The Indian River County (IRC) Beach and Shore Preservation Advisory Committee (BSPAC) met at 3:00 PM on **Monday, October 19, 2020**, by Zoom videoconference and in Building B, Conference Room B1-501, 1800 27<sup>th</sup> St, Vero Beach, FL. You may hear meeting audio and review the agenda and minutes on the IRC website: [www.ircgov.com/Boards/BSPC/2020](http://www.ircgov.com/Boards/BSPC/2020).

### **Members present**

**Christian Hendricks**, Chairman, Board of County Commissioners (BCC) Appointee  
**David Barney**, Vice Chairman, BCC Appointee  
**Robbie Brackett**, City of Vero Beach Appointee  
**Sam Carroll**, Town of Indian River Shores Appointee  
**David Morgan**, BCC Appointee  
**Paul Knapp**, Town of Orchid Appointee  
**Mark Tripson**, BCC Appointee  
**Commissioner Joseph Flescher**, BCC Representative (non-voting member)

### **Members absent**

**William "Tuck" Ferrell**, BCC Appointee  
**Inocensia Hernandez**, City of Fellsmere Appointee  
**Fred Jones**, City of Sebastian Appointee  
**Francisco San Miguel**, BCC Appointee

### **IRC staff present**

**Michael Zito**, Assistant County Administrator/General Services  
**Quintin Bergman**, Environmental Specialist  
**Eric Charest**, Natural Resources Manager  
**Kevin Kirwin**, IRC Director of Parks & Recreation  
**Molly Klinepeter**, Lagoon Plan Environmental Specialist  
**Dylan Reingold**, County Attorney  
**Rich Szpyrka**, Director, IRC Public Works  
**Ed Offutt**, Commissioner Assistant, Recording Secretary

### **Others present**

**Bob Auwaerter**, Vice Mayor, Indian River Shores  
**Matthew Starr**, STANTEC  
**James Gray**, Executive Director, Sebastian Inlet District  
**Noah Powers**, Town Manager, Town of Orchid

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### **Call to Order**

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

### **Approval of Minutes from September 21, 2020**

(3:00 PM) **ON MOTION BY Mr. Tripson, SECONDED BY Mr. Barney, the members voted unanimously (7-0) to approve the minutes of September 21, 2020, as presented.**

### **Coastal Division Updates**

#### **A. Offshore Sand Source Investigation – Mr. Charest**

(3:00 PM) Mr. Charest previously provided a flowchart describing the process for establishing a new offshore sand borrow pit, specifying that a “good” offshore borrow pit would cost about \$800K to \$1M to identify and hold at least 3-4 million cubic yards of sand. (See Attachment 1 for a summary of Mr. Charest’s report.)

**B. Beach Preservation Plan (BPP) Update – Mr. Charest**

(3:00 PM) Mr. Charest advised that the staff was forced to delay the BPP update presentation for another month due to the rework required for the Sector 3 re-bid process. (See Attachment 1 for a summary of Mr. Charest’s report.)

**C. Round Island Beach Access Project – Mr. Charest**

(3:01 PM) Mr. Charest revealed that the County’s Site Plan approval is pending, but that all other permits had been obtained and the bid documents were nearing final approval. (See Attachment 1 for a summary of Mr. Charest’s report.) Mr. Barney asked if any leftover ordnance had been found by the Army Corps of Engineers on Round Island, and Mr. Charest replied in the negative.

**D. Derelict Vessel Removal – Mr. Charest**

(3:01 PM) Mr. Charest remarked that additional derelict vessels had been approved for removal by the Florida Fish and Wildlife Commission (FWC). (See Attachment 1 for a summary of Mr. Charest’s report.) He detailed that the County had received quotes on removing additional vessels but had not yet completed the application for a new FWC grant.

**E. Sector 4 Critically Eroded Area – Mr. Charest**

(3:02 PM) Mr. Charest announced that he had received a draft report from APTIM recommending Sector 4 be classified as critically eroded, and that the staff is reviewing it. (See Attachment 1 for a summary of Mr. Charest’s report.) Once the review is complete, Mr. Charest stated the report will be sent to the Florida Department of Environmental Protection (FDEP). Mr. Auwaerter asked when the County expected the process to start moving forward again, and Mr. Charest stated that he’d only received the APTIM draft report -- which included the summer 2020 beach profiles but lacked its associated appendices -- on October 16<sup>th</sup>. Mr. Auwaerter further probed as to what APTIM had done differently than STANTEC (the previous contractor) in making the argument for Sector 4 being critically eroded; Mr. Charest advised that APTIM’s argument in favor encompassed three of the four assessment criteria, including the recreational value of the beach and the damage to its structural integrity.

