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Winter 2006

COAST

a coastal issues newsletter from your Texas General Land Office



Houses on the beach at Surfside.

Patterson's Plan for Texas Open Beaches Announced

On June 7, Texas Land Commissioner Jerry Patterson announced his "Plan for Texas Open Beaches." Patterson made \$1.3 million in state money available to remove houses on the public beach.

The announcement came at the end of a two-year enforcement moratorium for houses violating the Texas Open Beaches Act, which guarantees public access to the state's Gulf-facing beaches. Under state law, anything seaward of the natural line of vegetation is considered public beach.

The moratorium, issued by Patterson in 2004, suspended for two years the ability of state and local officials to file lawsuits to remove houses from Texas Gulf Coast beaches. In an effort to avoid expensive court cases, Patterson offered up to \$40,000—now \$50,000—to help property owners move their structures away from the public beach.

Twenty property owners applied for reimbursement eligibility before the October 2, 2006 deadline. "It's my duty to enforce the Texas Open Beaches Act, but it's my hope to be able to work with these property owners and avoid costly litigation," Patterson said.

In announcing the funding, Patterson also released eight proposals he will pursue to strengthen the Open Beaches Act and ensure public access to Texas beaches. His Plan for Texas Open Beaches makes it clear the Land Office will retain litigation as an option, but will also identify alternative means to address the problem.

"The time to act is now," Patterson said. "As long as there is erosion of the Texas coast, this problem will not go away. I believe these proposals are a fair and equitable way to preserve public access to the beach while honoring private property rights."

Patterson's plan calls for a variety of new ideas to be applied to private structures on public beaches, for example:

- ◆ Allow the Land Commissioner discretion to

determine which houses on the beach constitute a public health and safety threat. This will allow the Land Commissioner to better prioritize efforts to remove houses that are in violation of the Texas Open Beaches Act.

- ◆ Adopt new rules to allow owners of houses on the beach to get repair permits or hook up to public utilities, as they could under the moratorium, but without protection from removal actions.

- ◆ Offer \$1.3 million in initial state financial assistance to remove houses from the beach due to severe erosion of the Texas coast and seek additional funding.

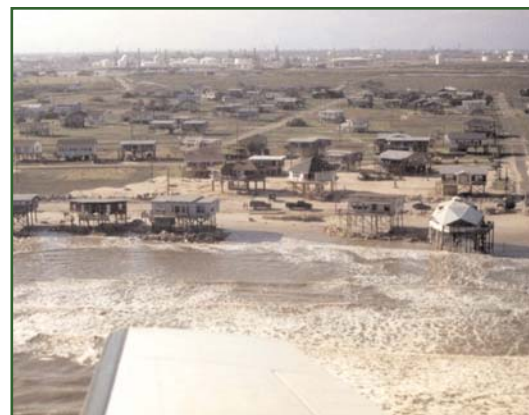
Items that will be sought during the 80th Legislature include an agenda that if enacted would:

- ◆ Create fines and criminal penalties for those who willfully erect structures that hinder access to the beach.

- ◆ Deny state-funded windstorm insurance coverage for structures on the public beach based upon criteria set by the Land Commissioner.

- ◆ Study setbacks for new construction and seek additional authority for counties.

- ◆ Make the provisions of the Open Beaches Act clear to buyers—in plain language—on disclosures for all coastal property transactions. 🌀



An aerial view of houses on the beach at Surfside.

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CIAP Grant Funds Signs Targeting Galveston Beachgoers

Rip currents, the summer heat and jellyfish stings can quickly turn a fun day at the beach into a day at the hospital, or worse. But with funding from the 2001 Coastal Impact Assistance Program (CIAP), the Galveston Park Board has placed water safety signs at 23 beach access roads on Galveston Island.

CIAP, administered by the Texas General Land Office (GLO), awarded \$146,000 to the Park Board for the purchase of the bilingual safety signs as well as beach wheelchairs, lifeguard stands and construction of a wheelchair-accessible dune walkover. The public education committee of the U.S. Lifesaving Association (USLA) designed the signs.

