



NOTICE OF JOINT WORKSHOP

**City of Galveston Dune Protection and Beach Access Plan Review Ad Hoc Committee
Park Board of Trustees of the City of Galveston Beach Maintenance Advisory Committee
Friday, April 26, 2019, Immediately Following Regular Beach Maintenance Advisory
Committee Meeting - 9:00 a.m.
Park Board Plaza, Board Room - First Floor
601 Tremont Street, Galveston, Texas 77550**

- I. Call Meeting To Order
- II. Roll Call And Declaration Of A Quorum
- III. Brief Overview Of Current Beach Cleaning Best Practices

Documents:

[RESOLUTION 18-016 - BEACH ACCESS AND DUNE PROTECTION PLAN
REVIEW AD HOC COMMITTEE.PDF](#)
[RESOLUTION 18-036 - CLEANING OF BEACHES.PDF](#)
[PARK BOARD SEAWEED POLICY 2017_V 1_18.PDF](#)

- IV. Discussion And Receive Input On Possible Recommendations For Beach Cleaning Standards
- V. Adjournment

I certify that the above Notice of Meeting was posted in a place convenient to the public, in accordance with Chapter 551 of the Texas government Code, on or before April 23, 2019, 5:00 p.m.

Approved
to Format
Dr. Victor Viser
Chair, BMAC
Director

Approved
Spencer Priest
Chair, Park Board of Trustees

Approved as
Kelly de Schaun
Park Board Executive

Please Note Members of the City Council may be attending and participating in the discussion.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding, contact the Park Board Administration

Office, 601 Tremont, Galveston Texas 77550 (409-797-5147)

RESOLUTION NO. 18-016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, ESTABLISHING THE BEACH ACCESS AND DUNE PROTECTION PLAN REVIEW AD HOC COMMITTEE; PROVIDING FOR THE COMMITTEE'S DUTIES, TERM, MEMBERSHIP, QUORUM, VOTING, MEETINGS, AND RULES OF PROCEDURE; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to establish an ad hoc committee in order to develop an 'action plan' for review of the City's Beach Access and Dune Protection Plan, and provide recommendations of amendments to the City's Beach Access and Dune Protection Plan to applicable Boards, Commissions or Committee's; including the Planning Commission and City Council; and,

WHEREAS, the Committee shall consist of City Council appointees and one nonvoting *ex-officio* Council Member; and,

WHEREAS, the Development Services Department Staff has developed a draft schedule for meetings and topics as identified in the attached **Exhibit A**; and

WHEREAS, the City Council deems it to be in the best interest of the public to establish the Beach Access and Dune Protection Plan Review Ad Hoc Committee for the purposes described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council of the City of Galveston hereby establishes the Beach Access and Dune Protection Plan Review Ad Hoc Committee as follows:

Established

The City of Galveston Beach Access and Dune Protection Plan Review Ad Hoc Committee (the "Committee") is an advisory, temporary board whose purpose shall be to review the City's Beach Access and Dune Protection Plan and to provide recommendations of amendments of the City's Beach Access and Dune Protection Plan to applicable Boards, Commissions or Committee's; including the Planning Commission and City Council.

Membership, Qualifications, and Term

All City Council appointees to boards, commissions, and committees shall be domiciled in the City at the time of appointment and during the appointee's tenure.

The Committee shall be composed of fourteen (14) voting members – two from each current Council District appointed by the corresponding Council Member and two at-large members appointed by the Mayor. The Committee may appoint a Chairperson and Vice Chairperson at its discretion.

Quorum and Voting

A majority of the voting membership shall constitute a quorum for the conduct of business.

Meetings

The Committee may conduct meetings during the next twelve (12) months to discuss matters within the concern of the Committee. The Chairperson of the Committee or any two (2) members of the Committee may call a special meeting as necessary to conduct business. The meeting shall be held at City Hall, 823 Rosenberg, Galveston, Texas and in accordance with the Texas Open Meetings Act.

The City Secretary or designee shall record minutes of the Committee's meetings and post notice of meetings in accordance with City ordinances and state law. All meeting agendas shall state that members of the City Council may be attending and participating in the discussion.

Rules of Procedure

The Committee may adopt its own rules for the conduct of business before it. Should the Committee fail to adopt its own rules of procedure, the conduct and procedure of the Committee meetings shall conform to and be governed by the City Charter, the City Code, and Robert's Rules of Order, Revised.