**F. IRC Beach Restoration Project Updates – Mr. Charest**

(3:06 PM) Mr. Charest next discussed the status of the Sector 3 renourishment project. (See Attachment 1 for a summary of Mr. Charest’s report.) Mr. Charest advised that the County was hoping for construction to start immediately after New Year’s Day. Chairman Hendricks asked if the County would receive a full breakdown of all costs (materials, transportation, etc.) from every bidder, but Mr. Charest said he didn’t expect this would be the case. Chairman Hendricks lamented that it would be easier to think “outside the box” in formulating an approach to contracting for sand placement if the breakdown of all bidder costs was known. Mr. Charest commented that the County is reaching out to FEMA and FDEP to seek an extension of cost sharing arrangements on beach renourishment, citing the delays in achieving a threshold number of easements; Mr. Barney wondered whether these outside agencies had ever declined such a request, but Mr. Charest was unfamiliar with any similar efforts in the past.

(3:12 PM) Mr. Charest declared that the County was still seeking more signed easements from

beachfront property owners. Mr. Tripson questioned whether the County would receive “enough” approvals to begin the project, but Mr. Charest assured the group that, for the northern segment of Sector 3, the County was already in receipt of sufficient signatures to commence a contiguous, effective project. Additionally, Mr. Charest mentioned his confidence in being able to provide the information that uncommitted residents needed to make a good decision about participating in the beach renourishment effort. Mr. Tripson commented that the BSPAC members can still do more to make contact with residents, including working through the Save Our Shores group.

(3:15 PM) Mr. Charest then reviewed Sector 7, reporting that more easements had been signed and a few others now declined; he noted that the County had also asked for a Sector 7 external funding extension to account for the overall project slip to the winter of 2021-2022. (See Attachment 1 for a summary of Mr. Charest’s report.)

### **G. Sea Turtle Updates – Mr. Bergman**

(3:18 PM) Mr. Bergman announced that the sea turtle season was essentially over. (See Attachment 1 for a summary of Mr. Bergman’s report.) He stated that he would have a final report later.

### **Commissioner’s Matters – Commissioner Flescher**

(3:20 PM) Commissioner Flescher expressed his appreciation to the BSPAC members who attended the September 22<sup>nd</sup> BCC meeting, noting that their presence had made a difference in the BSPAC’s Sector 3 and 7 recommendations being adopted.

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

(3:21 PM) Mr. Gray declared that the SID, after acquiring signatures on 90% of the sought easements, had awarded a contract for 55,000 cubic yards of sand to be placed on beaches in Sectors 1 and 2. He added that he’d worked with the County to coordinate on closing Ambersands Beach Park at appropriate times during the renourishment process.

### **Status of County Beach Parks – Mr. Kirwin**

(3:23 PM) Mr. Kirwin reported that the re-roofing project on five pavilions at Round Island was complete, as was the restroom project at Tracking Station Park. He also remarked that bids for the Seagrape Trail Crossover are due by October 30<sup>th</sup>.

### **Committee Members Matters**

(3:25 PM) In response to a question from the BSPAC, Mr. Reingold arrived and stated that the court had denied the motion to dismiss in the County’s “customary use” lawsuit. Mr. Barney asked if the IRC case could be precedent-setting. Mr. Reingold replied that the associated case law had been essentially settled for some time, but the process under the statute is new. Mr. Reingold added that IRC had taken a different approach than Walton County in their “customary use” litigation, in that Walton had sought to declare their entire coastline as customary use, while IRC has used about 20-30 properties as a test case. Mr. Reingold felt the IRC approach was “a safer path.”

### **Chairman’s Matters**

(3:29 PM) Chairman Hendricks cautioned that, given the budget shortfalls associated with COVID-19, money for future beach renourishment projects could be tight. He also broached the idea of a separate County committee dedicated to the Indian River Lagoon, but the general consensus of the BSPAC -- after a lengthy discussion -- was that a dedicated IRL committee was unnecessary. At that point, the

committee started an unstructured conversation on the status of the IRL and what had been done lately to restore it. Mr. Charest reprised the County's investments in nitrogen and phosphorous loading reductions, pointing out the success of "scrubber" facilities like Egret Marsh, a first in the State of Florida. Mr. Kirwin commented that the County could do a better job of advertising its successes, which might assist in the struggle for more state funds being allocated to our conservation efforts.

### **Public Discussion Items**

(3:42 PM) There were none.

### **Adjournment**

(3:42 PM) With no further business, Chairman Hendricks adjourned the meeting.

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The next meeting of the BSPAC is scheduled for **November 16, 2020, at 3:00 PM**, in Building B, Conference Room B1-501, at 1800 27<sup>th</sup> Street, Vero Beach, FL.

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### **Attachments**

Attachment 1 -- Beach and Shore Advisory Committee Updates from the Coastal Engineering Division, October 19, 2020 (E. Charest)