

# Coastal Texas Protection and Restoration Feasibility Study

Draft Feasibility Report

Public Access Plan

October 2020

Prepared by:

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# 1 Summary

The Coastal Texas Protection and Restoration Feasibility Study's Coastal Storm Risk Management Proposed Plan includes 43 miles of a dual dune system with beach and dune construction, restoration, and nourishment for Galveston Island and Bolivar Peninsula. South Padre Island is proposed to have 2.9 miles of beach and dune nourishment and sediment management constructed. In addition, Follet's Island will have an Ecosystem Restoration feature with a one-time nourishment of 10.1 miles beach and dune restoration. For detailed design information please refer to the Engineering Design, Cost Estimates, and Cost Risk Analysis in Appendix D.

The purpose of this public access plan is to describe how the public will continue to access the beach areas where sand nourishment will take place, as a result of the implementation of the Coastal Texas Protection and Restoration Feasibility Study's Coastal Storm Risk Management and Ecosystem Restoration beach and dune measures. The proposed plan includes 125 beach access points; 67 vehicle crossing and 58 pedestrian crossings within the beach and dune systems.

For the project to be consistent with State of Texas Coastal Management Program policies, public access is required. In addition, Chapter 61 of the Texas Natural Resources Code (the Texas Open Beaches Act), requires that the public have a "free and unrestricted right of ingress and egress to and from public beaches". The public beach is defined as "any beach area, whether publicly or privately owned, extending inland from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico to which the public has acquired the right of use or easement to or over the area by prescription, dedication, presumption, or has retained a right by virtue of continuous right in the public since time immemorial, as recognized in law and custom."

Furthermore, public access is a prerequisite to federal financial participation in the protection of shores and beaches (33 USC 426e, 33 USC 2213(d)). The USACE requirements for establishing conditions of sufficient public use and access are defined in ER 1165-2-130, paragraph 6h, and sufficient parking and/or public transportation access must be provided within ¼ mile of beach access points in order to meet the federal requirements for public access. The proposed plan will be compliant with State and federal requirements.

## **2 Locations**

This public access plan covers four separate locations on the Texas coast. The first site is located on the Bolivar Peninsula, running from High Island to the Galveston East Jetty and covering approximately 25 miles. The second site is located on Galveston Island, running approximately 18 miles along the Galveston Island shoreline. The third location runs for 10 miles along Follet's Island, starting at the northeastern end of the island and terminating at the beach access point at Beach Access Road 1/Staneck Drive. The fourth site is located on South Padre Island, beginning at the Brazos Santiago Pass north jetty and terminating 5.9 miles north of the Brazos Santiago Pass north jetty.

## **3 Public Use**

The Texas Open Beaches Act states that the "public... shall have the free and unrestricted right of ingress and egress to and from the state-owned beaches bordering on the seaward shore of the Gulf of Mexico, or if the public has acquired a right of use or easement to or over an area by prescription, dedication, or has retained a right by virtue of continuous right in the public, the public shall have the free and unrestricted right of ingress and egress to the larger area extending from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico." This law does pertain to the sections of the Texas coast that are proposed to have beach and dune nourishment, as described in Section 2; therefore, they must be open to use by the general public. The Texas Open Beaches Act also prohibits any obstruction or barrier that may interfere with the public's right to enter or use any public beach.

Another requirement under the Texas Open Beaches Act and the Texas Dune Protection Act is that cities and counties along the coast adopt laws to protect the public's beach access rights and outline local coastal construction and dune protection and restoration requirements. These laws are adopted as local Beach Access and Dune Protection Plans. The Texas General Land Office reviews these local plans and certifies that they meet the minimum state standards set forth in the Open Beaches Act, Dune Protection Act, and the General Land Office Beach/Dune Rules (Title 31, Chapter 15 of the Texas Administrative Code).

