



INDIAN RIVER COUNTY, FLORIDA
AGENDA ITEM
Department of General Services /
Parks & Recreation

Date: January 22, 2023
To: The Honorable Board of County Commissioners
Thru: Michael C. Zito, Interim Assistant County Administrator
From: Beth Powell, Interim General Services Director/Parks and Recreation Director
Subject: Template Emergency Beach Access Agreement

BACKGROUND:

During the week of September 25, 2022, Indian River County experienced damages from Hurricane Ian which was a Category 3 Hurricane creating damage and coastal erosion throughout peninsular Florida and the coastal areas of Indian River County. Shortly thereafter on November 10, 2022, Hurricane Nicole made landfall just south of Indian River County on North Hutchinson Island with 75 mph winds. This storm created significant dune and beach erosion in Indian River County resulting in the necessity for emergency dune restoration efforts.

Indian River County has begun dune restoration projects on several County beach access points and parks and the Parks Division has begun receiving requests from private residences and home owner associations to utilize the beach park/access points for their own emergency dune restoration efforts.

DESCRIPTION AND CONDITIONS:

Currently, the Parks Division can issue permits under Section 205.04 – Permits for activities such as special events, however this permit process precludes the ability to close the park to the public. Staff has consulted with the County Attorney and drafted a Template Emergency Beach Access Agreement which would allow for the use of a County beach park/access for heavy equipment access to complete private emergency dune restoration activities on parcels that have obtained an emergency permit. These Emergency Beach Access Agreements would be issued upon evidence of all requirements including certificate of insurance naming Indian River County as additional insured, restoration plan, schedule, and staffing the closure of the beach park/access during the specified period. The Emergency Beach Access Agreements would be issued only in concurrence with Post Hurricane Ian – Emergency Final Order Permits (FDEP EFO No. 22-2602) and Post Hurricane Nicole – Emergency Final Order Permits (FDEP No. 22-2816).

FUNDING:

No funding is required for the subject task.

RECOMMENDATION:

Staff respectfully requests that the Board of County Commissioners approve the Template Emergency Beach Access Agreement and authorize the Parks and Recreation Director to sign agreements on their behalf upon review and approval by the County Public Works Director, Natural Resources Manager, Risk Manager, and County Attorney.

ATTACHMENTS:

Template Emergency Beach Access Agreement

APPROVED AGENDA ITEM FOR JANUARY 31, 2023