



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

September 25, 2024

Via Electronic Mail

Melissa Moss
Permit Technician
722 Moody Avenue, 1st Floor
Galveston, Texas 77550-2317

Beachfront Construction Certificate and Dune Protection Permit in Galveston County

Site Address: 652 Villa Drive, Crystal Beach
Legal Description: ABST 203 Page 14 Lot 9 Rancho Carribe Sub
Lot Applicant: Rancho Carribe POA
Application No.: FP-24-236
GLO ID No.: BDGC-24-0114b

Dear Ms. Moss:

The General Land Office has reviewed the amended application materials for a beachfront construction certificate and dune protection permit for the above-referenced location. The applicant proposes to extend the seaward terminus of an existing dune walkover and proposes in-place mitigation for adverse impacts to dunes and dune vegetation. According to the Bureau of Economic Geology, the area is eroding at a rate of two to three feet per year.

Based on the materials forwarded to our office for review, we have the following comments:

- The applicant is prohibited from adversely impacting dunes and dune vegetation that are not included in this permit application. Any unauthorized adverse impacts to dunes or dune vegetation are in violation of the Dune Protection Act and may be subject to enforcement action by the County and the GLO, which may include administrative penalties of no less than \$50 and no more than \$2,000 per violation per day.¹
- The applicant proposes to stockpile dune vegetation temporarily on the seaward side of dunes located adjacent to the existing dune walkover. If the stockpiled dune vegetation becomes killed, destroyed, or washed away, the applicant must obtain plants from an off-site source to ensure mitigation occurs on a 1:1 basis.² Only indigenous dune vegetation that will help achieve the same protective capability or greater capability as the vegetation on surrounding natural dunes may be used to restore or repair dunes.³

¹ 31 Tex. Admin. Code § 15.9(a)(1)(A).

² 31 Tex. Admin. Code § 15.4(f)(3).

³ 31 Tex. Admin. Code § 15.4(f)(3)(A)(iv).

- The applicant proposes to terminate the dune walkover seaward of the line of vegetation. Dune walkovers must be restricted, to the greatest extent possible, to the most landward extent of the public beach⁴ and may not impede or restrict public access to the beach at normal high tide.⁵ The County must ensure the seaward terminus of the dune walkover is located as far landward as practicable.
- The County shall require the applicant to relocate the walkover to follow any landward migration of the public beach or seaward migration of the dunes.⁶ After significant landward migration of the landward boundary of the public beach, the County must require permittees to shorten any dune walkovers encroaching on the public beach to the appropriate length for removal of the encroachment. This requirement shall be contained as a condition in any permit and certificate issued authorizing construction of walkovers.⁷
- Dune walkovers must be constructed and maintained to allow rain and sand to pass through the decking.⁸
- The slats that form the deck of the walkover must be spaced at least ½ inch apart so that sunlight and rainfall can penetrate to vegetation below and so that sand will not accumulate on the deck.⁹
- The use of concrete to stabilize dune walkover pilings is prohibited.¹⁰

Mitigation completion

- The permittee must complete the sand placement and vegetation relocation or planting portions of the mitigation plan within one year of the initiation of construction.¹¹
- The County must require the applicant to conduct mitigation efforts **continuously** until the repaired, rehabilitated, and restored dunes and dune vegetation are equal or superior to the pre-existing dune vegetation. These efforts shall include **preservation and maintenance** of restoration activities pending completion of mitigation.¹²
- The County shall determine a mitigation project complete when the dune restoration project's position, contour, volume, elevation, and vegetative cover matches or exceeds the surrounding naturally formed dunes.¹³ The County shall provide written notification to the GLO after

⁴ Galveston County Dune Protection and Beach Access Plan § III(G)(1) & 31 Tex. Admin. Code § 15.7(g)(1).

⁵ Galveston County Dune Protection and Beach Access Plan § III(G)(2) & 31 Tex. Admin. Code § 15.7(g)(2).

⁶ Galveston County Dune Protection and Beach Access Plan § III(G)(1) & 31 Tex. Admin. Code § 15.7(g)(4).