In Texas, vehicular access is considered a primary means of access to most Texas public beaches. However, local governments can adopt into their local beach access plans vehicular controls to prohibit or limit motor vehicles along certain areas of the public beach. Local governments may prohibit vehicles from parking or driving on the entire beachfront or prohibit vehicular traffic from a portion of the beach. Vehicular restrictions may be implemented year-round or on a seasonal or temporary basis.

As required by the Open Beaches Act and 31 TAC § 15.7(h), local governments may only impose vehicular restrictions if the public's right to use and have access to and from the beach is otherwise preserved or enhanced. Beach access is considered preserved if parking on or

adjacent to the beach accommodates one car for every 15 linear feet of beach closed to vehicular traffic, and if conspicuous signage showing the nature and extent of vehicular controls, parking areas, and access points is posted. In areas where vehicles are prohibited from driving on and along the beach, ingress and egress access ways must be located no farther than ½ mile apart in accordance with the presumptive criteria provided in 31 TAC § 15.7. On pedestrian-only beaches, motor vehicles are prohibited from driving or parking on any portion of the public beach. To compensate for vehicular restrictions, public access may be provided by designated off-beach parking areas located adjacent to the beach, or by designated on-beach parking areas.

The above provisions must be adhered to in order to remain compliant with public beach access requirements in the Texas Open Beaches Act, Texas Administrative Code, and local government Dune Protection and Beach Access Plans. This proposed public access plan will be compliant with the above provisions.

The current beach access plans are described below for each of the proposed plan locations. Bolivar Peninsula, Galveston County has not placed any vehicular restrictions on the public beach under the Galveston County Dune Protection and Beach Access Plan, so the entire peninsula is open to vehicles. For Galveston Island, both the City of Galveston and the City of Jamaica Beach manage the public beach in their respective jurisdictions. The City of Galveston has designated several separate sections of beachfront as pedestrian-only beach under their Beach Access Dune Protection and Beachfront Construction Plan. The City of Jamaica Beach has a combination of pedestrian-only and vehicular access areas under its Plan. Brazoria County and the Village of Surfside Beach manage the public beach in their respective jurisdictions, on Follet's Island. The majority of the proposed 10-mile ER feature, falls within Brazoria County jurisdiction for which, the Brazoria County Dune Protection and Beach Access Plan has designated most of the public beaches as open to vehicles, except for a small portion of the beach near San Luis Pass. A small portion of the feature falls within the Village of Surfside Beach jurisdiction; the Village's Dune Protection and Beach Access Plan has designated the beachfront to allow vehicular access in some areas but to be pedestrian-only in other areas. Additionally, on South Padre Island, both Cameron County and the City of South Padre Island manage the public beach in their respective jurisdictions. In Cameron County, the Cameron County Dune Protection and Beach Access Plan has designated a few sections of beachfront as pedestrian-only beach with the remainder being open to vehicles. The entire jurisdiction of the City of South Padre Island has been designated as pedestrian only under the City's Dune Protection and Beach Access Plan. The majority, if not all of the area included in the proposed plan falls within the City of South Padre jurisdiction.

