

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

The Indian River County (IRC) Beach and Shore Preservation Advisory Committee (BSPAC) met at 3:00 PM on **Monday, June 21, 2021**, 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/2021](http://www.ircgov.com/Boards/BSPC/2021).

### **Members present**

**William "Tuck" Ferrell**, Vice Chairman, BCC Appointee

**Noah Powers (for Paul Knapp)**, Town of Orchid

**Robbie Brackett**, City of Vero Beach Appointee (*late arrival*)

**David Cox**, BCC Appointee

**Inocensia Hernandez**, City of Fellsmere Appointee (*via Zoom; not counted for quorum*)

**Fred Jones**, City of Sebastian Appointee

**Francisco San Miguel**, BCC Appointee

**David Morgan**, BCC Appointee

**Commissioner Joe Earman**, BCC Representative (*non-voting member*)

### **Members absent**

**David Barney**, Chairman, BCC Appointee

**Christian Hendricks**, Town of Indian River Shores 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

**Dylan Reingold**, County Attorney

**Rich Szyrka**, Director of Public Works

**Mike Zito**, IRC Assistant County Administrator/General Services

**Ed Offutt**, Commissioner Assistant, Recording Secretary

### **Others present**

**Steve Boehning**, Principal Engineer at Coastal Waterways; Local Rep to FL Inland Nav. Dist.

**Tem Fontaine**, Vice President, Coastal Tech

**James Gray**, Executive Director, Sebastian Inlet District (*via Zoom*)

**Paul Hart**, General Manager, Disney's Vero Beach Resort

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### **Call to Order**

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

### **Approval of Minutes from April 19, 2021 and May 17, 2021**

**(3:01 PM) ON MOTION BY Dr. Cox, SECONDED BY Mr. Morgan, the members voted unanimously (7-0) to approve the minutes of April 19 and May 17, 2021, as presented. (Mr. Brackett was late to the meeting.)**

## **Coastal Division Updates**

### **A. Round Island Beach Access Project – Mr. Charest**

(3:01 PM) Mr. Charest remarked that the Round Island project would begin the week of June 28th. (See Attachment 1 for a summary of Mr. Charest's report.)

*(3:02 PM) Mr. Brackett arrived at the meeting.*

### **B. Derelict Vessel Removal – Mr. Charest**

(3:02 PM) Mr. Charest revealed that four derelict vessels, two from the Sebastian area and two from South County, had been removed from the Indian River Lagoon. (See Attachment 1 for a summary of Mr. Charest's report.) Dr. Cox stated his opinion that the removal cost of \$8K was very low for four vessels. Mr. Charest commented that the condition of some of the targeted vessels had deteriorated in the weeks prior to removal, making the process more difficult than previously assessed, but that the price had nonetheless remained fixed. He reported that the next step would be to process reimbursement paperwork for the County's Florida Fish and Wildlife Commission (FWC) grant.

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

(3:06 PM) Mr. Charest announced that the County would receive \$7.33M in a 2021-22 Florida Department of Environmental Protection (FDEP) matching grant for the Sector 3 Phase 2 project (Wabasso Beach and Dune Restoration). (See Attachment 1 for a summary of Mr. Charest's report.)

### **D. IRC Beach Restoration Project Updates – Mr. Charest/Ms. Ariotti**

(3:07 PM) Mr. Charest reiterated that Sector 5 was in the post-construction monitoring phase and would likely be dropped from future updates to the BSPAC. He continued with Sector 3 Phase 1, detailing that contractors would return in November 2021 to complete renourishment work in the northern sector and perform warranty work on any dune plants that hadn't survived the initial installations. Finally, Mr. Charest summarized the timeline, bid solicitation, and funding estimates for Sector 3 Phase 2. (See Attachment 1 for a summary of Mr. Charest's report.)

(3:10 PM) Ms. Ariotti then reviewed the planned Sector 7 project, highlighting the current easement status, the various methods employed by the County staff to accrue more signed easements, the benefits of the Sector 7 "feeder beach" concept, and the various scenarios in play should the County fail to gain enough easement support from the landowners to make the project feasible in the 2021-22 winter building season. (See Attachment 1 for a summary of Ms. Ariotti's report.) After her presentation, Mr. Morgan asked how many properties that declined their easements had seawalls, and Ms. Ariotti replied that not many of these were present in the northern section but that there were some in the southern section, particularly in the Oceanside community. She added that some locations are looking to build seawalls if the County doesn't place sand on the beach. Vice Chairman Ferrell expressed hope that new articles in local media publications might encourage more residents to sign their easements.