Peter Davis, assistant director of the Galveston County Sheriff's Beach Patrol and the USLA liaison officer, said the signs have long been needed because the beach patrol does not have lifeguard stands along the entire island. The signs were needed to warn beachgoers of possible dangers. Lack of funding has always been an issue in producing these signs, he said.

"We always have had a need for water safety information that is presented in a non-threatening way, especially on the west end of the

island where we have no lifeguard stands and people swim at their own risk," he said. "We have more than 20 miles of beaches there, and that's a large area for us to cover."

Galveston County does operate a unit that patrols the west end beaches, but people still swim at their own risk.

While the west end beaches typically do not see the large crowds of beaches closer to town, they can become popular around the holidays, Davis said.

"A lot of times people don't use their brains when they enter the water," he said. "They're on holiday, and they just don't use common sense sometimes. These signs remind them to be careful when entering the water and to not make careless mistakes."

The 2001 CIAP grant cycle ended in May. As part of this grant, Texas received more than \$26 million that was divided among and overseen by the 18 coastal counties, the GLO and the Coastal Coordination Council.



One of the new safety signs on Galveston Island.

Coastal Coordination Council

Chairman

Jerry Patterson

Commissioner of the Texas General Land Office

Members

Victor Pierson

Coastal Government Representative

John L. Sullivan

Agriculture Representative

James R. Matz

Coastal Business Representative

Robert E. Jones

Coastal Citizen Representative

Jose Dodier

Texas State Soil and Water Conservation Board

Elizabeth Ames Jones

Railroad Commission of Texas

Jack Hunt

Texas Water Development Board

John W. Johnson

Texas Transportation Commission

Kathleen Hartnett White

Texas Commission on Environmental Quality

Robert R. Stickney

Texas Sea Grant College Program

J. Robert Brown

Parks and Wildlife Commission of Texas

CMP Funds Facilities at LCRA's Nature Park

With \$180,000 in grants from the Coastal Management Program (CMP), the Lower Colorado River Authority (LCRA) is providing recreational opportunities for visitors and preserving 1,600 acres of coastal marshes and dunes where the old Colorado River channel meets the Gulf of Mexico.

LCRA has received three grants over the past three years from the CMP, which is administered by the Texas General Land Office. The grants have funded picnic shelters, restrooms, a visitors' kiosk, a nature trail, a wildlife-viewing pavilion, a wetlands boardwalk and a kayak launch at LCRA's Matagorda Bay Nature Park. This park and beach attract about 50,000 visitors a year, giving a welcome economic boost to the area.

"The park gives us a place to teach school groups and the public about the importance of protecting wetlands and about how important these areas are to migratory birds and other species," said Katherine Gonzalez, who serves as LCRA's project manager for the CMP grants.

LCRA holds programs to inform schoolchildren and the public about the importance of protecting natural resources, she said. Since 2001, more than 1,500 schoolchildren have taken part in natural science programs at the park. LCRA plans to open a natural science center in 2007 with exhibits and classroom space to better serve schools visiting the park.

In conjunction with Matagorda County, LCRA also is providing amenities to other park visitors. It recently completed work on sites to accommodate 70 recreational vehicles and has used CMP funds to construct six picnic shelters, a kiosk that offers information on protecting coastal resources and a



Some of the improvements to LCRA's Matagorda Bay Nature Park.

wildlife-viewing pavilion. The Matagorda area has the highest Christmas bird count in the nation, according to the Audubon Society.

"This is an incredible place for bird-watching," Gonzalez said. "You're right on the wetlands where birds like to congregate."

LCRA has also constructed fishing piers, a boat dock and additional public access points to the beach, she added. Since it acquired the property in 2001, LCRA has tried to restore the area to the way Mother Nature intended.

"It has been a dramatic, incredible change," Gonzalez said. "Just cleaning up the historic dumping areas has made a huge difference. The property had seen a lot of cattle grazing before we acquired it, and it has been fascinating to see the change in the property and in the diversity of the plants that have returned after we began restoring the area."