## 4 Access Ways & Dune Walkover Structures

### 4.1 Bolivar Peninsula

The current (as of October 2020) Galveston County Dune Protection and Beach Access Plan designates 51 public vehicular beach access points at the following streets: 15<sup>th</sup> Street, 16<sup>th</sup> street, Rettillon Road, Magnolia, Johnson Crawford Circle (4<sup>th</sup> street), Boyt, Helen Blvd., Melody Ln., Honeysuckle Dr., Alma, Tinkle, Jacks, O'Neil, East Rd., Buell, Lazy Lane, Townsend, Gulfview, Surfview, Holiday Dr., Palmetto Dr., Wommack, West, Mr. G, Monkhouse Dr., Crystal beach Dr., Kahla, Gulf Shores Dr., Westview, Gulfway, Eastview, Alberdie, Noisy Waves, Clara (Gilmore), Center, Kenlyn, Driftwood Dr., Seadrift Dr., Ramada Blvd., Nassau Ln., Redfish, Stingaree St., Cove, Cade, Bauer Lane, Bauer Street, Kirkpatrick, Dirty Pelican Pier (currently an Unnamed road), Unnamed road (2.3 miles west of State highway 124), Unnamed road (1.7 miles west of State highway 124), and Unnamed road (just west of State Highway 124). Currently, public beach access points at Gulfview, Surfview, Palmetto, and Kirkpatrick are no longer functioning access points due to the devastation caused by Hurricane Ike in 2008 but are still currently listed as access points in the County's Plan. Additionally, 27 streets not designated in the Plan are being used for vehicular beach access, and are listed as follows: Beaumont, Smith, James, Gordon, Johnson, Bluestein, Church, Kirks, Elizabeth, Margaret, Gayle, Butterfield, Beaumont, Austin, Faggard's, Pontiff, Leger's, and 9 Unnamed Roads. Currently, many of the cross streets in neighborhoods and subdivisions on the peninsula open directly onto the beach, and there are multiple beach access points to the beach directly accessible from the highway. The access roads are maintained by Galveston County. No public dune walkovers, mobility mats, or other forms of accessibility improvements are present; however, there are multiple private dune walkovers and foot paths providing beach access for residents.

In addition, the Galveston County Dune Protection and Beach Access Plan Section IV(A) requires the purchase of a parking sticker for an annual fee of \$10.00 when purchased from March 1<sup>st</sup> to December 31<sup>st</sup>, or \$5.00 for parking stickers purchased during January and February. No parking sticker is required to park on the beach from Dirty Pelican Pier, near Gulf Haven Road/ 4<sup>th</sup> street, to the northeasterly Galveston County line, nor for the area of the public beach from Rettillon Road to approximately 0.5-miles northeast of Rettillon Road.

Changes to the Bolivar Peninsula Beach access after construction of the proposed plan would include: Beach and dune creation where currently roads open directly to the beach; therefore, the only vehicular access to the beach will be through the designated newly created driveovers. This will decrease the number of vehicular access points from 51 to 49. Access points at 15<sup>th</sup> Street, 16<sup>th</sup> Street, and Bauer Street are not provided in this study. No changes to the fees are projected as part of this project, at this time. For detailed information regarding the proposed beach and dune design refer to the Engineering Design, Cost Estimates, and Cost Risk Analysis in Appendix D.

## 4.2 Galveston Island

There is currently a total of 76 required public beach access pathways along Galveston Island. Beginning at San Luis Pass, there are 6 pedestrian beach access pathways and a vehicular beach access point in Pointe San Luis, 4 pedestrian beach access pathways in Playa San Luis Subdivision, a vehicular beach access point at Salt Cedar Avenue, a vehicular beach access point at Half Moon Beach Subdivision, a pedestrian beach access pathway at Miramar Subdivision, a vehicular beach access point at 2<sup>nd</sup> Street in Bay Harbor Subdivision, a pedestrian beach access pathway at Pocket Park #4, a vehicular beach access point at Terramar Drive, a vehicular beach access point at Gulf Boulevard, 2 pedestrian beach access pathways in Sea Isle and Terramar Beach Subdivisions, a vehicular beach access point at San Jacinto Street, a vehicular beach access point at Gateway Boulevard, 2 pedestrian beach access pathways in Sandhill Shores Subdivision, 2 pedestrian beach access pathways in The Dunes of West Beach, a pedestrian beach access pathway in Silverleaf Resorts, 2 pedestrian beach access pathways in Kahala Beach Estates, 4 pedestrian beach access pathways in Indian Beach, 2 pedestrian beach access pathways in Karankawa Beach, a vehicular beach access point at 16-mile Road, 2 vehicular beach access points in the City of Jamaica Beach, a vehicular beach access point at 13-mile Road, 4 pedestrian beach access pathways in the Pirates Beach West Subdivision, 14 pedestrian beach access points in the Pirates Beach Subdivision, 3 pedestrian beach access points in the Palm Beach Subdivision, a vehicular beach access point at 11-mile Road, a pedestrian beach access point at Pocket Park #3, 2 pedestrian beach access points in the Bermuda Beach Subdivision, 3 public beach access points in the Spanish Grant Subdivision, a vehicular beach access point at 10-mile Road, 2 pedestrian beach access points at Pocket Park #2, 3 pedestrian beach access points in the Beachside Village Subdivision, a vehicular beach access point at the Sunny Beach Subdivision, a vehicular beach access point at Pocket Park #1, a pedestrian beach access point at Dellanera RV Park, a pedestrian beach access point at Palisade Palms, and 2 pedestrian beach access points at Beachtown Development.

