

SEAWEED MAINTENANCE
City of Port Aransas

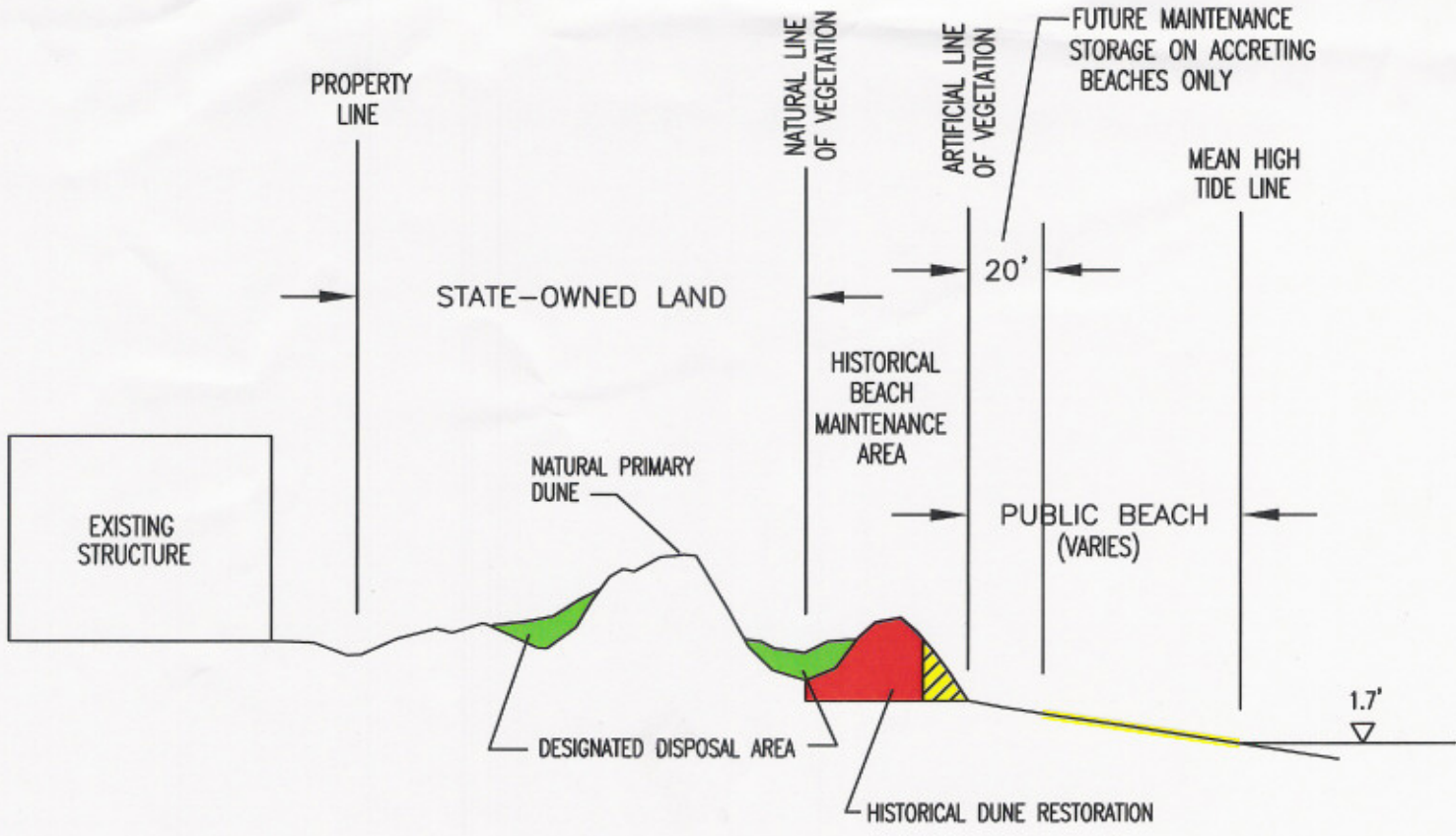
**Application for Dune Permit
and
Beachfront Construction Certificate**

June, 2007
Job No. 6100.A7.20


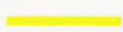
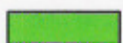
Engineer:



