

(1) PUBLIC COMMENT REGARDING CAMERON COUNTY
PUBLIC BEACH ACCESS AND DUNE PROTECTION PLAN

Judge Garza reported that the Court held the first County Commissioner's Public Hearing regarding the Public Beach Access and Dune Protection Plan the Friday before Christmas; however, in the spirit of "fair play", the Court decided not to take action on the Plan when it met and instead the suggestion was made to hold the Public Hearing after the Holidays and at a more convenient time for the Public. He added that the Coastal Management Committee had conducted several Public Hearings since they were charged with the task of complying with the Senate Bill that dictated that the Coastal Counties formulate a Coastal Management Plan.

At this time, Mr. Kenneth Conway, Parks Director, stated that State Legislation (Senate Bill 1053) required the development of a "Dune Protection and Beach Access Plan" and that the Court appointed seven (7) members to form the Coastal Management Committee so that Cameron County would be the first Texas County to implement a Comprehensive Beach Management Program.

Mr. Conway proceeded to introduce the following Committee Members present: Mr. Marvin Boland, Brownsville; Mr. Michael Goad, South Padre Island; and Ms. Meriwood Ferguson, Brownsville. He added that the Committee had met for the past five (5) months and through the input from the Public Hearings, the technical advisors, extensive Public comments, the State Land Office and the Attorney General's Office, the twenty eight (28) page Plan was developed. Mr. Conway stated that upon approval by the Court, the Plan would be submitted to the State for their action and it would then become the "Planning Document" for Coastline Development and Coastal Management for Cameron County.

Mr. Conway stated that the Town of South Padre Island also developed their own Plan for their incorporated areas and that it very much paralleled the County's Plan. Mr. Darrell Angham was introduced as one of the Committee Members from the Town of South Padre Island.

Mr. Conway explained that the Plan met two (2) basic components: 1) it established a Public Beach Access Plan whereby the Public would be guaranteed, in perpetuity, access to Texas Public Beaches through the provisions of Public Parks, drive-on access to the Beach and general beach management. The Plan would provide for the establishment of a "Beach Conservation Fee" to be utilized for the following expanded services:

Mr. Conway added that the Commissioners Court would establish the "Conservation Fee" levels, based on the "average" of State and National Park Fees, and 2) it would implement a 1000' Dune Protection Line whereby any development within that line must secure a permit prior to any construction activity.

At this time, the following individuals spoke against the proposed "Beach Conservation Fees":

Mr. Roy Barber, Winter Texan

Mr. Tim Soldat, Resident

Mr. Darrell Angham, South Padre Island

Mr. Ralph Baker, Winter Texan

Mr. Jim Brinks, Winter Texan

Mr. Bob White, Resident

Ms. Kathy Henderson, Resident, and

Mr. Lee Ziegler, Resident, presented the following memorandum to the Court:

At this time, Commissioner Thomae stated that if the Parks were going to be up-graded in Cameron County, the "users" were going to have to contribute. He said that the State provides approximate twenty-two (22) percent of the funds for "Beach Cleaning" and that the balance was derived from Local Funds.

Commissioner Thomae added that the Plan was a "guideline" and that the details would be established at a later date. He stated that he would not oppose a "discount pass" based on "age" to benefit the Community.

At this time, Judge Garza solicited Public comments regarding the Plan, other than fees, and the following individuals were recognized:

Mrs. Elizabeth Ziegler, Resident, suggested that if the Court imposes the "User Fees", that a percentage of the money be used to advertise and promote the "Tourist Industry" in the County.

Mr. Darrell Mingham, resident of South Padre Island, provided favorable remarks regarding the Plan and encouraged the Court to accept and to approve the Plan as presented and encouraged the Public to continue to provide comments to refine the Plan.

Judge Garza stated that there had been a disproportionate focus on the "Fees" and he would recommend to adopt the Plan and defer action on the "Fees" to a later date. He suggested that the Parks Director develop a "Projected Revenues and Proposed Expenditures Plan" for discussion and Public Comment. He added that the Plan is extremely sound, and that the Coastal Management Committee did an extraordinary job of balancing the competing interests and added that he favored adopting the Plan.

Some discussion followed regarding the need for "Dune Protection" and Mr. Marvin Boland, Committee Member, stated that it was the Committee's intent to stress the importance of the re-nourishment and rebuilding of the Frontal Dunes for their 1) intrinsic value, and 2) protection of land beyond the Beach.

Mrs. Meriwood Ferguson, Committee Member, stated that dune protection was important in that it served as a reservoir of sand to prevent erosion.

Hearing and sensing no additional comments, upon motion by Commissioner Rosenbaum, seconded by Commissioner Thomae and carried unanimously, the Public Hearing was closed.

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(2) ACTION ON CAMERON COUNTY PUBLIC BEACH
ACCESS AND DUNE PROTECTION
PLAN

At this time, Judge Garza suggested that the Plan be adopted in all the particulars, excluding those sections as they related to the "Conservation Fees". He said they could "delete the language or defer any action on the implementation of those Fees", until such time as the Court had developed the 'Proposed Revenues and Projected Expenditures Plan', and before any action is taken, that the Court hold Public Hearings specifically on the issues of "Conservation Fees" as they related to Boca Chica Beach.

Commissioner Thomae remarked that the issue of "Conservation Fees" should be in general and not limited to Boca Chica Beach.

Judge Garza responded that he had no objection to that, as long as it did not disturb the current Isla Blanca Fees which are sustaining a certain amount of debt.

Mr. Kenneth Conway, Parks Director, reminded the Court that the "Fees" were the "implementation tools" to accomplish the tasks

outlined in the Enhancement Management Section of the Plan.

Commissioner Thomae moved that the Cameron County Public Beach Access and Dune Protection Plan be adopted, as recommended by the Coastal Management Committee, and that any action on the implementation of new "Fees" be deferred until such time as the Court has had the benefit of the "Budget Projections", Public Hearings have been set on those specific items, and that it was in no way, shape or form intended to affect the current fee structures;

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Coastal Management Plan is as follows:

There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Thomae and carried unanimously, the meeting was adjourned.

APPROVED this _____ day of January, 1992.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS