

Meeting Notes

**Public Meeting at Pinellas County Extension
12520 Ulmerton Road, Largo, FL
Topic: Easements for 2017 Sand Key Nourishment Project
May 3, 2017, 6–7:30 pm**

Pinellas County Staff Present:

Andy Squires, Coastal Resources Manager
John Bishop, Coastal Management Coordinator
Kelli Levy, Director, Environmental Management Division
Rahim Harji, Director, Public Works Dept.

U.S. Army Corps of Engineers Staff on Phone:

Laurel Reichold, Project Manager
Lynn H. Zediak, Real Estate
Hansler Bealyer, Real Estate Section Chief

GOTO MEETING VIDEO CONFERENCE

The meeting was intended to be held as a “GoToMeeting” Video Conference available for property owners that received easement requests to attend the meeting remotely. Unfortunately, the GoTo Meeting previously scheduled weeks ago somehow was deleted and could not be reestablished prior to the meeting. We apologize to anyone who may have attempted to join the meeting remotely.

WELCOME AND INTRODUCTIONS

Ms. Levy welcomed the attendees promptly at 6:00 pm and introduced the other County staff at the meeting and the three Army Corps staff on the phone available to answer questions.

PROJECT PRESENTATION

Dr. Bishop presented a brief overview of the Sand Key Shore Protection Project. The presentation covered: 1) a project overview and history, 2) why perpetual easements are needed, 3) the location of requested easements, 4) why and how many easements are needed, 5) key easement provisions, and 6) the next steps moving forward for the Sand Key Shore Protection Project.

Dr. Bishop began by showing several 1985 post Hurricane Elena ground-level slides juxtaposed to 2017 photos at the same location and perspective. These slides demonstrated the long-term success of the Sand Key Shore Protect Project, initiated in 1988, that has resulted in wide sandy beaches that were previously absent in 1985. Questions were held until after the presentation.

Three slides described the Federal emergency project funding acquired to repair Hurricane Hermine damage, the proposed sand placement volumes for the 2017 Sand Key project, and the addition of two

beaches that may be added to the Sand Key project, Sunset Beach on Treasure Island and Upham Beach on Long Key. Dr. Bishop explained why the Army Corps requires the acquisition of “perpetual” public access easements. The reason stems from a 1986 congressional Act (Water Resources Development Act of 1986) and a subsequent Army Corps policy to acquire perpetual public access easements on privately owned beach front property. These easements are needed before Federal funds can be spent to place sand on privately owned land. The policy was not clearly communicated nor enforced until recently. The Army Corps is now implementing the policy nationwide.

POWERPOINT PRESENTATION

A copy of the presentation will be available on the County’s Coastal Management website under the “Sand Key Beach Nourishment Project.” The link to the webpage is shown below.

<http://www.pinellascounty.org/environment/coastalMngmt/sandkey.htm>

POST-PRESENTATION QUESTIONS

After the presentation County and Army Corps staff responded to several additional questions:

1. Will Belleair Beach be nourished?

Answer: Yes, the plan is to nourish Belleair Beach. No easements are needed along Belleair Beach at this time.

2. We live in a condo with 34 owners, all of which need to sign-off on the easement. This will be difficult to achieve. What happens if we do not finally sign-off on the easement?

Answer: The Army Corps will not be able to place sand on your beach using public funds.

3. Why are easements needed now after four previous nourishments?

Answer: The reason stems from a 1986 congressional Act (Water Resources Development Act of 1986) and a subsequent Army Corps policy to acquire perpetual public access easements on privately owned beach front property. The policy was not clearly communicated nor enforced until recently. The Army Corps is now implementing the policy nationwide.

4. Based on the location of my property relative to the Erosion Control Line (ECL), the fill area does not include my property. I believe your data is not correct. What can be done about this?

Answer: Dr. Bishop explained that for some properties, just a small area or sliver of privately owned land was identified as needing an easement, so it is possible that a more exact analysis, such as a site specific survey, will show your property will not need to be filled. We can look into your specific case in more detail.