On The Coast is produced by the Coastal Resources Division of the Texas General Land Office in cooperation with the Office of Communications. For more information on the Coastal Resources Division or to subscribe to this newsletter, please call Mark Evans at 512-463-3262 or email him at mark.evans@glo.state.tx.us or visit www.glo.state.tx.us/coastal.html.

Students Monitoring Beaches as Part of CMP-Funded Project with the University of Texas at Austin

Texas' next great geologists are busy honing their research skills at high schools along the Gulf Coast as part of a project funded by the Texas Coastal Management Program, which is administered by the Texas General Land Office.

The Texas High School Coastal Monitoring Program (THSCMP) pairs teachers and students at Galveston, Bay City, Port Aransas and Port Isabel schools with scientists from the University of Texas' Bureau of Economic Geology (BEG). As part of their coursework, science students from these schools monitor selected beaches for one year. Students learn to measure topography, map vegetation and shorelines and to observe weather and wave conditions.

After the students and teachers have recorded their findings, scientists at the BEG analyze the data and use it to monitor changes in beaches, dunes and vegetation lines, particularly after tropical storms and hurricanes strike the Texas coast. Most recently, BEG researchers used data collected by students to study the recovery of the coastline after Hurricane Rita hit last year.

"The Texas High School Coastal Monitoring Program was created to provide an enhanced science experience through collaboration between high school students and working scientists," said project coordinator Tiffany Hepner, who also serves as a research scientist associate at the BEG. "By providing real-world examples of scientific observations, students gain a better understanding of environmental issues affecting their communities."

Student-collected data also have been used to understand the effects and the efficiency of geotextile tubes installed along the Gulf of Mexico shoreline of the upper Texas coast, she said. Farther south, Port Isabel High School students are collecting data that allows the BEG to observe the effects of a dredging project at Brazos Santiago Pass.

Since its start in 1997, the high school monitoring program has received more than \$346,000 in CMP grants.

The program was first implemented in a single school—Ball High School in Galveston. Over the years, more schools joined the program, and today, the THSCMP operates in four high schools and two middle schools. These schools include Ball High School, Bay City High School, Port Aransas High School, Port Isabel High School, Tidehaven Middle School and Van Vleck Middle School. While the BEG has no immediate plans to add more schools to the program, Hepner said project organizers hope that will change within the next two years, pending adequate funding.

"This program opens students' eyes to a world of science they might not otherwise know existed," she said. The program engages students in research that is pertinent to their own communities, she said. Perhaps even more fascinating to students is the chance to contribute to projects that are published and made available for scientific reference and research.

For more information about the Texas High School Coastal Monitoring program, please visit www.coastal.beg.utexas.edu/thscmp.




Ball High School students conduct a topographic profile.



Ball High School students measure the horizontal distance between Emery rods at Galveston Island State Park.

Upcoming Events



December 5, 2006
NOAA Public Meeting on the Texas Coastal Management Program
South Padre Island
5:30 p.m.
512-463-4228
www.glo.state.tx.us/coastal/cc.html

December 7, 2006
Coastal Coordination Council meeting
Austin, Texas
1 p.m.
512-463-4228

Mid-January, 2007
Coastal Land Advisory Board Public Meeting
Austin, Texas
www.glo.state.tx.us/coastal/ciap/ciap2005.html

January 10, 2007
10th Anniversary of the Texas Coastal Management Program

CEPRA Restores Jamaica Beach Dunes

Like most Gulf Coast communities on the west end of Galveston Island, Jamaica Beach is in a constant battle against the forces of nature. Its beaches are continually eroding, and every year like clockwork they're hit by storms powerful enough to have names.

In an effort to slow this erosion and provide protection against storms, the Texas General Land Office's Coastal Erosion Planning and Response Act (CEPRA) program partnered with the city of Jamaica Beach to rebuild a half-mile stretch of sand dunes. The total project cost was \$964,000.

