



Agenda Item: Discuss And Consider Federal Seaweed Maintenance Permit Renewal, Geography and Implications for the HOA/ POA Extreme Inundation Program

Background: In June of 2019, the Park Board of Trustees voted to create an HOA/POA Extreme Inundation program as a stop gap to provide emergency seaweed relocation services in the event of an extreme inundation while the homeowners conducted the steps necessary on their end to obtain a standalone federal permit.

In an effort to assist local Homeowner Associations, the Park Board organized a consultation with the US Army Corps of Engineers (US ACE) and West End HOA representatives in July 2018 to present the process and costs associated with obtaining a standalone permit.

This stakeholder consultation was coordinated after a July 2018 vote of the Board of Trustees to repeal the third-party Beach Cleaning Vendor Program effective 12/31/2018 due to liabilities created by vendors unwilling to abide by the terms and conditions of the federal permit. The lack of compliance as well as legal threats directed at the Park Board by vendors created a liability for coastwide operations that was deemed untenable.

A subsequent decision was made by a vote of the Board to limit the geographic scope of the US ACE 5 Year “Seaweed” permit at the time of renewal to only those areas under the direct management of the City of Galveston or Park Board of Trustees; RA Apffel, Stewart Beach, Seawall Urban Park, Dellanera and the West End Pocket Parks at the time of renewal. The current permit includes 154,000 linear ft of beach frontage excluding certain areas along the Seawall, Galveston Island State Park and the limits of the City of Jamaica Beach. The permit, issued in 2017 expires after the 2022 summer season.

The renewal process initiated September 2021 with a vote of the Board to authorize staff to engage with Atkins to conduct the required Biological Assessment over the geographic scope indicated above; RA Apffel, Stewart Beach, Seawall Urban Park, Dellanera and the West End pocket parks, and provide necessary services to secure the 2023-2028 federal permit in a timely fashion.

The ability of the Park Board to provide the current stop gap measure is based on the existing US ACE 5 Year Permit. Once this permit expires, the Park Board will no longer have authority to operate in those areas not under the direct management of the City or Park Board.

Per the Texas Natural Resource code, the Park Board is required by law to clean the beaches of litter and debris. There are financial allocations made in state code from the hotel occupancy tax to cover the expenses incurred in the delivery of daily maintenance tasks. The law does not require, and to the contrary severely regulates the removal of seaweed.

On February 22, 2022, the Park Board of Trustees discussed the renewal of the Seaweed Permit as it relates specifically to the continued inclusion of non-Park Board managed properties as well as the continuation of the HOA/POA Extreme Inundation Program. The Board requested at that meeting that the discussion be taken before the Beach Maintenance Advisory Committee, and that they provide a recommendation to the Board on how best to proceed. The committee should keep in mind that a decision must be provided by the March Board meeting to meet the deadlines necessary to move forward with the renewal of the permit.



Staff Recommendation: Given current operating constraints, staff recommends that the renewed permit only include those properties that the Park Board directly manages. This would also preclude the continuation of the HOA/POA Extreme Inundation Program beyond 2022.

Funding Source (if applicable): N/A