



# TOWN OF PALM BEACH

Town Manager's Office

**TENTATIVE-  
SUBJECT TO  
REVISION**

## SHORE PROTECTION BOARD MEETING

### AGENDA

**THURSDAY, NOVEMBER 12, 2020**

**9:00 AM – 12:00 PM**

**TOWN COUNCIL CHAMBERS  
360 SOUTH COUNTY ROAD**

### WELCOME!

**The progress of this meeting may be monitored by visiting the Town's website ([www.townofpalmbeach.com](http://www.townofpalmbeach.com)) and selecting "Live Meeting Audio" under the "Your Government" tab. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting under "Agendas, Minutes, and Audio."**

I. CALL TO ORDER

II. ROLL CALL

E. Llwyd Ecclestone, Chair  
Lewis Katz, Vice-Chair  
Kane Baker, Shore Protection Board Member  
Melissa Cerialle, Shore Protection Board Member  
James C. Gavigan, Shore Protection Board Member  
Reuben B. Johnson, III, Shore Protection Board Member  
Warren Belmar, Shore Protection Board Member  
Vladimir Rapoport, Shore Protection Board Alternate Member  
Erick Reickert, Shore Protection Board Alternate Member

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

V. APPROVAL OF THE MINUTES OF THE OCTOBER 1, 2020 MEETING

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

VII. CURRENT SHORELINE CONDITIONS  
[Robert Weber, Coastal Program Manager]

VIII. COASTAL PROJECTS UPDATE

[Robert Weber, Coastal Program Manager]

- Lake Worth Inlet Maintenance Dredging
- 2021 Phipps Ocean Park Beach Nourishment
- 2021 Dune Restoration
- Dune Planting
- Reach 8
- Future South Extension of Mid-Town Beach Nourishment Project Area
- Mid-Town Seawall Replacement Design and Permitting
- The Breakers/Clarke Avenue/Mid-Town Shoreline Stabilization Project

IX. DRAFT ANNUAL SHORE PROTECTION BOARD REPORT TO TOWN COUNCIL

[Robert Weber, Coastal Program Manager]

- Summary of Term Limits for Shore Protection Board Members
- Outlook for Next 10 Years

X. NEXT MEETING

[Patricia Strayer, P.E., Town Engineer]

- January 21, 2021 (Tentatively 9:00 AM to 12:00 PM)
- 2020 Townwide Sediment Budget Review and Erosion Rates Discussion
- Erosion Control Line Discussion
- Review of Construction Easements for Beach Projects

XI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS

XII. ANY OTHER MATTERS

XIII. ADJOURNMENT

**Note:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.



# TOWN OF PALM BEACH

Town Manager's Office

## MINUTES OF THE SHORE PROTECTION BOARD MEETING HELD ON THURSDAY, OCTOBER 1, 2020

### I. CALL TO ORDER

The Shore Protection Board meeting was called to order on Thursday, October 1, 2020, at 9:03 a.m. This meeting was held virtually via Zoom Webinar.

Rob Weber, Coastal Manager, reviewed guidelines for Zoom meeting while in session.

### II. ROLL CALL

Chair E. Llwyd Ecclestone led roll call, all of the Board Members and alternate Board Members were present.

### III. PLEDGE OF ALLEGIANCE

Chair E. Llwyd Ecclestone led the Pledge of Allegiance.

Coastal Program Manager, Robert Weber, read Zoom meeting guidelines prior to start of meeting.

### IV. APPROVAL OF AGENDA

**Motion was made by Board Member Warren Belmar and seconded by Vice Chair Lewis Katz to approve the agenda. The motion carried unanimously.**

### V. APPROVAL OF THE MINUTES OF THE NOVEMBER 21, 2019 AND JANUARY 23, 2020 MEETINGS

**Motion was made by Vice Chair Lewis Katz to approve the November 21, 2019 minutes and seconded by Board Member Warren Belmar. The motion carried unanimously.**

**Motion was made by Vice Chair Lewis Katz to approve the January 23, 2020 minutes and seconded by Board Member Reuben Johnson. The motion carried unanimously.**

**Motion was made by Vice Chair Lewis Katz to approve minutes of January 23, 2020, and seconded by Board Member James Gavigan. The motion carried unanimously.**

