

**INDIAN RIVER COUNTY, FLORIDA  
BOARD MEMORANDUM**

**CONSENT**

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**TO:** Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator

**THROUGH:** Kylie Yanchula, Natural Resources Director

**FROM:** Eric Charest, Assistant Natural Resources Director

**SUBJECT:** Amendment No. 3 – FDEP Grant Agreement No. 19IR2 (Indian River County Hurricane Irma Recovery Project (Sector 7 Beach and Dune Restoration))

**DATE:** June 21, 2024

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**DESCRIPTION AND CONDITIONS**

The Florida Department of Environmental Protection (FDEP) received FY 2018/2019 funding to assist eligible governmental entities for beach erosion control activities under the Florida Beach Management Funding Assistance Program. On July 22, 2019, FDEP entered into Local Government Funding Request (LGFR) Grant Agreement No. 19IR2 with Indian River County committing up to \$307,538.00 for design and permit-required construction related activities for the Sector 7 Beach and Dune Restoration Project (Project).

On September 29, 2021, in response to a request from the County to FDEP for an extension to the Task End Dates identified in the original agreement, FDEP issued Amendment No. 1 to Grant 19IR2. Amendment No. 1 maintained the same funding levels but extended the Task Deliverable Due Dates through to September 30, 2023, with the amended grant agreement reflecting a twenty-five (25) month extension. The extension request by the County was necessary due to the Sector 7 Beach and Dune Restoration Project being delayed on multiple occasions due to a lack of stakeholder support in the form of executed easement agreements allowing for the placement of sand in accordance with design and permit constraints.

At the June 20, 2023 regularly scheduled Commission meeting, Coastal Engineering Staff presented an update on the status of Sector 7 to the Board. At that meeting, the Board voted to consider the Hurricanes Matthew, Irma and Dorian Sector 7 Beach and Dune Restoration Project as not being constructible due to lack signed easements (67% obtained, 14% pending, 1% in-process, and 18% denied). Staff was then directed to seek reallocations for the funding that was made available for the Project where possible (FEMA, FDEP LGFR).

As FDEP funds allocated under Grant 19IR2 were unable to be reallocated to another beach management sector within the County, on October 19, 2023, Staff requested the FDEP consider a reallocation of funding within LGFR Grant 19IR2, making Task 2 (Construction) funds available for reimbursement of expenses incurred by the County for Task 1 items (monitoring, design and permitting).

On January 4, 2024, in response to the County's request, FDEP issued Amendment No. 2 to Grant

19IR2. Amendment No. 2 maintained the same funding levels as the original agreement, but extended the Task Deliverable Due Dates through to September 30, 2024 reflecting a twelve (12) month extension. While Amendment No. 2, approved by the Board on March 5, 2024, only extended the Grant timeframe, the FDEP used this time extension to draw up Amendment No. 3 which now reflects the requested reallocation of task funding. Amendment No. 3 allows the County to seek partial reimbursement on expenses already incurred for the Project.

Amendment No. 3 to Grant 19IR2 was received by the County on June 21, 2024, and is being presented to the Board for consideration.

### **FUNDING**

No additional funding is requested as this item is a reallocation of available funding within the grant.

### **RECOMMENDATION**

Staff recommends the Board approve FDEP Amendment No. 3 to FDEP LGFR Grant Agreement No. 19IR2 for the reallocation of funding under the grant identified tasks and authorize the Chairman to sign the Amendment on behalf of the County. Following Board approval, the County will transmit the partially executed Amendment to the State for final signatures. Upon receipt of the fully executed FDEP Grant Agreement 19IR2 Amendment No. 3 from the State, staff will transmit to the Clerk to the Board of County Commissioners for filing.

### **ATTACHMENTS**

1. Amendment No 3 to FDEP Grant Agreement 19IR2

**APPROVED AGENDA ITEM FOR: July 2, 2024**