

City of Galveston Recommended Best Practices for Beach Maintenance Permits for Beach Maintenance Granted by the Planning Commission

I. Statement of Purpose

This document has been prepared to enhance the beach experience and improve environmental stewardship for the benefit of all beach users. The beaches of Galveston provide many unique and diverse recreational experiences while serving as one of the Island's primary economic engines. In order to support and sustain the Island's economy, it is imperative that the ecosystem that is Galveston Island be preserved and enhanced for current and future residents and visitors.

These recommendations seek to foster the use of sustainable beach maintenance practices that provide the greatest public benefit with consideration for local beach dynamics and using the least intrusive methods possible.

These practices take into consideration these aspects of the beach-dune complex:

1. The beach-dune complex provides necessary habitat for animal and vegetative species, including threatened and endangered species.
2. Wide beaches and continuous and robust dune fields are the first line of defense against coastal flooding from high tides and waves.
3. Healthy dune systems act as natural sand reservoirs for beach nourishment in the aftermath of major tropical events.
4. Seaweed has many environmental benefits, including helping retain sand on Galveston's beaches and providing for natural dune formation. Seaweed provides an essential habitat for a wide variety of marine animals.

The City of Galveston recognizes that continuous and robust dune systems are essential to the preservation of our shorefront beaches and for the protection of property. The City of Galveston further recognizes that healthy beaches are not possible without healthy, robust dune systems. Therefore, these Best Practices for Beach Maintenance support natural beach and dune building processes.

II. Legal Authority

The following Federal and state regulations, either stated or implied, are incorporated into these Best Practices for Beach Maintenance:

**Recommendations from the Beach Access and Dune Protection Plan Review Ad Hoc Committee
2019-06-12 – DRAFT**

- A. Open Beaches Act--Texas Natural Resources Code, §§61.001, et seq.
- B. Dune Protection Act--Texas Natural Resources Code, §§63.001, et seq.
- C. Texas Administrative Code, Title 31. Natural Resources and Conservation, Part 2. General Land Office, Chapter 15. Coastal Area Planning, Subchapter A. Management of the Beach/Dune System (Last Updated: March 27, 2019).
- D. Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. ... Proposed activities are regulated through a permit review process. An individual permit is required for potentially significant impacts.
- E. Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) prohibits the obstruction or alteration of navigable waters of the United States without a permit from the Corps of Engineers.

III. Definitions

- A. Beach Maintenance Activities: The most common beach maintenance practices include litter control, seaweed relocation, and debris removal.
- B. Designated area of allowed beach maintenance activity: between **15 feet seaward of the line of vegetation** and mean high tide. Exception: during times of extraordinarily high seaweed accumulation, seaweed may be relocated to the seaward (south) foot of the existing line of vegetation.
- C. Spatial extent of public beach: any beach area, whether publicly or privately owned, extending inland from the line of mean low tide/water (MLW) to the line of vegetation (LOV) bordering on the Gulf of Mexico (TNRC, Chapter 61, Section 61.001)
- D. Line of vegetation (LOV): the extreme seaward boundary of natural vegetation which spreads continuously inland (TNRC, §61.001). Where the LOV is absent or discontinuous, the LOV is determined by Title 31, §15.10(b) and the Open Beaches Act, §61.016 and §61.017.
- E. Wet beach: the area of the beachfront which generally lies between mean high water (MHW) and mean low water (MLW).
- F. Biweekly: occurring every two weeks
- G. Heavy equipment: road grader/maintainer, skid steer, or other heavy tracked equipment. A front-end loader must utilize a bucket level control indicator (float mechanism).
- H. Eroding area: a portion of the shoreline eroding at a rate of greater than 2 feet per year as determined by the State of Texas.
- I. Critically eroding area: State of Texas designation of west Galveston Island with erosion averaging greater than 4 feet per year.

Commented [PS1]: I like the number 10 as well,

Commented [RT2]: I would suggest 10'. Currently seems excessive. That is twice the width of eqpt used on the beach. Beach rakes are almost 8' wide. Some areas that are narrow may not have any room to operate.

Commented [PS3]: This is a good place to comment on the significance of a public beach, that is, the right to public access

Commented [RT4]: Wet beach is a very confusing description. Tides change that area constantly. I don't think this should be used as a definition.

Commented [CH5R4]: Would you please offer alternative language that would be better suited to the Best Practices definitions?

Commented [RT6R4]: We can leave the definition it is accurate. We'll so how its referenced in the document.

IV. Responsibilities

A. Galveston Island Park Board of Trustees

The Galveston Island Park Board of Trustees (GIPBT) is responsible for litter and emergency debris removal for the entire length of Gulf-facing Galveston beaches, except for the beachfront contained within the Galveston Island State Park and the City of Jamaica Beach. The GIPBT maintains policies and practices pertaining to these responsibilities.

1. Permitted activity: Trash can maintenance, litter and debris removal
2. Best Practices:
 - a) *Handpicking litter*
 - b) *Tipping waste barrels based on season and need.*

B. Independent Vendors

Independent vendors, when granted a permit by the City, may perform beach maintenance activities on Gulf-facing beaches adjacent to subdivisions and developments. Independent vendors can be hired by subdivisions and homeowners' associations for the purpose of relocating seaweed (Sargassum) after obtaining the necessary U.S. Army Corps of Engineers (USACE) permit and a City of Galveston permit.

1. Best Practices for Seaweed relocation by Independent Vendors are defined by the Terms and Conditions of the required USACE federal permit.

2. Best Practices for Independent Vendors are defined by the City of Galveston.

- a. *Handpicking of litter (no heavy equipment allowed).*
- b. *No working in the wet beach.*
- c. *No driving on or disturbing the dunes.*
- d. *No gouging or scouring of sand.*
- e. *No removal of sand from beach area.*
- f. *Allow dune formation by allowing for natural creep seaward of line of vegetation and growth of foredune elevation. Do not interfere with natural beach and dune processes by artificially controlling the line of vegetation.*
- g. *Encourage a continuous line of vegetation so that a continuous dune system can be established.*
- h. *No disturbing wildlife.*
- i. *Beach maintenance may only be undertaken no more frequently than bi-weekly for routine activities.*

Commented [CH7]: How is the permit enforced? Does the City engage in active oversight of the vendor for compliance with BP? If so, we should add the City as the responsible authority over the Independent Vendors.

Commented [RT8R7]: PB Coastal Zone (CZ) staff reports any unusual activity on the beach to city for their use. City staff can't be there every day but my staff is so it works well.

Commented [CH9]: Does this pertain to Sargassum only? If so we should state that.

Commented [RT10R9]: Yes

Commented [CH11]: Do these BPs NOT address Sargassum? If so, we should state that.

Commented [RT12R11]: I believe they do.

Commented [RT13]: This would be limit what if the federal permit allows a threshold at is triggered continuous days.

Commented [CH14R13]: I changed the statement to be more specific.