



AGENDA MEMORANDUM

Action Item for the City Council Meeting April 11, 2023

DATE: April 4, 2023
TO: Peter Zanoni, City Manager
FROM: Daniel McGinn, AICP, Director of Planning
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Resolution to Oppose Legislation Limiting Access to Public Beaches

CAPTION:

Resolution of the Corpus Christi City Council supporting open beaches and opposing any legislation, administrative action, or executive action that may directly or indirectly limit the public's right of access and open enjoyment of public beaches, including vehicular access.

SUMMARY:

As pending State and Federal actions have the potential to limit driving on public beaches, this resolution indicates the City Council's support for keeping beaches open to the public and indicates the City Council's opposition to any measures that could reduce the public's ability to access and enjoy the beach, including by vehicular access.

BACKGROUND AND FINDINGS:

Public beaches are recognized as a resource of the State of Texas to which the public is entitled to have access and maintained. The term "public beach" generally means any beach area on the Gulf of Mexico, whether publicly or privately owned, extending inland from the line of mean low tide to the line of vegetation to which the public has acquired the right of use or easement to or over the area by prescription, dedication or presumption, or has retained a right by virtue of continuous right in public since time immemorial as recognized in law and custom.

On the State level, the passage of Texas Senate Bill 2550 may result in a decrease in the width of public beach access easements in specific locations. This bill eliminates the consideration of the effect of a meteorological event on the location of a public beach easement when determining the line of vegetation and this bill eliminates the prima facie presumption regarding the GLO commissioner's determination of the line of vegetation.

On the Federal level, the National Parks Service is considering developing a Beach Management Plan for Padre Island National Seashore (PINS). PINS is approximately 66 miles of undeveloped beaches/habitat with a reported 617,704 visitors in 2020. Of its 66 miles, the

public is allowed to drive on most of the beach. Only one portion of the PINS beach is currently closed to driving, and that area is called Malaquite Beach.

The National Parks Service collected public input regarding a potential beach management plan and held public open house sessions in February 2023. They discussed topics such as:

- Sea Turtle Science and Recovery Program
- Beach driving
- Sand management
- Marine debris removal
- Hurricane and storm recovery

ALTERNATIVES:

None considered.

FISCAL IMPACT:

No fiscal impact.

LIST OF SUPPORTING DOCUMENTS:

Agenda Memo – Open Beaches
Resolution – Open Beaches