5. Why not use groins?

Answer: Groins require a very high level of scrutiny during the permitting process and are not expected to be viable or permissible along most of the Pinellas shoreline. In many cases installing groins can deflect the problem to adjacent beaches. Groins cannot be placed

anywhere along an eroded shoreline until carefully considered as to the potential success in holding sand on the beach and not simply transferring erosion issues to adjacent beaches. The decision to install groins is very site specific often taking several years to permit. For example, it has taken 24 years to move through the regulatory approval process to place rock groins on Upham Beach where the initial permit application process began in 1993. Rock groin installation is finally scheduled to begin later this year at Upham Beach.

6. Near the "Whitehurst" beach access, the dune is 6 feet high. Is the dune going to be destroyed when the beach is filled?

Answer: No, the Army Corps will not place fill over a dune or vegetated area of the beach. The dune and vegetated areas are protected by State law.

7. Please explain what public access means? Can the public put an umbrella and chair down and sit there?

Answer: Yes.

8. Is the easement good for a one-time project?

Answer: No. The Army Corps requires a perpetual public access easement.

9. What is the concern about us getting skipped in the project?

Answer: Ms. Reichold of the Army Corps staff explained that in the next few weeks the Army Corps and County will decide on what areas will be skipped due to lack of signed easements. The plan is to publicize the proposed project plan showing shorelines that will not be nourished in hopes that additional property owners will consider signing easements.

10. Belleair Shore does not get sand, correct?

Answer: Yes, Belleair Shore is not part of the project area and will not be getting sand.

11. Why does Indian Rocks Beach need to provide more easements when they already provide numerous beach access points, probably more than any other beach town?

Answer: The easements requested are for private property at the seaward portion of parcels that occur seaward of the seawall. Easements are not needed for the existing public access walkways used walk onto the beach.

12. It is not fair that we do not get sand if we do not provide an easement.

Answer: As explained previously, the policy is that the Army Corps cannot use public funds to place sand on private property.

13. If the sand dune is eroded, will the Army Corps replace it?

Answer: No, the Army Corps is not authorized to build sand dunes as part of the Pinellas County Shore Protection Project.

14. What happens if only one easement is not signed along a stretch of shoreline?

Answer: In the next few weeks the Army Corps and County will decide on what areas will be skipped due to lack of signed easements. The Army Corps has initially indicated they may need an uninterrupted stretch of beach about 1500 feet in length where all requested easements have been signed. (Please also refer to the Answer to Question 9 above)

15. Can the requested easement areas be narrowed so they do not include private land say 20-30 feet seaward of the seawall? This would provide a buffer restricting public access immediately next to and near the seawall.

Answer: The Army Corps has directed the County to acquire easements to the seawall since they have historically placed sand to the seawall using public funds. Furthermore, this would prevent the need for the County to repeatedly request new easements if and when the beach erodes closer to the seawall in areas not covered by existing easements.

16. Is the easement like a conservation easement where you can't build?

Answer: The portion of the beach where easements are requested currently requires a Coastal Construction Control Line (CCCL) permit from the State for many types of construction or activities on the beach. The CCCL permit process restricts many types of construction and activities on the beach whereby the restrictions are site specific.

17. Can people sit in the dunes?

Answer: No, people must stay off the dunes; dunes are protected by State law.

18. Will there be a property tax break if easements are provided?

Answer: This question should be addressed to the County Property Appraiser.

CONCLUDING REMARKS

Ms. Levy and Ms. Zediak thanked the attendees for coming to the meeting. Ms. Levy urged attendees to contact Dr. Bishop later as needed noting that his business cards are available at the sign-in table. Mr. Squires also thanked the attendees for their attention and excellent questions and announced that County staff will remain after the meeting to answer any additional individual questions or concerns as long as necessary. After all individual questions and concerns were addressed, the meeting ended at 7:30 pm.

SIGN-IN SHEETS

In addition to the four Pinellas County and three Army Corps staff listed above, at least 14 other people attended the meeting of which 10 were listed on the sign-in sheet (see below).

Sand Key Easement - Public Meeting
Please Print
 5/3/17

Easement Number	Name	Phone	Email
	Andy Squires	727-464-4633	asquires@pinellascounty.org
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	RICK MORIK		BORNT PLANS - INDIAN SHORES
	Jee Wilkerson	727-595-5967	gulfsid810@gmail.com
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