⁷ 31 Tex. Admin. Code § 15.7(g)(4)(A).

⁸ Galveston County Dune Protection and Beach Access Plan § III(G)(4).

⁹ 31 Tex. Admin. Code § 15.6(i)(1)(C).

¹⁰ 31 Tex. Admin. Code § 15.6(f)(3).

¹¹ 31 Tex. Admin. Code § 15.4(g)(5).

¹² 31 Tex. Admin. Code § 15.4(g)(2).

¹³ 31 Tex. Admin. Code § 15.4(g)(3).

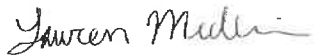
determining that mitigation is complete. The GLO may conduct a field inspection to verify compliance.¹⁴

- The permittee shall be deemed to have failed to achieve mitigation if a 1:1 ratio has not been achieved within three years after initiation of construction, and the GLO may initiate enforcement as provided in 31 Tex. Admin. Code § 15.9.¹⁵ The GLO requests that the County notify the GLO of the date of the initiation of construction.
- Where a mitigation plan is required, the applicant must provide landowners immediately adjacent to the tract with notice of the hearing at least 10 days prior to the hearing on the application.¹⁶

Any deviations from what is proposed in this permit application requires a new or amended beachfront construction certificate and dune protection permit and further GLO review.

If you have any questions, please contact me at (512) 463-5234 or at lauren.medlin@glo.texas.gov.

Sincerely,



Lauren Medlin
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

¹⁴ 31 Tex. Admin. Code § 15.4(g)(4).

¹⁵ 31 Tex. Admin. Code § 15.4(g)(5).

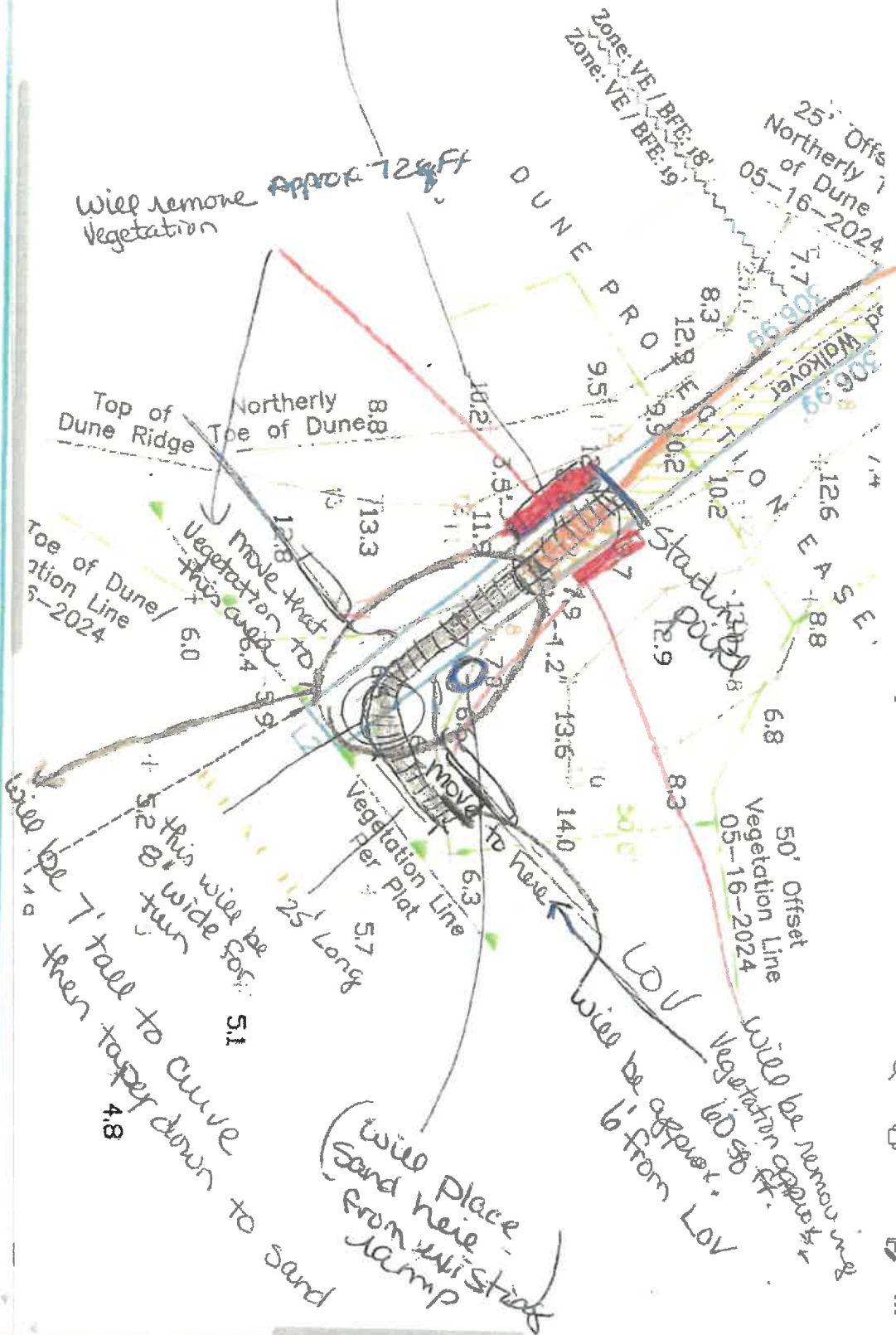
¹⁶ 31 Tex. Admin. Code § 15.4(b)(5).