Off-beach parking is available at each of the above-mentioned pedestrian public beach access points. Additionally, there is on-beach parking within the boundaries of Stewart Beach and R.A. Appffel East Beach Parks and pedestrian beach access to Seawall Beach Urban Park with off-beach parking along Seawall Boulevard. There is also a restricted-use vehicular area east of Stewart Beach Park.

Public beach access points within the City of Galveston are maintained by the City of Galveston and public beach access points within the City of Jamaica Beach are maintained by the City of Jamaica Beach. The Galveston Park Board of Trustees maintains the public parks within City of Galveston limits that serve as public beach access points.

In order to establish and maintain beach-related services for the public, the following beach user fees are charged by the City of Galveston: up to \$15 per vehicle at Stewart Beach, R.A. Appffel Park, and the East and West areas of the island and up to \$8 per vehicle per day at

Seawall Beach Urban Park, with a \$1 per hour rate along the North side of Urban Park. Annual passes are also available for Stewart Beach Park, R.A. Apffel Park, and the East and West areas of the island for \$50, and the Seawall Urban Beach Park for \$25.

If constructed, the proposed plan for Galveston Island beach access would include 58 pedestrian walkovers and 18 vehicular driveovers for a total of 76 access points. Therefore, the number of access points will not change with the proposed plan. The driveovers and walkovers will be constructed as discussed in the Engineering Design, Cost Estimates, and Cost Risk Analysis in Appendix D.

### **4.3 Follet's Island**

Within Brazoria County jurisdiction, the beach is accessible to vehicles at 7 public beach access roads, all of which can be reached from Highway 257. The access roads are numbered from 1 to 7 in ascending order as the highway is traveled from southwest to northeast. The access roads are maintained by Brazoria County Parks & Recreation Department. Vehicles are prohibited along 400 feet of pedestrian-only beach at San Luis Pass County Park. At San Luis Pass County Park, dune walkovers are provided at the parking lot and behind the main building. The Kelly Hamby Nature Trail provides parking and a pedestrian dune walkover to the public beach. This nature trail is managed by Brazoria County.

Brazoria County charges a fee of \$5 per car or a \$25 per year season pass at San Luis Pass County Park. The beach user fee is collected during peak visitation periods from Memorial Day to Labor Day. At other times, parking is available for free.

There will be no changes to the number of, or location of, public access points on Follet's Island as a result of the proposed ER beach nourishment feature. Driveovers and walkovers will be constructed, as necessary, to maintain accessibility post-construction.

### **4.4 South Padre Island**

The City of South Padre Island has jurisdiction and maintains pedestrian access at 24 points along the length of the measure. All of the access points can be reached from Gulf Boulevard. Travelling from north to south, the beach can be accessed at White Sands Dr., the city proper south of the Traveldoge (near E Sunset Dr.), Sapphire Circle, Fantasy Circle, Goodhope Circle, Gay Dawn Circle, Aurora Circle, Aquarius Circle, Starlight Circle, Neptune Circle, Lot 1 Block 20 South of Suntime II (just north of Esperanza St.), Poinsettia Circle, Bougainvillea Circle, Moonlight Circle, Daydream Circle, Treasure Island Circle, Riviera Circle, Bluewater Circle, Whitecap Circle, Surf Circle, Seaside Circle, Sea Island Circle, Beach Circle, Gulf Circle, and Ocean Circle. Dune walkovers are present at Goodhope Circle, Gay Dawn Circle, Aquarius Circle, Neptune Circle, Moonlight Circle, Seaside Circle, and Ocean Circle. Mobility mats are present at Poinsettia Circle, Bougainvillea Circle, Daydream Circle, Treasure Island Circle, Bluewater Circle, and Surf Circle. No fees are charged to access the beach within the City of South Padre Island.