SECTION 3. This Resolution shall be and become effective from and after its adoption.

APPROVED AS TO FORM:

DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Galveston at its Regular Meeting held on the 22nd day of March, 2018, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 22nd day of March, 2018.

Secretary of the City Council
of the City of Galveston

RESOLUTION NO. 18-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, DIRECTING THE BEACH ACCESS AND DUNE AD HOC COMMITTEE CONSIDER STANDARDS FOR THE CLEANING OF BEACHES TO BE INCORPORATED IN CITY BEACH CLEANING PERMITS; PROVIDING DIRECTION TO THE PLANNING COMMISSION ON THE MATTER OF BEACH FRONT CLEANING PERMITS; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Council of the City of Galveston has established the ad hoc committee on Beach Access and Dune Protection to make recommendations on a number of issues related to the Beach; and

WHEREAS, it has come to the attention of the City Council of the City of Galveston that the Planning Commission proposes to adopt rules related to Best Practices of beach cleaning and that such rules are legislative in nature and as such as reserved for the purview of the City Council; and

WHEREAS, the City Council determines it to be in the public interest to refer the subject of beach cleaning permits to the ad hoc committee on Beach Access and Dune Protection for consideration in the adoption of standards to be utilized in the granting of City beach cleaning permits; and

WHEREAS, the City Council determines that pending the adoption of a rule by Council on the subject of Beach Cleaning permits, the Planning Commission shall grant beach cleaning permits by adopting the comments of the General Land Office solicited by the City's Development Services Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council of the City of Galveston hereby refers the issue of Beach Cleaning Permits issued by the City to the ad hoc committee on Beach Access and Dune Protection to develop recommendations for the Council to adopt on the issuance of such permits.

SECTION 3. The City Council of the City of Galveston hereby directs the Planning Commission that pending the receipt of recommendations from the ad hoc committee on Beach Access and Dune Protection and adoption by the City Council that the Planning Commission utilize the comments returned by the General Land Office as the standards to be used in the decision related to the issuance of such permits.

SECTION 4. This resolution shall be and become effective from and after its adoption.

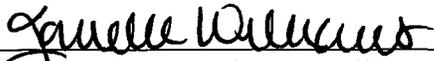
APPROVED AS TO FORM:



DONALD GLYWASKY
CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Galveston at its Regular Meeting held on the 23rd day of August, 2018, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this ~~21~~th day of August, 2018.



Secretary for the City Council
of the City of Galveston



GALVESTON
★ ISLAND ★
Park Board of Trustees

Park Board Beach Maintenance Policy

The Galveston Park Board undertakes coastal zone management and beach maintenance for the Galveston coast as required by the Texas Natural Resource Code, Chapter 61: Use and Maintenance of Public Beaches.

The Natural Resource Code defines “public beach” as “any beach area, whether publically or privately owned, extending inland from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico to which the public has acquired the right of use.”

The Code further defines “clean and maintain” as the “collection and removal of litter and debris and the supervision and elimination of sanitary and safety conditions that would pose a threat to personal health or safety if not otherwise corrected and includes the employment of lifeguards, beach patrols and litter patrols.” *Sargassum* removal or relocation is not included in the definition of “clean and maintain” and is not required as a function of beach maintenance and is therefore an optional service that may be provided.

Sargassum removal or relocation requires specific permits from both the City of Galveston (Beachfront Construction Permit) and the US Army Corp of Engineers (Beach Cleaning Permit to conduct work in Federal waters). No seaweed removal or relocation can be undertaken without the appropriate permits in place or outside the approved terms and conditions, which are tied to geographic boundaries on the ground.

Park Board obtains the necessary City Permits on annual basis and just recently completed the two year process of obtaining its federal permit valid till 2022. US Army Corp of Engineers permit SWG# 2014-00448 permits the Park Board to conduct beach maintenance activities including:

1. Grooming the beaches, including the removal of all non-natural material such as trash and debris including lumber, plastic, bottles, cans, etc., from the beach and disposing them appropriately.
2. Use mechanical equipment for the relocation of *Sargassum* or seaweed during extraordinary circumstances determined by the TAMUG Wrack Scale greater than 3.0, or at least 10% of the template described in the Biological Assessment.