09-05-2024

To whom it may concern;

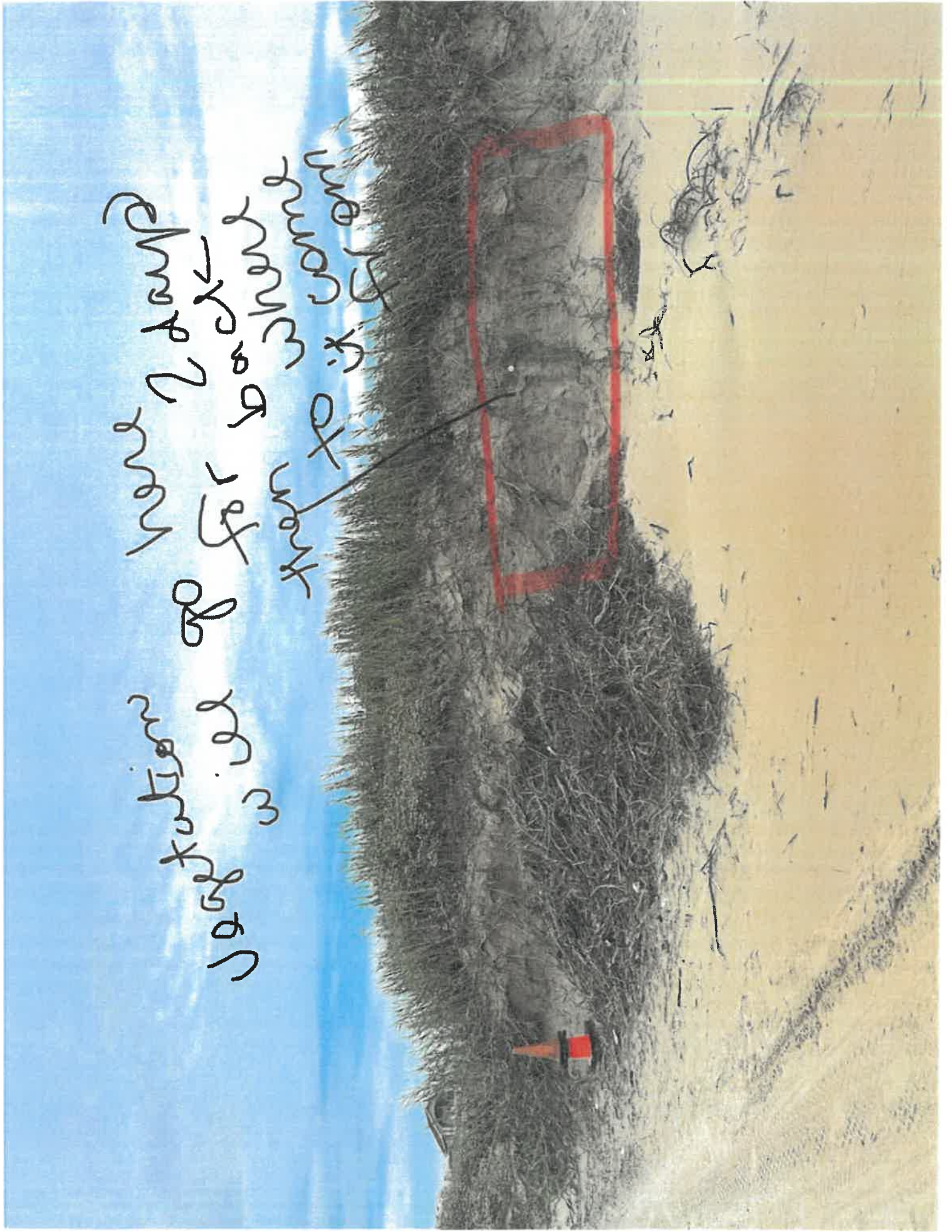
We are extending the dune golfcart ramp. We are going to remove the last 25' of ramp as requested. This is going to be done by hand and no machines will be used. We are coming out 50' instead of 100' from the top of existing ramp shown on photos. This is because Hurricane Beryl took some of the dunes. We are staying 7' tall and then taper off to 6' tall on curve dropping from there to end. The ramp will stay 6' wide width until the curve then go to 8' wide for curve. Then go back to 6' wide after curve till end of ramp. As we talked about, we will do in place mitigation with the vegetation next to handrails. We will have the vegetation on each side temporarily removed and laid on top of the dunes in front of the ramp. Once the old part of ramp is removed and replaced. We will put back the vegetation we took out. This will be 72 sq ft on the west side of ramp and 60 sq ft on the east aide of ramp. If the vegetation dies, we will plant sea oats back. This should take 2 days to do. If any sand is removed, We will place sand on the east side of dunes. All of this is marked on the survey as requested.