1  
2 **VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**  
3

4 There were no communications from citizens.  
5

6 **VII. CURRENT SHORELINE CONDITIONS**

7 [Robert Weber, Coastal Program Manager]  
8

9 Coastal Program Manager Robert Weber provided presentation of the shoreline. Discussion  
10 followed.  
11

12 **VIII. COASTAL PROJECTS UPDATE**

13 [Robert Weber, Coastal Program Manager]  
14

15 • Lake Worth Inlet Maintenance Dredging  
16

17 The Army Corps of Engineers is planning to perform this project this winter, this  
18 project is going from a large scale project to an emergency project. The Corps is  
19 coming in a few weeks with their contractor. They will be taking the sand from the  
20 inlet and depositing it in the near shore. There is not enough material to justify dry  
21 beach placement. The Corps will put it on their budget for the winter of 2021 to put  
22 sand on the beach from the inlet. The Town would then construct a “sand forepassing”  
23 project to place some of that sand between Palmo Way and Colonial Lane.  
24

25 • 2021 Phipps Ocean Park Beach Nourishment  
26

27 The project was originally scheduled to be performed at the same time as Mid-Town  
28 but due to scheduling and timing to complete by May, the project was delayed until  
29 after November 1<sup>st</sup>. The Corps still has the ability to award this work to a contractor to  
30 start in November. Due to additional time, bids were sent out and staff is hoping for a  
31 better price then the Corps was able to get so work can start as early as November to  
32 completely replace the losses from Hurricane Irma. Staff is looking to stockpile  
33 material sand to Sloan’s Curve, Reach 8, and stockpile about 85,000 cubic yards to  
34 rebuild dunes in Reach 3 and Reach 4 of Mid-Town. Work to be completed by May 1,  
35 2021.  
36

37  
38 Board Member Ceriale asked what has happened with homeowners who haven’t signed  
39 easement for long term and FEMA money, was staff able to have them sign on and the  
40 cost, she heard that the extra money lost by FEMA may split it up and pass a tax bill  
41 onto those particular homeowners that cost the Town. Public Works Director Brazil  
42 responded that there is no written back-up. Those homeowners decided to not sign the  
43 Federal easements, Army Corps easements. The Corps financial participation was  
44 reduced, they wouldn’t cost-share without those easements. Staff went to DEP asking  
45 them to participate financially, it wasn’t 100% Town, but it was reduced Federal  
46 participation. Nothing else has happened to perusing the easement, the project is  
47 performing well, and the Town will place dunes in that area that is FEMA money for  
48 storm losses. There will be additional sand in the area where the Town will pay for the

1 dunes, and FEMA will reimburse 75%. Public access comes in when we seek State  
2 grant money from DEP. It was thought there were three (3) accesses along that stretch,  
3 the residents of the 100 block of Atlantic Avenue independently had a title search done  
4 and believed it was private, the Town did a title search and our attorneys came up with  
5 the same answer. It is now a private access, people were concerned the Town spent  
6 public money on a private access. DEP will accept the remaining beach accesses as  
7 sufficient for the grant money.

8  
9 Board Member James Gavigan asked on accesses, there seems to be signs limiting  
10 access as private property and there are poles on the beach designating where people  
11 can or cannot walk, is the Town doing that? Director Brazil replied at the two (2)  
12 remaining accesses, Wells and Dunbar, the Town installed posts and rope public access  
13 going east and west. Everything west of erosion control line (ECL) is private property,  
14 everything east is public beach. The Police Department is having a hard time  
15 determining where the ECL is. It was done to help the Police Department to establish  
16 the ECL. Board Member Gavigan asked if there is one (1) beach access on that strip of  
17 beach. Director Brazil replied, no there is two (2), Dunbar and Wells.

18  
19 Board Member Johnson asked if the easement the homeowners in that area approved,  
20 if that is a 10-year easement that ends at the end of 2020. Coastal Program Manager  
21 Weber replied that the easements that are currently being worked on were signed in  
22 2014 in preparation for the 2015 Mid-Town project and expire in 2023. Board Member  
23 Belmar asked, 2021 Phipps Ocean Park Beach Nourishment Project is a FEMA project,  
24 will there be any Army Corps funding for that in addition to FEMA funding? Director  
25 Brazil replied, it is not an Army Corps project, there will not be any Corps participation  
26 from the Army Corps, and they were willing to piggy back on their Mid-Town bid.

27  
28 Board Member Cerialle stated the Town lost money with FEMA, can the Town recoup  
29 it through those tax payers, and what is the Town doing going forward. Director Brazil  
30 stated it is not FEMA it is Army Corps. Town Council did not make a policy decision  
31 to back-charge anybody to recoup that loss. What the Town is doing to not find the  
32 Town in this position again, either they sign easement or the Town is in the same  
33 position again, or the Town does not place sand in the area. Board Member Cerialle  
34 inquired if it is a Council issue and Director Brazil replied that it was.

35  
36 Chair Ecclestone would like easements on the next agenda. Director Brazil  
37 acknowledge this request.