There will be no changes to the number of or location of public access points with the proposed CSRSM beach and dune nourishment and sediment management plan on South Padre Island. Walkovers will be constructed and/or rebuilt, as necessary, to maintain accessibility post-construction (Figure 1).



*Figure 1: Conceptual rendering of a proposed dual dune beach and dune system with walkovers and driveovers.*

## **5 Parking Accommodations and Public Transit**

### **5.1 Bolivar Peninsula**

Vehicles are currently permitted to access the entirety of the public beach area with the exception of the Mud Flats area south of Rettilon Road at the southernmost extent of the peninsula, which is closed to vehicular traffic. Vehicles will still be able to have access to the same public beach areas as currently specified in the Galveston County plan; however, vehicles will have to access the beach at the designated driveover locations if the proposed plan is constructed.

### **5.2 Galveston Island**

Vehicles are currently permitted to access and park on the public beach adjacent to Pointe San Luis, Salt Cedar Avenue, Half Moon Beach Subdivision, Stavanger Subdivision, Miramar Subdivision, 2<sup>nd</sup> Street in Bay Harbor Subdivision, Terramar Drive, Gulf Boulevard, San Jacinto Street, Gateway Boulevard, 16-mile Road, 13-mile Road, 10-mile Road and the Sunny Beach Subdivision, as well as in front of the City of Jamaica Beach. On-beach parking is available at Stewart Beach and R.A. Apffel Park, and there is a restricted use vehicular area along a stretch of beach east of Stewart Beach Park. Elsewhere, vehicles are prohibited from the public beach,

and both on and off-beach parking is available for use by beachgoers utilizing the public pedestrian beach access pathways. If constructed, the proposed plan would include 18 vehicular access points; no changes to which beaches would have vehicular access versus pedestrian only access are planned at this time.

### **5.3 Follet's Island**

Vehicles are allowed on all the portions of the public beach within Brazoria County jurisdiction, except for the small area of beachfront directly adjacent to San Luis Pass, where the beach is pedestrian only. Public beach access provided at San Luis Pass County Park provides approximately 85 parking spaces, with 4 spaces being ADA compliant. There will be no changes to the number of, or location of, public access points on Follet's Island as a result of the proposed ER beach nourishment feature.

### **5.4 South Padre Island**

Currently, the portion of the beachfront within City limits is entirely pedestrian-only and includes 24 required pedestrian public beach access points that are maintained by the City of South Padre Island. Free parking lots are present at each of the public beach access points. Free parking is also found along the length of Gulf Boulevard, as well as on several side streets adjacent to and intersecting with Gulf Boulevard. The City of South Padre Island also occasionally operates a free bus service that runs along Gulf Boulevard, providing transportation to all access points within this measure.

The proposed plan for beach and dune nourishment and sediment management along a portion of the beach on South Padre Island would not change the access to those beaches. Therefore, all twenty-four pedestrian access points would remain if the proposed plan is authorized and constructed.

The proposed plan includes both existing and new construction of beach access points for Bolivar Peninsula, West Galveston, Follets Island, and South Padre Island. The proposed beach access would comply will all local, state, and federal rules and regulations. The proposed beach access plans can be seen in Figures 2 through 4. Detailed beach access plans and maps are in Appendix F Real Estate.