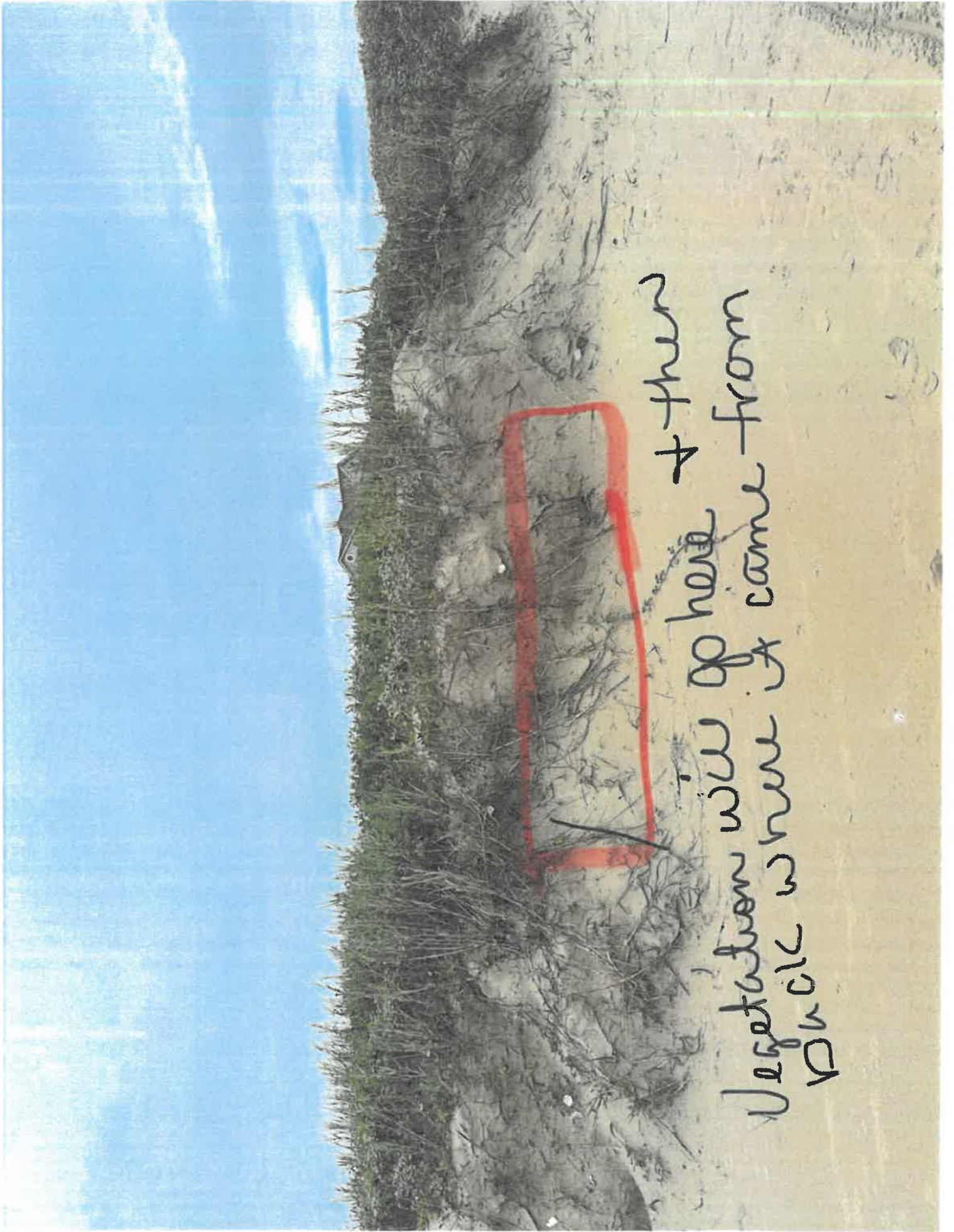
All of these boards will be removed 25' long - replacing with new boards.