- 38  
39 • 2021 Dune Restoration in Reaches 7, 8, and 9

40  
41 Coastal Program Manager Weber said the project will immediately follow the Beach  
42 Nourishment Project at Phipps Ocean Park. It will occur in the later part of spring in  
43 2021, 85,000 cubic yards of sand will be distributed through all the dune restoration  
44 areas. The project will not be completed until May 1<sup>st</sup>, the dune planting will have to  
45 be done the following November, just like what was done in 2016 and 2017. The extra  
46 dune that was placed in 2017 was lost during Hurricane Dorian. FEMA will cost share  
47 in replacement of the vegetation in Reach 8 the next time there is planting.  
48

- Dune Planting

Coastal Program Manager Weber does not have much of an update with EIS to provide. Staff was hoping to have the record of decision issued from Army Corps months ago. The National Marine Fishery Service is an advisory agency to the Corps. They continue to correspond with the Army Corps and they will be providing information. They have yet to provide their comments to Army Corps, there is no timetable with this advisory agency. We have to be patient and let the process take its course. The Town can continue to add sand in this area, replace all losses from hurricanes, and continue to add sand to dunes and vegetate them.

Vice Chair Katz asked what is the status of working with South Palm Beach restoration project? Director Brazil responded that the Town of South Palm Beach has been working with Palm Beach County, they hit snags as the Town did with regulatory in the EIS. Combine the Town and county projects and came up with possible projects and possible impacts when the county saw how much mitigation needed to be done, they walked away from it. Rob Weber and the Mayor are talking with the Town of South Palm Beach. When the Town does our work, we will extend dune project only down into the Town of South Palm Beach. They will pay 100% of their cost for the work, it is something the Town can help them with. They will pay for the Town but the Town can help where they need help.

## IX. MID-TOWN, RECENT AND UPCOMING PROJECTS AND ACTIVITIES

[Robert Weber, Coastal Program Manager]

- Construction of 2020 Mid-Town Beach Nourishment

Three (3) hopper dredges were used to transport sand from a borrow area offshore of Singer Island to deposit on our beaches in Mid-Town which was funded 50% by the Federal Government. This was the first time the Army Corps. Staff was able to do it so quickly because of all the work staff did over the years leading up to it. Documents, agreements, and easements were in place. It is now a Federal project and the Town does not have to rely on FEMA if there is a storm. The Corps will come back themselves and address renourishment.

Board Member Melissa Ceriale gave recognition to Coastal Program Manager Robert Weber for the wonderful job he is doing with everything.

Coastal Program Manager Weber said there is a public hearing process after the mean high water is performed. A hearing to establish an erosion control line could take up to a year and, if we want to do it, the Town needs to get started. It is just as important that the homeowners do not object the erosion control line.

**Motion was made by Board Member Warren Belmar for the Board to urge Town Council to authorize staff to commence work for an erosion control line. Motion was seconded by Board Member James Gavigan. The motion carried unanimously.**

1  
2 Board Member Ceriale suggested to come up with a strategic public relations plan.  
3

4 Vice Chair Lewis Katz stated that it would be helpful for the Board to think about the  
5 next 5-10 years, what the Board thinks should be done for beach protection. Not  
6 specific, sand is premium, we did significantly better than 10 years ago, but in order to  
7 sell it, tell them where we are headed in the next 10 years. If it is for the whole Town,  
8 and have a solid plan.  
9

- 10 • Future South Extension of Mid-Town Beach Nourishment Project Area  
11

12 Coastal Manager Weber advised this topic was addressed earlier.  
13

- 14 • Mid-Town Seawall Replacement Design and Permitting  
15

16 Coastal Program Manager Weber shared that the seawall is in need of replacement.  
17 The Town Council awarded a contract. The regulatory approval process may take a  
18 year to complete. This area is in need of a new seawall for protection to last another  
19 50+ years.  
20

21 Board Member Belmar asked is there a code provision with respect for building or  
22 replacing a seawall. Director Brazil replied code requires property owner properly  
23 maintain their seawall or replace it, if necessary, it is in code.  
24

- 25 • 2021 Dune Restoration in Reaches 3 and 4  
26

27 Coastal Manager Weber advised this topic was addressed earlier.  
28

- 29 • The Breakers/Clarke Avenue/Mid-Town Shoreline Stabilization Project  
30

31 Coastal Program Manager Weber presented an update on the Technical Advisory  
32 Committee. DEP is suggesting the Town can move forward with the request to  
33 rehabilitate groins in this area for Mid-Town. There is still more monitoring to be done  
34 to be more conclusive for addressing The Breakers' T-head structures. DEP suggests  
35 to continue to monitor and they have not given a conclusion as far as those structures.  
36