"This is an outstanding example of two entities working together to restore our most precious coastal resource," said Jamaica Beach Mayor Victor Pierson. "I am very grateful for all the hard work by everyone involved. Many citizens and property owners of the city of Jamaica Beach have let me know just how appreciative and how utterly thrilled they are to have beach restored."

The Galveston Park Board provided 26,100 cubic yards of beach-quality sand to revitalize the

beach and form sand dunes. Jamaica Beach dunes had been destroyed over the years by tropical storms and hurricanes, leaving nearby homes and roads vulnerable to flooding and further damage from strong storms.

One of the challenges faced by project managers included conducting the project during sea turtle nesting season. The project used trained volunteers to monitor for nesting activity.

Sand fencing was installed, and native dune vegetation was planted to recreate the natural dune environment. A dune 5 feet high now stretches the length of the beach to protect homeowners and infrastructure, as well as revitalize the beach/dune system. It will make Jamaica Beach a more desirable destination for beachgoers and vacationers for many years to come.

This project is one of 17 funded under CEPRA Cycle 4. The program was first authorized by the 76th Legislature to give Texans the tools to fight coastal erosion, which continues to threaten the state's public beaches, marshes, homes, businesses and public infrastructure.

2001 CIAP Wraps Up as 2005 CIAP Moves Forward

Once upon a time, billboards, a landfill and a dumping ground for old tires intruded on marshland along Interstate 45 in Galveston. Not only were they bad for wildlife, they were often the first things tourists saw as they drove into the city.

But that's all in the past now, thanks to the Coastal Impact Assistance Program (CIAP). The state's portion of the 2001 CIAP helped fund 73 projects to protect and restore Galveston marshes.

Statewide, more than 6,300 acres of coastal property have been permanently protected and conserved by the 2001 CIAP, administered by the Texas General Land Office. In 2001, Congress gave money to Texas and six other coastal states to mitigate impacts from oil and gas production of the Outer Continental Shelf. This program recently came to an end, with Texas spending all of its \$17.2 million on projects in the coastal zone. The GLO was careful to spend all the federal funding it received, said Texas Land Commissioner Jerry Patterson.

"It's very unusual to not return any money when you're dealing with a grant this size," Patterson noted. "Inevitably, you have projects that drop off, and you scramble to identify worthy projects that can use the money instead. We were able to fund projects that are making a tremendous difference to our coast and its communities."

Of the \$17.2 million, the GLO administered \$9.7 million, and the Coastal Coordination Council—chaired by Patterson—managed \$7.5 million. The 73 projects funded along the Texas coast achieved the:

- ◆ participation of 20,575 students and teachers in environmental education activities;

- ◆ removal from state waters and beaches of 64,000 pounds of debris, 21 sunken boats and three barges;
- ◆ restoration of 3,410 acres of coastal wetlands;
- ◆ construction of seven public parks and fishing piers; and
- ◆ purchase of 6,319 acres of coastal land, which will be permanently protected from development.

As the 2001 CIAP ends, the GLO is gearing up for the next round of the program, which Congress funded as part of the Energy Policy Act of 2005. Texas should get between \$53 million and \$70 million in 2007 under CIAP, with \$34 million to \$45 million awarded for state projects through competitive grants.

When project nominations were solicited in June, 349 projects were nominated, which would cost more than \$777 million to fund. From the nominations submitted, 118 projects were selected for possible state grants.

The Coastal Land Advisory Board will consider staff funding recommendations at an open public meeting in January. Funding preference will be given to projects meeting the goals of the Texas CIAP program—"to conserve, restore, enhance, and protect the diversity, quality, quantity, functions, and values of the state's coastal natural resources including, but not limited to, any effects of oil and gas development of the Outer Continental Shelf." Members of the advisory board include Land Commissioner Jerry Patterson (chairman), Railroad Commissioner Elizabeth Jones and Texas Transportation Commissioner John Johnson.

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