(3:25 PM) Mr. Hart inquired as to whether the County had tracked and classified the various reasons coastal residents provided for not signing their easements. Mr. Charest informed him that some citizens had issues with the "perpetuity" of the agreement, some in the "feeder beach" area saw no need for more sand there, and some cited Florida's 2019 "customary use" legislation; he believed that the denials were almost evenly split amongst the reasons, but emphasized that the County was still seeking easement signatures. Mr. San Miguel wondered whether it was possible to determine the potential timeline until a coastal house might face structural collapse, and Mr. Charest cited the fact that beach erosion is progressing at about 1.5 feet annually. He added that some residents were seeking FDEP permits to

rebuild their own shoreline backyards, but that the County's renourishment project would place far more sand on the beach, including into the water.

(3:29 PM) Mr. Hart proposed that the County consider "changing its public policy" by modifying the wording of the easement document to accommodate the wishes of the holdouts, but Mr. Szyrka reiterated that this would be a BCC decision and was not advisable, since all who'd signed the original agreement up to that point would reconsider their signatures in light of a new version. The committee members then entered into a detailed discussion regarding the established locations of the mean high water line (MHWL), the erosion control line (ECL), and the coastal construction control line (CCCL); County staff explained that the ECL was established in 2006, based on the beach elevations present at that time, and affirmed that no private property (and thus no seawalls) can exist east of the ECL. In the event the Sector 7 project cancelled completely, Mr. Brackett wondered if individuals would have a right to cancel their easements, but Mr. Reingold answered in the negative.

(3:46 PM) Vice Chairman Ferrell emphasized the value of beach renourishment projects on reducing beachfront property insurance costs. Mr. Powers wondered about how long the County's external funding sources for Sector 7 might be reauthorized, and Mr. Charest stated that the County had previously been granted a one-year extension when requested (for Sector 3 Phase 2). Mr. Jones asked if the staff wanted a consensus opinion from the committee regarding the way forward on Sector 7, and Mr. Szyrka replied that a recommendation would be welcomed, although there were many steps still to be taken before any sand could be placed on the beaches. Mr. Charest affirmed that the County would continue to monitor property sales to see if changes of ownership would result in a new answer to the easement question; he specified July 6<sup>th</sup> as a suspense date for the November 2021 to April 2022 building season. Vice Chairman Ferrell then called for a vote on an earlier motion, using a show of hands.

**(4:02 PM) ON MOTION BY Mr. San Miguel, SECONDED BY Dr. Cox, the members voted unanimously (8-0) to recommend to the BCC that the County delay construction on Sector 7 beach renourishment while continuing its attempts to obtain the necessary easements and seeking one-year extensions on all external funding streams.**

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

(4:03 PM) Mr. Bergman revealed that turtle nesting numbers were on-track for an "okay" year, which would be "a good result for an endangered species." (See Attachment 1 for a summary of Mr. Bergman's report.) He further noted that turtles are nesting on the newly-built dunes in the northern beach sectors, and that the first hatchlings have now left their nests. Ms. Ariotti added that the Coastal Division was using its Facebook account, @irccoastal, more frequently to distribute information about various projects.

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

(4:05 PM) Mr. Gray reported that the SID had also received 2021-22 beach maintenance funding from the Florida Legislature, amounting to approximately \$700K. He revealed that some escarpments had formed in Sectors 1 and 2, and that the SID was working with the FWC to address these issues.

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

(4:06 PM) Mr. Kirwin commented that the County had worked with FDEP to add "posts and ropes" to some dunes at Treasure Shores Beach Park to prevent beachgoers from walking across the dunes. He disclosed that the parking lot at Tracking Station Beach Park had been resurfaced. Vice Chairman Ferrell noted that a playground at Golden Sands Park had been removed, and Mr. Kirwin replied that the site had fallen into disrepair and would be replaced with beach volleyball and/or cornhole equipment. Commissioner Earman asked for a progress update on the High Frequency Radar system at Treasure

Shores, and Mr. Kirwin explained that the permitting process was still on-going but the County wished for the installation to begin as soon as possible. Commissioner Earman detailed some of the capabilities of the radar system, including its ability to track sand movements and currents, and Mr. Kirwin stated he would invite the committee members to see the system upon completion.

### **Commissioner's Matters – Commissioner Earman**

(4:11 PM) Commissioner Earman recognized the critical decisions that needed to be made on the Sector 7 beach renourishment project. He further cited the importance of various individuals and groups in engaging with the Legislature to secure higher funding levels than in past years, specifically mentioning storm water improvements and Everglades restoration. Vice Chairman Ferrell thanked the commissioner for travelling to Tallahassee to talk with individual legislators.

### **Committee Members Matters**

(4:13 PM) There were none.

### **Chairman's Matters**

(4:13 PM) There were none.

### **Public Discussion Items**

(4:14 PM) There were none.

### **Adjournment**

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

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The next meeting of the BSPAC is scheduled for **July 19, 2021, 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, June 21, 2021 (E. Charest)