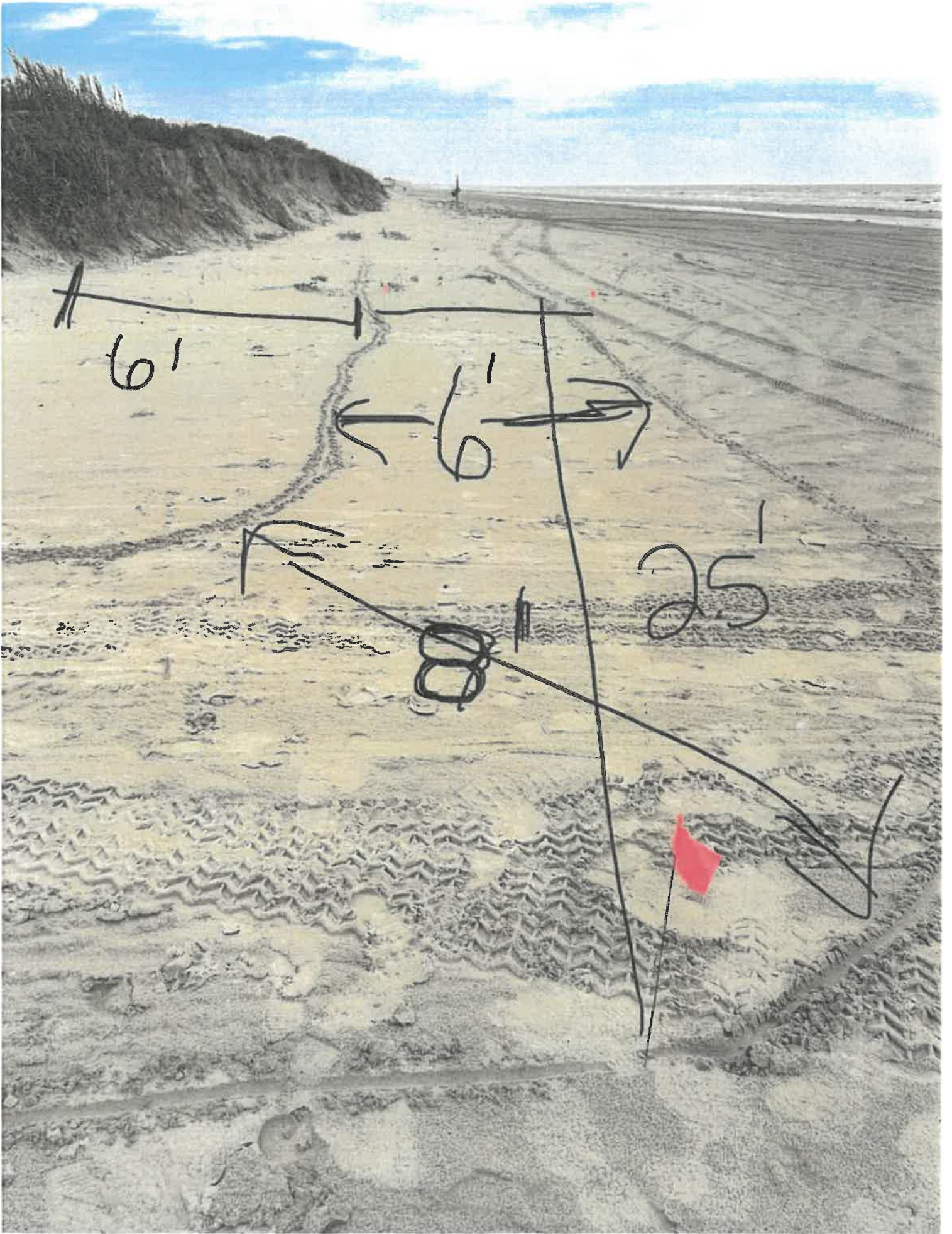
Dune sand removed from ramp will be placed on east side of new ramp.

