

BEACH & SHORE PRESERVATION ADVISORY COMMITTEE

The Indian River County (IRC) Beach and Shore Preservation Advisory Committee (BSPAC) met at 3:00 PM on **Monday, January 25, 2021**, in 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/BSPC/2020.

Members present

David Barney, Chairman, BCC Appointee
William “Tuck” Ferrell, Vice Chairman, BCC Appointee
Robbie Brackett, City of Vero Beach Appointee
David Cox, BCC Appointee
Christian Hendricks, Town of Indian River Shores Appointee
Fred Jones, City of Sebastian Appointee
David Morgan, BCC Appointee
Paul Knapp, Town of Orchid Appointee
Commissioner Joe Earman, BCC Representative (non-voting member)

Members absent

Inocensia Hernandez, City of Fellsmere Appointee
Francisco San Miguel, BCC Appointee
Mark Tripson, BCC Appointee

IRC staff present

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

Others present

Todd DeMunda, Senior Coastal Engineer, STANTEC (*via Zoom*)
Tem Fontaine, Vice President, Coastal Tech (*via Zoom*)
Matt Starr, Southeast Coastal team Lead, STANTEC (*via Zoom*)

Call to Order

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

Approval of Minutes from December 14, 2020

(3:00 PM) ON MOTION BY Mr. Barney, SECONDED BY Dr. Cox, the members voted unanimously (8-0) to approve the minutes of December 14, 2020, as presented.

Election of Officers for 2021

(3:00 PM) Mr. Ferrell was nominated for Chairman of the BSPAC, but declined the nomination.

(3:00 PM) ON MOTION BY Mr. Ferrell, SECONDED BY Mr. Hendricks, the members voted unanimously (8-0) to elect Mr. Barney as Chairman for 2021.

(3:01 PM) ON MOTION BY Mr. Hendricks, SECONDED BY Chairman Barney, the members voted unanimously (8-0) to elect Mr. Ferrell as Vice Chairman for 2021.

Coastal Division Updates

A. Round Island Beach Access Project – Mr. Charest

(3:02 PM) Mr. Charest revealed that all necessary permits are in-place to construct the new beach access point, and the next step is to proceed to the 30-day bidding process. (See Attachment 1 for a summary of Mr. Charest's report.) Overall cost is estimated at \$306,000.

B. Derelict Vessel Removal – Mr. Charest

(3:03 PM) Mr. Charest remarked that staff continues to monitor the Florida Fish and Wildlife Commission (FWC) website to determine which vessels are eligible for removal. Grant applications are ready and boats have been identified, although the County staff still awaits FWC "stickering" of vessels due to paperwork and COVID concerns slowing down the process. (See Attachment 1 for a summary of Mr. Charest's report.) Staff is otherwise ready to proceed immediately on the project's next phase. Dr. Cox inquired as to whether any of the vessels would be removed for mitigation purposes, but Mr. Charest reported that he was not aware of such arrangements. Mr. Jones wondered if any boats would be removed from the Sebastian area, and Ms. Klinepeter replied there are some vessels in the Sebastian area that are being evaluated for disposal. Mr. Brackett reported that law enforcement had examined the Indian River Lagoon over a recent two-day period "from county line to county line" and cited a number of boats for violations and potential disposal.

C. Local Gov't Funding Requests (LGFR) Grant Application – Mr. Charest

(3:06 PM) Mr. Charest announced that staff members would have no new information regarding new beach project construction and monitoring funds until the Florida Department of Environmental Protection (FDEP) completes its funding cycle. The funds would assist with future work in Sector 3. (See Attachment 1 for a summary of Mr. Charest's report.)

D. Sector 4 Critically Eroded Area – Mr. Charest

(3:07 PM) Mr. Charest stated that staff, with APTIM's assistance, had fulfilled all FDEP requests for information, and was awaiting further words from the state. (See Attachment 1 for a summary of Mr. Charest's report.)

E. Beach Preservation Plan (BPP) – Mr. Charest

(3:07 PM) Mr. Charest remarked that the draft BPP was posted to the County website for a period of public comment ending January 29, 2021, but that, thus far, no comments had been received. (See Attachment 1 for a summary of Mr. Charest's report.) Chairman Barney polled the BSPAC members to see if any had made comments or if any member had read the document, and then proceeded to provide his thoughts on the draft BPP. He mentioned several specific comments/critiques: (1) that data from the BPP supported APTIM's finding that Sector 4 is critically eroded; (2) that the State of Florida found sea turtle nesting is heavily impacted by the construction of sea walls; (3) that the "managed retreat" should be given serious consideration as a resiliency strategy in combatting sea level rise; (4) that coordinated

management of geographically-separated beach sectors is a good approach; (5) that the draft BPP should include quantitative data describing the various IRC beach parks, as previously; (6) that future beach renourishment efforts in Sector 7 should be contingent upon more parks being constructed; (7) that more beach parks, overall, should be recommended, due to the heavy use of the current parks; and (8) that Municipal Services Taxing Units and Municipal Services Benefit Units should be given greater emphasis as potential funding sources.