2725 Swantner, Phone (361) 854-3101, Fax (361) 854-6001
Corpus Christi, Texas 78404



LEGEND

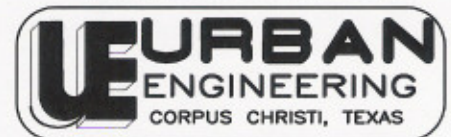
-  40' OF HISTORICAL BEACH MAINTENANCE AREA TO BE EXCAVATED & CONVERTED TO NEW SEAWEED STORAGE AREA
-  EXCAVATED SAND FROM HISTORICAL BEACH MAINTENANCE AREA(S) WHICH CAN BE DEPOSITED IN ACCEPTABLE METHODS IN ACCORDANCE WITH A CORP PERMIT.
-  LOW AREAS OR DESIGNATED DISPOSAL AREAS WITHIN THE DUNE COMPLEXES OF THE CITY-OWNED LAND WHICH CAN BE UTILIZED TO DEPOSIT SEAWEED.

ACCEPTABLE METHODS FOR DEPOSITING EXCAVATED SAND:

- A. SAND FROM ACCRETING AREAS
 1. MAY BE DEPOSITED WITHIN ACCRETING & ERODING TRANSECTS IN THE JURISDICTIONAL AREA OF THE ACOE (BEACH & WATERS EDGE) WITH AN APPROVED CORP PERMIT.
- B. SAND FROM ERODING AREA
 1. WITHIN ITS OWN TRANSECT IN THE JURISDICTIONAL AREA OF THE ACOE WITH AN APPROVED CORP PERMIT.
 2. IF SEAWEED IS TRANSFERRED TO AREAS OUTSIDE THE JURISDICTIONAL AREA OF THE ACOE, AN EQUAL AMOUNT OF SAND MUST BE REPLACED IN THE SAME TRANSECT IT WAS REMOVED THROUGH A BEACH NOURISHMENT EFFORT.

**ATTACHMENT #3
MAINTENANCE PROFILE
AND DETAILS**

SEAWEED MAINTENANCE
CITY OF PORT ARANSAS
DUNE PERMIT AND BEACHFRONT
CONSTRUCTION CERTIFICATE



2725 Swentner St., Corpus Christi, TX 78404
PHONE: (361) 854-3101 FAX: (361) 854-6001
DATE: 6-22-07 UE JOB#6100A7.20

INTRODUCTION

The Port Aransas city staff met on June 19th 2007 with the Texas General Land Office (GLO) staff to discuss acceptable philosophies for beach cleaning operations as it relates to the authority under the State's beach dune rules.

The City and GLO recognize that The Army Corps of Engineers (ACOE) is asserting its authority over lands seaward of the annual high tide line and that a permit for certain activities within this area is required by the ACOE. In general, it is the goal of this permit application to provide authorized alternatives for the removal and disposal of seaweed within the jurisdictional limits of the Port Aransas Coastal Management plan.

The solutions provided in this application are based on the recommendations from these discussions and it is the intent of the City and this application to protect the critical dunes, provide a public service to the residents and visitors of this stretch of beach, and improve the overall balance of the beach/dune system.

The following information has been provided in response to the requirements outlined in the "Port Aransas Coastal Management Plan" as adopted by the City Council on 2/15/95. The information has been provided in the same order as required under Section H of the plan.

DEFINING TOPICS

Some of the basic philosophies discussed with the GLO have been incorporated in this application and for clarity, have been described herein below.

Location of the Line of vegetation:

By definition, the line of vegetation is, "The extreme seaward boundary of natural vegetation which spreads continuously inland." It is the opinion of the city staff and GLO that the "line of vegetation" is likely landward of the artificial line of vegetation which has resulted from placement of seaweed along the vegetation line over time. Based on photographs and survey information, the artificial line of vegetation has migrated seaward from 0 to 150 feet in the last 15 years. Determining the appropriate location for the LOV "line of vegetation" has not been defined by the GLO. For the purpose of this application the current depicted LOV was determined by considering various factors. Observation of historical aerial photographs as well as interviews with city staff to establish historical seaweed disposal practices as well as by applying a 15 times the erosion rate to the line of vegetation shown on the 1991 photo atlas sheets produced with the cities coastal management plan. This, as well as giving reasonable consideration to the City's desire to consider some of its past actions as a dune restoration effort, led to the provided line.