vegetation to be removed
near 2 tanks
for base
work at camp
near 3 tanks





Vegetation will go here & then
back when I came from

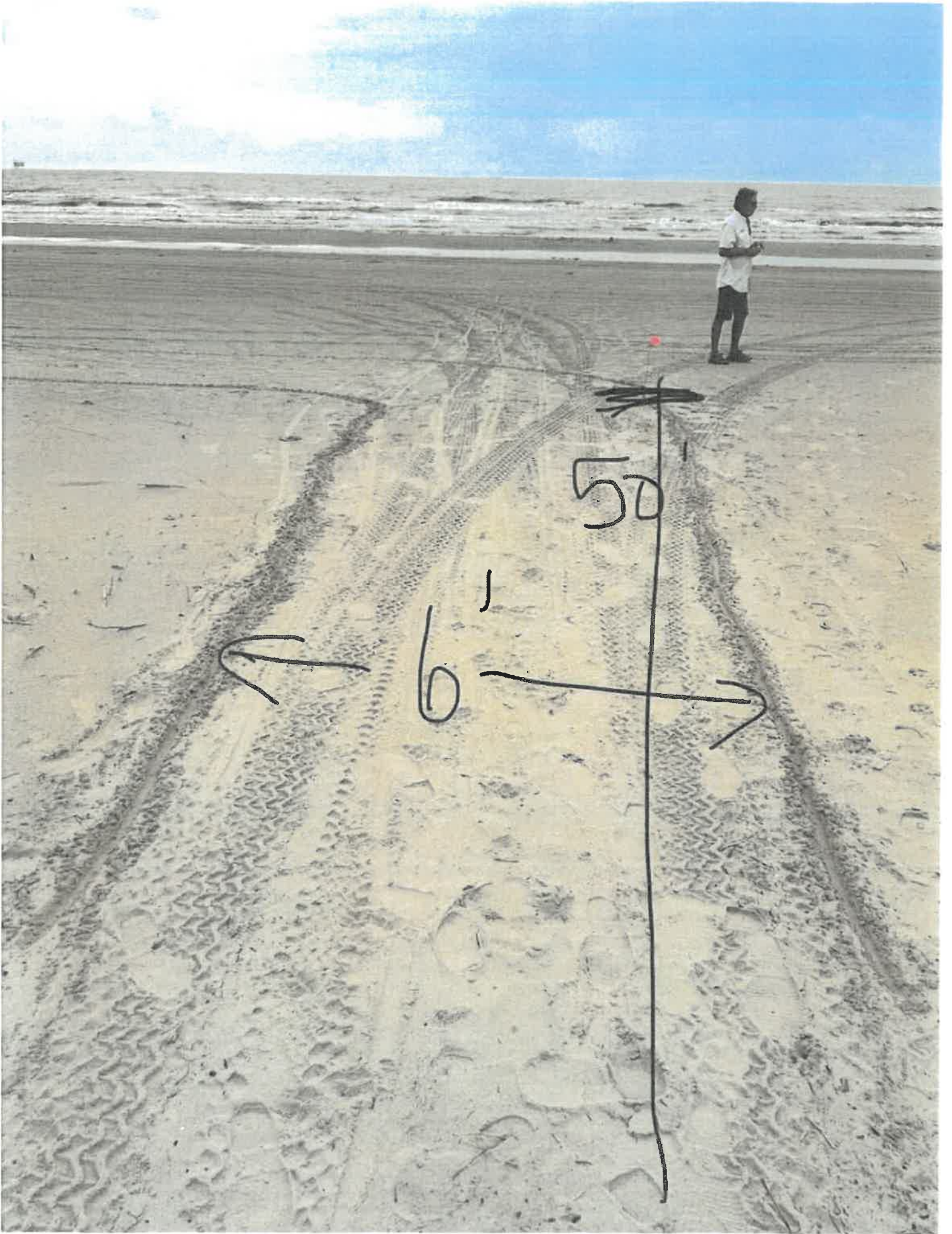


6'

6'

25'

8'





MICHAEL C. SHANNON, PE, CFM
COUNTY ENGINEER
FLOODPLAIN ADMINISTRATOR



NICOLE STELLY
FLOODPLAIN & PERMITTING MANAGER

THE COUNTY OF GALVESTON
Office of the County Engineer
722 Moody, Galveston, TX 77550
(409) 770-5552

NOTICE OF HEARING

October 4, 2024

Re: 652 Villa Dr., Crystal Beach, TX

To whom it may concern,

Our office has received a dune mitigation application for 652 Villa Dr, Crystal Beach, Texas 77650.

The Galveston County Commissioners Court will meet on October 14, 2024 at 9:30 am to hear public comments regarding this application. The meeting will be held at the Galveston County Courthouse, 722 Moody, Galveston, Texas 77550.

Title 31 of the Texas Administrative Code, Chapter 15.4 (f) requires that you provide landowners immediately adjacent to the address above, notification of the public hearing at least 10 days prior to the hearing. Such notice may be made by sending a copy of this letter by certified mail and providing my office with a copy of the return receipt. Attached is a list of names and mailing addresses provided by the Galveston Central Appraisal District.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "N. Stelly".

Nicole Stelly
Floodplain & Permitting Manager

Attachment

List of Adjacent Landowners

- Karen Wortham
1360 Audubon Place
Beaumont, Tx 77706
- Charles Dubea
3333 Lake St Unit 19F
Houston, Tx 77098

7017 3040 0000 0950 6648

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- Adult Signature Restricted Delivery \$0.00

Postage \$0.73

Total Postage and Fees \$5.58

0649 10
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10/04/2024

Sent To
Karen Wortham
Street and Apt. No., or PO Box No.
1360 Audubon Place
City, State, ZIP+4®
Beaumont, TX 77706

PS Form 3800, April 2015 PSN 7630-02-000-9047 See Reverse for Instructions

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Postage \$0.73

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PS Form 3800, April 2015 PSN 7630-02-000-9047 See Reverse for Instructions