RESOLUTION NO. 2017-14

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SUPPORTING UNITED STATES CONGRESSIONAL BILLS S. 279 AND H.B. 833 TO AMEND SECTION 935 OF THE WATER RESOURCES DEVELOPMENT ACT OF 1986 TO FACILITATE THE USE OF FOREIGN OFFSHORE SAND IN BEACH NOURISHMENT PROJECTS; URGING THE UNITED STATES CONGRESS TO EXPEDITE AND FUND THE STUDY TO ALLOW FOREIGN SAND TO BE USED IN BEACH NOURISHMENT PROJECTS IN MIAMI-DADE COUNTY; DIRECTING THE VILLAGE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, beaches and dunes generally and more specifically within the Village of Key Biscayne serve as a vital buffer between coastal infrastructure and the destructive forces of ocean waves and surge during storm events; and

WHEREAS, beach renourishment adds sand to the coastal system, helps keep the erosive power of strong waves from reaching dunes and structures, and buffers against the effects of sea level rise and climate change, thereby protecting coastal properties and the coastal environment; and

WHEREAS, beach renourishment has been an ongoing practice in southeast Florida since the late 1970s, as part of the Dade County Beach Erosion Control and Hurricane Protection Project providing essential economic, environmental and recreational benefit to coastal communities; and

WHEREAS, throughout the region, twenty-four federal and nonfederal beach nourishment projects provide storm damage reduction to infrastructure as well as incidental recreational opportunities; and

WHEREAS, Section 935 of the Water Resources Development Act of 1986 ("WRDA 1986") states that the Army Corps can only use domestic sources of sand for renourishment of this project, unless the Secretary of the Army provides written certification that domestic sources are not available for environmental or economic reasons; and

WHEREAS, in March 2016 the Army Corps completed a Limited Reevaluation Report and Environmental Assessment with a Finding of No Significant Impact with updated economics to justify potential alternative sand sources for future renourishment projects to utilize new sand sources, which include Bahamas sand; and

WHEREAS, the option to import offshore sand from the Bahamas to expedite beach nourishment projects in the Village and throughout Miami-Dade County is important because the sand may be closer to the quality of the sand on Miami's beaches than some of the alternatives listed by the Army Corps; and

WHEREAS, foreign offshore sources may have a lower cost to import than purchasing sand from approved upland sources, and there may be fewer impacts on roads, such as reduced quality of life impacts resulting from truck traffic and fewer carbon emission from trucks hauling the sand; and

WHEREAS, the Village of Key Biscayne, Florida supports a recent decision by the federal government to study the benefits of replenishing Florida beaches with foreign sand; and

WHEREAS, on February 2, 2017, United States Senator Marco Rubio introduced S.279 and United States Congresswoman Lois Frankel introduced companion bill H.B. 833 to amend WRDA 1986 with respect to the acquisition of beach fill to eliminate the restriction against offshore sand; and

WHEREAS, it is in the best interest of the Village to support S.279 and H.B. 833 to eliminate the restriction against offshore sand, and to urge the United States Congress to expedite and fund the study to expedite and fund the study to evaluate the benefits of replenishing Florida beaches with foreign sand.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Support bv the Village of Key Biscayne Village Council for United States Congressional Bills S. 279 and H.B. 833 to Amend the Water Resources Development Act of 1986 and Urging Members of the Florida Congressional Delegation to Expedite Efforts to Allow Foreign Sources of Sand be Utilized in Beach Nourishment Projects in Miami-Dade County. The Village of Key Biscayne supports S. 279 and H.B. 833 to amend Section 935 of the WRDA 1986 to eliminate the Restriction promulgated by Section 935 of the WRDA 1986 in order to facilitate the use of foreign offshore sand in Beach Nourishment Projects. The Village urges the United States Congress to expedite and fund the study to evaluate the benefits of replenishing Florida beaches with foreign sand.

Section 3. Direction to the Village Clerk. The Village Clerk is hereby directed to send a copy of this Resolution to sponsoring legislators, United States Senator Marco Rubio and Congresswoman Lois Frankel, and United States Senator Bill Nelson, the Members of the Florida Congressional Delegation, the Secretary of the Army, the Governor of Florida, and Mayors of Coastal Communities throughout Miami-Dade, Broward, Monroe, Palm Beach, Martin and St. Lucie

Counties.

Section 4. Authorization and Implementation. The Village Manager is hereby authorized to take any and all action necessary to implement this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 18th day of April, 2017.

MAYOR MAYRA PEÑA LINDSAY

ATTEST:

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

VILLAGE ATTORNEY