It is also necessary to adjust this LOV to account for the natural impacts of beach erosion/accretion. The proposed boundary would be re-evaluated every 5 years to insure that the cities beach maintenance practices maintain a balance of the Dune Protection Act and The Open Beaches Act. In general, it is expected that the LOV should mirror the historical erosion rates published by the University Of Texas Bureau Of Economic Geology.

Restored dunes on the public beach:

The area of dune forward of the LOV has not previously been characterized. Under the Beach dune rules and in accordance with our discussions with the GLO, the practice of placing seaweed forward of the LOV should follow section VIII B 9 "restored dunes on the public beach" of the Port Aransas Coastal Management plan. Specifically the city should not continue to place seaweed forward of the artificial line of vegetation in a manor that would restrict or interfere with the publics use of the beach at normal high tide. This practice is particularly problematic in sections of eroding areas. In stable or accreting areas, the extent of the dune restoration must not extend beyond 20 seaward from the LOV without written consent from the GLO and The Attorney Generals office. Based on our observations all of the area defined for restored dunes on the public beach has already been accomplished thru prior placement of seaweed along the LOV.

Beach maintenance storage area:

Those areas 20 foot seaward of the projected LOV are classified as Beach Maintenance Storage Areas (BMSA). The material held in the BMSA can be moved within the beach dune system in a manner that does not harm the beach dune system. Any movement of the material should include measures to assure that the dunes remaining are not mechanically weakened. Placement of fresh seaweed or other vegetation restoration methods should be incorporated in the excavation activity. In order of preferred use, the material excavated may be used as follows.

1. Placed on the beach or at the waters edge in compliance with an approved ACOE permit. It is considered to be more favorable to move material to transects with higher erosion rates.
2. The material if taken from an accreting transect can be placed in designated disposal sites located within the beach dune system.
3. The material if taken from an accreting transect can be placed landward of the line of vegetation within the primary dune system.

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From the Port Aransas Coastal Management Plan
6. Attachments

Attachment #1	Location Map
Attachment #2	Topography, Critical Dunes, and Maintenance Area (w/ Erosion Data from the U.T. Bureau of Economic Geology)
Attachment #3	Maintenance Profile and Details
Attachment #4	Pictures

H. PERMIT AND CERTIFICATE APPLICATION REQUIREMENTS

1. For all proposed construction (large and small scale), the applicant shall submit the following items and information.
 - a. The name, address, phone number, and if applicable, fax number of the applicant, and the name of the property owner, if different from the applicant:

*Applicant & Land Owner: City of Port Aransas
710 W. Avenue A
Port Aransas, TX 78373-4128
(361)749-4111
Fax: (361)749-4723*

- b. The number of proposed structures and whether the structures are amenities or habitable structures:

This permit pertains to seaweed maintenance and will not include the construction of any structures (amenity or habitable).

- c. The number of parking spaces:

N/A

- d. The approximate percentage of existing and finished open space:

The open space percentage will not change.

- e. The elevation of lowest habitable floor of all habitable structures and the finished floor elevation of all other structures:

There are no proposed structures in this application.

- f. The approximate duration of construction:

This type of maintenance is mainly required during the peak seaweed season, but maintenance may be accomplished year around for the duration of the permit.

- g. A drawing showing configuration and location of any existing or proposed walkways or dune walkovers on the tract:

Refer to Attachment # 2

- h. A grading layout (referenced to the National Oceanographic and Atmospheric Administration or NGVD datum, having a contour interval of 2 feet or less), showing existing contours for the project area and proposed final grading:

Refer to Attachments #2

- i. Photographs of the site which clearly show the current location of the vegetation line and the existing dunes on the tract:

Refer to Attachment #4

- k. An accurate map or plat of the site identifying:

(1) its size in acres or square feet: *N/A*

(2) the site by its legal description, including, where applicable, the subdivision, block, and lot: *N/A*

(3) the location of the property lines and a notation of the legal description of adjoining tracts:

Refer to Attachment #2

(4) the location of structures, the footprint or perimeter of the proposed construction on the tract:

Refer to Attachment #1

(5) proposed roadways and driveways and proposed landscaping activities on the tract:

There are no roadways, driveways, or landscaping proposed with this application.

- (6) the location of any seawall or other erosion response structures on the tract and on the properties immediately adjacent to the tract:

There are no known seawall or erosion response structures proposed on or adjacent to the site.

- (7) if known, the location and extent of any manmade vegetated mounds, restored dunes, fill activities, or any other preexisting human modifications on the tract:

The entire area depicted as the "historical beach maintenance area" has been created by human efforts to maintain the public beach. These artificial dunes currently extend approximately 50' and in some areas, up to 150' seaward of the "natural line of vegetation".

- l. the effects of the proposed activity on the beach/dune system which cannot be avoided should the proposed activity be permitted, including, but not limited to, damages to dune vegetation, alteration of dune size and shape, and changes in dune hydrology:

The proposed construction will positively impact the historic beach maintenance area and the public beach by renourishing effected and eroding areas. These efforts are designed to strengthen the beach/dune system while actively addressing the need for seaweed maintenance. Any dune vegetation damage caused by these maintenance procedures will be temporary and repaired with natural vegetation. The dune size and shape of the maintenance dunes will be continuously affected by the proposed maintenance, but should not mechanically weaken or jeopardize the protection the dune complexes provide. Additionally, dune hydrology will not be adversely affected.

- m. a comprehensive mitigation plan which includes a detailed description of the methods which will be used to avoid, minimize, mitigate and or compensate for any adverse effects on dune or dune vegetation:

Avoidance and minimization will be met by not affecting any critical dunes outside the beach maintenance area. Dune Vegetation may be temporarily affected by the maintenance procedures, but shall be monitored for revegetation. If revegetation does not occur, the City shall be responsible for taking measures to revegetate the area.

Mitigation will take place by spreading the sand from the excavated maintenance dune onto the public beach to renourish the areas immediately seaward of the affected area, in areas depicted by the BEG as experiencing erosion (depicted as negative values on Attachment #2), or depositing it in to approved designated area. Refer to attachment #3 for details.

2. For all proposed large-scale construction, the City of Port Aransas shall require applicants to submit the following items and information:

The proposed seaweed maintenance is not considered large-scale construction.

3. For all proposed construction (large and small scale), if the applicant already has the following items and information, local governments shall require them to be submitted in addition to the other information required:
 - a. a copy of a blueprint of the proposed work:

N/A

- b. a copy of a topographical survey of the site:

See Attachment #2

- c. The activity's potential impacts on coastal erosion:

Based on the data provided by the U.T. Bureau of Economic Geology, the mean high tide seaward of the project is subject to a rate of change of -1.2 to +1.3 feet per year (Attachment #2). The maintenance authorized herein will not adversely affect coastal erosion because the affected sand will remain within the local beach-dune system and special provisions will be taken within eroding areas.

- d. a copy of FEMA "ELEVATION CERTIFICATE" for any existing structure located on the site:

N/A

4. Applicant's assertions:
The applicant must include in the application the following positive assertions;
- a. The proposed activity was designed to avoid adverse effects on critical dunes in accordance with subsection VI.F, "Requirements for Avoidance of Adverse Effects";
 - b. The proposed activity is not one of the prohibited activities listed under subsection VI.D, "Prohibited activities", of the "Port Aransas Coastal Management Plan";
 - c. The activity will not result in runoff or drainage patterns that aggravate erosion on or off the site;
 - d. The activity will not result in significant changes to dune hydrology;
 - e. The activity will not disturb unique flora or fauna;
 - f. The activity shall not significantly increase the potential for washovers or blowouts to occur;
 - g. The activity will not result in significant adverse effects to dune complexes or dune vegetation.

DATE: _____

City of Port Aransas
Michael Kovacs, City Manager

DUNE PROTECTION PERMIT

For construction requiring a Dune Protection Permit the following items must be accomplished. Check box to indicate completion of item OR statement is true.