(3:17 PM) Mr. Hendricks gave the BPP an overall positive review, agreeing with Chairman Barney in particular on his final critique above (#8). Mr. Ferrell recounted the regrettable cycle in which wave action exposes increasing amounts of coastal hard bottom; FDEP then instructs the County not to encroach on the exposed hard bottom with fill sand; and, finally, less sand is planted on the shore than the previous renourishment. He voiced that the state places too much emphasis on the hard bottom. Mr. Ferrell concluded by expressing his preference for finding another offshore sand source to shorten the distance of future dredging operations, but felt that \$800K was too much to pay for the task at this time. Chairman Barney noted that the BPP recommended both mapping the hard bottom every five years -- to account for gains and losses -- and finding another offshore sand source. Mr. Ferrell mentioned that the FDEP believes the erosion had been present for a long time, but his observations over decades in the area indicated this was untrue; he advocated for a longer beach slope profile. Chairman Barney closed the BPP conversation by advising the staff that there was no need to further extend the BPP comment period.

F. IRC Beach Restoration Project Updates – Ms. Ariotti

(3:27 PM) Ms. Ariotti provided the latest information on beach renourishment projects, focusing on Sectors 3 and 7. (See Attachment 1 for a summary of Ms. Ariotti's report.) She noted that there was little change in the signed easement tallies since the December meeting, but that the County was sending another mailer this week to catch more part-time residents. In Sector 3, Ms. Ariotti noted that the contractor was working six days a week to complete the job. Mr. Ferrell advised that residents should not be concerned about color difference between the current beach sand and the dredged sand, as natural bleaching would occur to achieve a color match. Chairman Barney asked whether Sector 7 residents had been bluntly advised that, without more signed easements, there would be no project on their beaches; Ms. Ariotti replied that the letters being sent spell that fact out clearly.

G. Sea Turtle Updates – Mr. Bergman

(3:37 PM) Mr. Bergman announced that staff is preparing for the 2021 nesting season.

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

(3:38 PM) Mr. Gray was not present at the meeting.

Status of County Beach Parks – Mr. Kirwin

(3:38 PM) Mr. Kirwin announced that the Parks and Recreation Department had finished their work near Ambersands Park and reopened the beach three days ahead of schedule. He informed the committee that the BCC had approved the Florida Institute of Technology's installation of High Frequency Radar (HFR) antennas at Treasure Shores on January 19th; the station will "fill in the gap" for measuring waves and currents from Satellite Beach all the way to northern Broward County. Finally, Mr. Kirwin stated that work on the dune crossover at Seagrape Trail was moving along well, and that the County was doing extra cleaning at those Sector 3 parks currently closed to support beach renourishment (Treasure Shore and Golden Sands).

Commissioner's Matters – Commissioner Earman

(3:40 PM) Commissioner Earman expressed his appreciation for the BSPAC's work. He remarked that the County staff had been working hard to make improvements to our shores and recreational areas, and noted that he'd recently taken a tour of the County's beach parks and came away duly impressed; he also commented positively on the beach renourishment contractor's work on Sector 3. Commissioner Earman added that he'd spoken with Jason Brown, the County Administrator, about additional funding sources for beach projects. He announced his agreement with the idea of more beach access points for the public, while lamenting the current lack of sufficient easements in Sector 7 to facilitate sand placement beginning in November of 2021. Finally, he welcomed Dr. Cox to the BSPAC as the committee's newest member.

Committee Members Matters

(3:46 PM) Mr. Morgan described methods of educating beach residents about the wisdom of signing their perpetual easements. However, citing evidence that the perpetuity of the current easement language was driving some beach homeowners to resist signing their documents, Mr. Morgan asked Mr. Reingold if the easement language could be changed to allow one-time permission for sand placement. Mr. Reingold responded that no statute required the agreement be "in perpetuity," but then explained the historical background of the wording used on the County's easements while likening it to a utility company that has "forever" rights to work on private property to maintain the associated service infrastructure.

(3:53 PM) Mr. Morgan suggested that a "one-time use" (temporary) easement might receive enough support to allow the placement of sand in Sector 7 later this year, thereby convincing wary residents about the wisdom of a follow-on "in perpetuity" agreement. He contended that the County's current method was ineffective in reaching the desired end state. Mr. Reingold respectfully disagreed; he described the difficulty the County would face if each property owner negotiated a unique easement. He further noted that Sectors 3 and 5 were either already complete or underway and asserted that the County should continue to insist on indefinite arrangements in Sector 7, especially because resistance to the perpetual easement within Sector 7 should be less when the public benefit there is harder to define (he cited, for example, the lack of public beach access in this sector compared to others). Mr. Farrell expressed concern about property owners mistakenly believing that signing the easement would allow the public to access the beach across private land or permit the contractor to move their equipment over private property, which he detailed as factually incorrect. Chairman Barney declared that "we're going to be down this (renourishment) road again," due to the fact IRC – unlike other Florida counties – funds its beach projects without Army Corps of Engineers (ACOE) assistance; in counties where the ACOE has jurisdiction, he remarked, government will require eminent domain over the beach to begin a maintenance project.

Chairman's Matters

(3:58 PM) There were none.

Public Discussion Items

(3:58 PM) There were none.

Adjournment

(3:59 PM) With no further business, Chairman Barney adjourned the meeting.

The next meeting of the BSPAC is scheduled for **February 22, 2021, 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, January 25, 2021 (E. Charest)