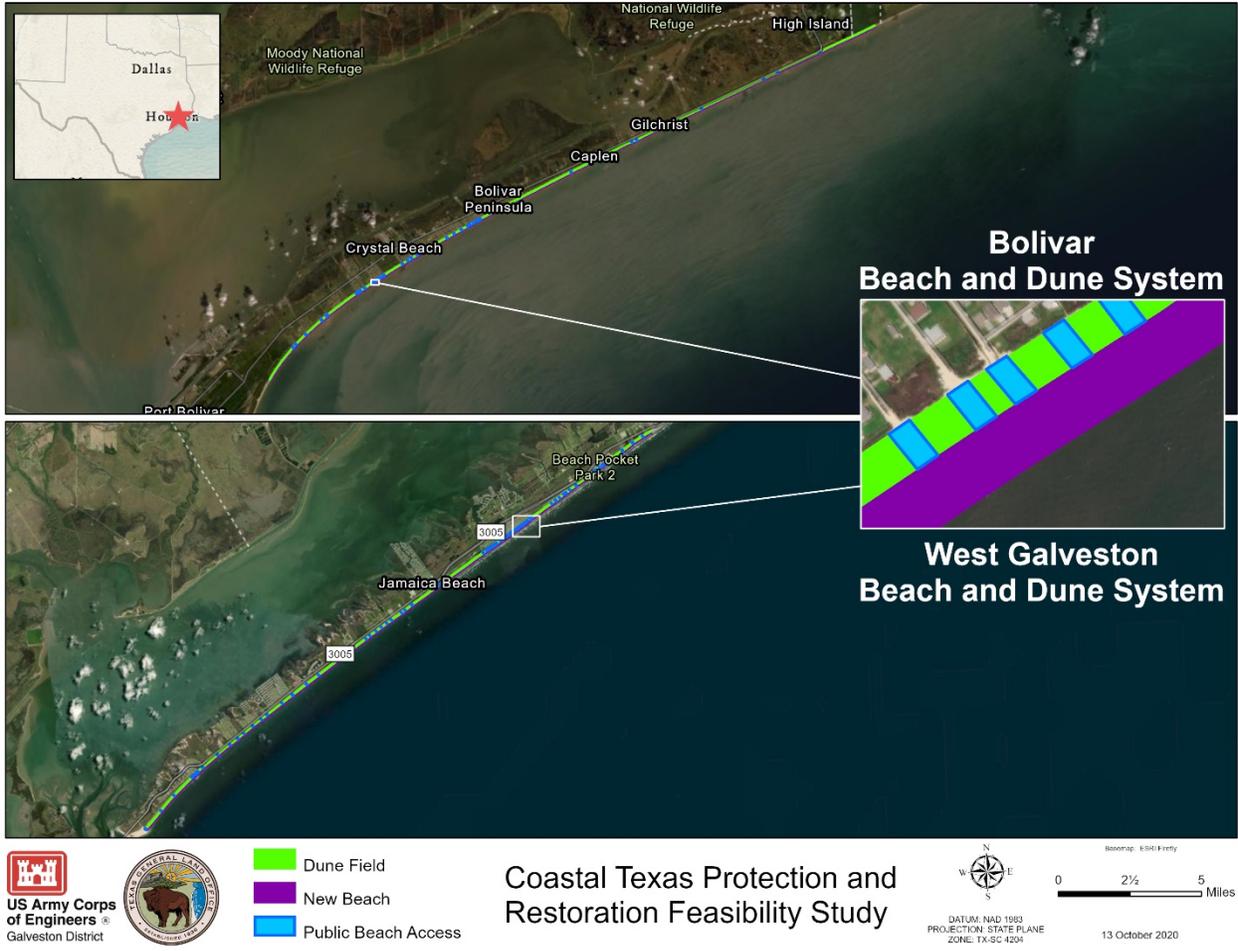


Figure 2. Bolivar Peninsula and West Galveston Beach Access

# Ecosystem Restoration

B2 -  
Follets Island  
Gulf Beach and  
Dune Restoration

-  Dune and Beach Restoration
-  Sediment Source



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DATUM: NAD 1983  
PROJECTION: STATE PLANE  
ZONE: TX-SC 4204



1 August 2020

Figure 3. ER B-2 Follets Island Gulf Beach and Dune Restoration



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Basemap: ESRI World Imagery (Firefly)



11 August 2020

Figure 4. South Padre Island Beach Nourishment and Sediment Management