SECTION 1 - To be filled out by Planning and Zoning Commission.

The Planning and Zoning Commission has reviewed the application and has made the following recommendations:

Recommend Approval

Recommend Disapproval

Signed: _____ Date: _____
Chairman, Planning & Zoning Commission

SECTION 2 - To be filled out by City Council.

The proposed activity is not a prohibited activity as defined in subsection VI.D "Prohibited Activities" of the Port Aransas Coastal Management Plan.

The proposed activity will not materially weaken critical dunes or materially damage critical dune vegetation based on the application of technical standards under subsection VI.E, "Technical Standards for Determination of Material Weakening" of the Port Aransas Coastal Management Plan.

The design of the proposed activity has incorporated the provisions for avoidance in accordance with subsection VI.F, "Requirements for Avoidance of Adverse Effects" of the Port Aransas Coastal Management Plan.

The applicant's mitigation plan will adequately minimize, mitigate, and/or compensate for any unavoidable adverse effects, as provided in subsection VI.G, "Mitigation" of the Port Aransas Coastal Management Plan.

I, _____ as Mayor of _____ is consistent with the Port Aransas Coastal Management Plan.

Signed: _____ Date: _____
Mayor

Permit # _____ Seaweed Maintenance Dune Permit

Expiration Date: _____

**BEACHFRONT CONSTRUCTION CERTIFICATE APPLICATION
(SHORT FORM PASF-1)**

A. General Information:

Name: **City of Port Aransas
Michael Kovacs, City Manager**
Address: **710 W. Avenue A
Port Aransas, Texas 78373**
Phone: **(361) 749-4111**
Fax: **(361) 749-4723**
Desc: **All the area owned by the State within the jurisdictional limits of the
Port Aransas Coastal Management Plan.**

B. Proposed Construction:

Describe the Proposed Construction:

The proposed construction consists of acceptable alternatives for beach/dune renourishment and the periodic removal and disposal of seaweed from the public beach within the jurisdictional limits of the Port Aransas Coastal Management Plan.

C. Location of Proposed Construction:

- 1.) **The entire area owned by the State within the jurisdictional limits of the City of Port Aransas Coastal Management Plan.**
- 2.) **The site locations are shown on sheets 2 thru 9 of the Port Aransas Coastal Management Plan.**

D. FEMA Standards:

N/A, there are no proposed structures associated with this permit.

Applicant: Michael Kovacs, City Manager

Date

BEACHFRONT CONSTRUCTION CERTIFICATE (FOR PASF-1)

The following items must be accomplished. Check box to indicate completion of item or that the statement is true.

The project has been located on a copy of the Beachfront Construction Map from the Port Aransas Coastal Management Plan and the location of the construction is not on an existing or future access easement.

SEE NOTE 1 BELOW

The construction does not functionally support or depend on, or otherwise relate to, proposed or existing structures that encroach on the public beach.

The construction, if within 200 feet landward of the line of vegetation, does not include a retaining wall or improved surfaces.

The construction is landward of the 60 year erosion line, as depicted in Attachment #2 of the Port Aransas Coastal Management Plan.

SEE NOTE 2 BELOW

The applicant has been informed of the need to obtain a dune permit if the construction is within 1000 feet of mean high tide.

I, _____ as the City of Port Aransas building inspection representative herein certify that I have reviewed the information presented above and any other information necessary to establish that the proposed construction is consistent with the City of Port Aransas Coastal Management Plan and that the proposed construction will not adversely effect the public access to and from the public beach.

Signed: _____ Date: _____
Port Aransas Building Official

Certificate # _____ Seaweed Maintenance

Expiration Date: _____

Note 1: The purpose of this application is to authorize the periodic removal of seaweed from the public beach. Thus, construction (seaweed relocation) in some instances will be on existing access easements. Never-the-less, this construction should not adversely affect the erosion line or public access to and from the public beach.

Note 2: Because of the nature of this application, it is typical that the proposed construction (seaweed relocation) will be seaward of the 60-year erosion line. Never-the-less, this construction should not adversely affect the erosion line or public access to and from the public beach.