To undertake the above mentioned activities, the City of Galveston and the State of Texas dedicate portions of the locally collected Hotel Occupancy Tax (HOT) to these activities. The City of Galveston allocates 11% of all locally collected HOT, while the State of Texas dedicates 33% of the total locally collected HOT. These funds are supplemented in some areas with Beach User Fees (BUF) generated by gate admissions at Galveston’s popular beach parks.

TRASH CAN MAINTENANCE, LITTER and DEBRIS REMOVAL

The Park Board provides litter and emergency debris removal for the entire 32 miles of Galveston beaches, with the exception of the beachfront contained within the Galveston Island State Park and Jamaica Beach. Handpicking of litter is undertaken daily, unless prohibited by climatic conditions.

Board Approved June 2017

*Administrative update to reflect operational changes Jan. 2018

The Park Board empties or “tips” waste barrels on the beach and in the beach access points regularly. During the summer season (March to October), cans are tipped daily as needed along the seawall beach and four times weekly on the west end access points and atop the Seawall. During the off season (October to February), cans are tipped up to three times weekly on the seawall and twice weekly at west end access points.

All barrels located at the beach parks and along the seawall are tipped each morning by the Coastal Zone Management team and then maintained throughout the day by park board staff. All beach parks and the seawall now offer recycling options for beachgoers. Data on the amount and type of recyclables is being recorded for reporting purposes.

***SARGASSUM* RELOCATION**

Seaweed, also known as gulfweed or *Sargassum*, is a free-floating algae found in warm coastal waters. Seaweed provides an essential habitat for a wide variety of marine animals in the open ocean as well as onshore for animals like sea turtles and marine birds.

Seaweed season on the Gulf Coast fluctuates as Mother Nature sees fit. However, seaweed typically washes up on Galveston’s beaches May through July.

Seaweed has many environmental benefits, including helping to retain sand on Galveston’s beaches and providing an environment for natural dune formations.

Seaweed maintenance crews operate as needed depending on seaweed levels, which can be daily during peak season if necessary. For safety reasons, the crews operate at low-traffic times for the beach parks, typically in the early predawn hours through mid-morning.

In determining *Sargassum* relocation policies, the Park Board follows a “Best Practice Guide” and considers the following factors:

- A. Necessity of proposed action,
- B. Seasonal and species impacts of proposed actions,
- C. Least intrusive method possible,
- D. Protection of native vegetation,
- E. Public Safety.

The Park Board will only relocate *Sargassum* on those beaches that are;

1. Currently permitted in US Army Corp of Engineers permit SWG# 2014-00448 and are
2. Clearly within the public domain and have been assigned to the Park Board for management or, are
3. Engineered beaches on which the City of Galveston or Park Board of Trustees have
 - a. made public investments, and
 - b. where private land owners have assigned dedicated or prescribed easements, and
 - c. where the private land owners have given written consent expressly to the Park Board to undertaken cleaning and maintenance, and
 - d. where the private land owners agree not to undertake any cleaning efforts on their own and have assigned the City of Galveston Beachfront Construction permit to the Park Board.

Public beaches under the jurisdiction of the Park Board of Trustees on which *Sargassum* relocation will be undertaken are RA Appfel Park (East Beach), Stewart Beach, Seawall Urban Park (public ownership only), Dellanera RV park and ~~County Pocket Parks 1 and 2~~* on Galveston Island’s west end.

Board Approved June 2017

*Administrative update to reflect operational changes Jan. 2018

Public beaches which are engineered beaches and have specifically dedicated or prescribed easements on them include End of Seawall to Dellanera RV Park.

When the Park Board does determine the need to relocate seaweed is present we will do so as outlined in our terms and conditions of our permit.

1. Implement all Conservation Measures in the permit as agreed upon;
 - a. all personnel involved in beach maintenance activities to receive training each year, on how to recognize and avoid impacts to sea turtles and shorebirds
 - b. require all Wildlife Monitors to receive an initial training and refresher course each year from Service-approved trainers. Monitors must stay on site and with the equipment at all times
 - c. use the Wrack Scale to determine thresholds for commencing seaweed maintenance activities along with the *Sargassum* (Seaweed) Cleaning Policy
 - d. staff will use the appropriate and authorized equipment to perform necessary work.
 - e. a wrack line will remain after beach grooming is complete for the day
 - f. beaches will not be scraped, gouged or scoured.

-End-