

**RESOLUTION NO. 1000**

**A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, MAKING FINDINGS REGARDING CURRENT ISSUES WITH BEACH EROSION AND ALTERNATIVES TO ADDRESS SAME; SUPPORTING A STATEWIDE MANAGED COASTAL RETREAT POLICY AND FUNDING SUPPORT FOR CRITICALLY ERODED AREAS; SUPPORTING THE MAINTENANCE OF HEALTHY DUNE SYSTEMS; SUPPORTING THE NEED TO AVOID BEACH ARMORING FOR THE LONG-TERM PROTECTION OF SEA TURTLES AND OTHER COASTAL DEPENDENT WILDLIFE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Florida Department of Environmental Protection has, since 1989, declared 411 miles of Florida's coastline as critically eroding; and

**WHEREAS**, the State of Florida has spent a total of \$626.6 million between 1998 and 2016 in beach management projects through the Ecosystem Management and Restoration Trust Fund; and

**WHEREAS**, the City of Satellite Beach understands that beach nourishment projects are beneficial for the long-term maintenance and sustainability of beaches across the State of Florida and serve to protect public and private property, as well as public beach access and customary use of the beach and sandy beach for Florida residents and tourists; and

**WHEREAS**, the State of Florida has restored and maintained over 227 miles of critically eroded beaches, and the demand for projects is increasing based at least in part on the effects of climate change and increased storm activity; and

**WHEREAS**, a 1999 Federal Emergency Management Administration mapping project estimated the average erosion rate for beaches in Brevard County causes a loss of 6.6 feet per year; and

**WHEREAS**, Brevard County has 41.2 miles of critically eroded beaches, with the majority of these beaches being south of Cape Canaveral (Florida Department of Environmental Protection, *Critically Eroded Beaches in Florida*, December 2017); and

**WHEREAS**, the beaches in Brevard County, including those located in Satellite Beach, are prime nesting habitat for sea turtles, specifically including loggerhead, green and Kemp Ridley; and

**WHEREAS**, the beaches in Brevard County, including those located in Satellite Beach, were historically utilized to hunt sea turtles and harvest their eggs, which activities have evolved into turtle watching and environmental activities related to species survival, including ecotourism; and

**WHEREAS**, the City of Satellite Beach recognizes that beach nourishment projects often provide the only alternative to beachfront armoring, which currently is estimated to constitute 14% to 22% of Florida's shorelines; and

**WHEREAS**, beachfront armoring is, and has been, recognized by the Florida Fish and Wildlife Commission to be ecologically devastating to the dune structure and its dynamics, coastal flora and fauna, specifically including but limited to, sea turtles, and beach and tide dynamics; and

**WHEREAS**, the City of Satellite Beach recognizes the need for statewide legislation to provide an alternative to beach nourishment and beach armoring to include coastal retreat and mechanisms for implementing same; and

**WHEREAS**, with the rise in the demand for beach nourishment projects and the continued desire for vegetated dunes without seawalls, the demand for beach quality sand exceeds the local supply, with South Florida legislators recently seeking to lift the ban on imported sand so beach sand can be brought in from the Bahamas; and

**WHEREAS**, federal, state, and local tenets requiring governments to allow property owners the "reasonable" use of their property often leads local governments to approve and issue permits for construction in critically eroded areas; and

**WHEREAS**, continued beach nourishment in these critically eroded areas can provide a "false sense of security" to property owners to re-build in critically eroded areas, causing local, state and federal governments to continue the cycle of beach nourishment projects to the detriment of taxpayers, or such entities must allow property owners to opt for beachfront armoring; and

**WHEREAS**, the City of Satellite Beach recognizes that coastal retreat through property acquisition is unattainable for local governments absent state and federal funding assistance or being provided an adequate funding source for same; and

**WHEREAS**, the City supports a statewide policy to create a state funding source available to local governments for the purpose of acquiring structures and property that have been repeatedly compromised or partially damaged or totally destroyed by coastal erosion, as well as parameters for acquisition of such funds for that purpose; and

**WHEREAS**, the City of Satellite Beach supports legislation that questions the wisdom and long-term impacts of approving and issuing building permits in high erosion coastal areas and provides a solution to limiting the approval and issuance of building permits in areas that have been repeatedly affected by coastal erosion without the threat of Bert Harris Act claims and takings claims; and

**WHEREAS**, the City of Satellite Beach also supports legislation that would severely limit the continuation of beachfront armoring for the protection of the natural dune systems, the beach system and the flora and fauna dependent thereon; and

**WHEREAS**, the City of Satellite Beach recognizes that the combination of property acquisition and restricted construction for areas that have repeatedly eroded and continue to be affected by erosion despite continual beach nourishment projects will be in the best interest of tax payers throughout the State, and will allow the State to concentrate nourishment projects in areas that will have a long-term impact for improvement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, as follows:**



**SECTION 1.** The above "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

**SECTION 2.** The City Council of the City of Satellite Beach urges the State of Florida to approve legislation that will provide a coastal retreat funding source and policies to limit coastal construction permitting in highly eroded areas.

**SECTION 3.** The City Clerk is directed to transmit a certified copy of this Resolution to each municipality in Brevard County, the Brevard County Board of County Commissioners, the Space Coast League of Cities, the Brevard County Tourist Development Council, the Brevard County Economic Development Council, the Brevard County Legislative Delegation, the Florida League of Cities, the Speaker of the House of Representatives, the President of the Florida Senate, and the Governor of Florida.

**SECTION 4.** The appropriate City officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

**SECTION 5.** This Resolution shall become effective immediately upon its passage and adoption.

**SECTION 6.** This resolution was adopted at a regular meeting of the City Council on the 21st day of March, 2018.



*Leon Olexa*  
LEONOR OLEXA, CMC, CITY CLERK

*Frank P. Catino*  
FRANK P. CATINO, MAYOR