37 Chair Ecclestone said The Breakers' groins have "T"s on them and they should be  
38 removed and was agreed to by The Breakers. The Breakers issues should be brought  
39 to a head.  
40

41 Coastal Program Manager Weber shared in the letter with DEP they recognize the "T"  
42 should be removed and it is inconclusive if they will make a difference.  
43

44 Board Member Belmar asked if there is a time period.  
45

46 Director Brazil said to give staff a chance to talk to The Breakers and DEP at staff  
47 level and staff will bring it back to the Shore Protection Board.  
48

Board Member Melissa Ceriale left meeting at 11:05am.

**X. SCHEDULING OF FUTURE MEETINGS**

[Patricia Strayer, P.E., Town Engineer]

- Regular SPB Meeting, November 19, 2020
  - o Shore Protection Board Annual Report to Town Council

Patricia Strayer, P.E., Town Engineer, presented November 19, 2020 as next Shore Protection Board meeting. Chair Ecclestone indicated that he is not available. Alternate dates were made for consideration for meetings November 12, 2020 and December 3, 2020.

**Motion made by Board Member Warren Belmar to hold meetings November 12, 2020 and December 3, 2020. Motion seconded by Vice Chair Lewis Katz. The motion carried unanimously with the exception of Board Member Melissa Ceriale she did not weigh in as she had left the meeting and was unavailable.**

Patricia Strayer proposed the following meeting dates for 2021; January 21<sup>st</sup>, April 22<sup>nd</sup> and November 18<sup>th</sup>. Chair Ecclestone would like to see more meetings held. Ms. Strayer stated additional meetings can always be added.

**Motion made by Board Member Warren Belmar accepting the recommended dates for 2021 meeting dates and seconded by Vice Chair Lewis Katz. The motion carried unanimously. Board Member Melissa Ceriale did not weigh in as she had left the meet and was unavailable.**

Antonette Fabrizi, meeting moderator, indicated those Board Members that will term out as follows, E. Llwyd Ecclestone's final term will term out in December 2020, and Vice Chair Lewis Katz's final term will term out in December 2020.

**XI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS**

Board Member Reuben Johnson shared (1) while Chair E. Llwyd Ecclestone is still on, the Board was going to work hard for easements and hoping to do more on that as it is a big item in Town. The Renourishment Project could be a \$50 million item for the tax payers of the Town, do not drop; and (2) the groins issue, does the Board need to get Town Council to do research to find out what over the years, what is the sharing with the Town and residents who have the groins. We need research regarding whose responsibility it is and what portion the property owner should be paying.

Board Member James Gavigan commented following up eminent domain, a jury would create value if going to trial. The big point is the access to the beach between Wells and Sunrise and that there are issues that need to be looked into.

Board Member Warren Belmar had nothing to add at this time.

Alternate Board Member Vladimir Rapoport shared that he admires the job Coastal Program Manager Robert Weber is doing.

Board Member Kane Baker said he would like to learn more about erosion control line. Pertaining to the DEP. The Board needs to be more comfortable managing them and having a better relationship. The groin at the end of Estée Lauder's house was removed years ago and that caused a problem for Clarke and still hasn't been remedied, it should be put back as it would benefit The Breakers and south, the sand needs to be kept there at that point. He suggested to work a study on how we are going to work with The Breakers and the Town and talk about putting it back.

Chair E. Llwyd Ecclestone would like to see The Breakers settled. He asked if the erosion control lines are typical. Director Brazil replied it is area specific, it depends on the shore line.

## **XII. ANY OTHER MATTERS**

There were no other matters presented.

## **XVII. ADJOURNMENT**

**There being no further business, the Shore Protection Board of October 1, 2020, was adjourned at 11:30am. Motion made by Vice Chair Lewis Katz, seconded by Board Member Reuben Johnson.**

APPROVED:

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E. Llwyd Ecclestone  
Chairman

*Meeting audio is located at:*

<https://zoom.us/rec/share/74iA981a9WqrJRp2YWJMdGSOdUF8vgF5inO1BNFmBQxmkljlyxcIScPeNr1kuPA5.0w3W-JMeuPUwjtpb?startTime=1601557426000>

# TOWN OF PALM BEACH

Information for Shore Protection Board Meeting on: November 12, 2020

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TO: Shore Protection Board

FROM: Kirk W. Blouin, Town Manager

VIA: Robert Weber, Coastal Program Manager

RE: Coastal Projects Update  
**Item VIII.**

DATE: November 5, 2020

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## **STAFF RECOMMENDATION**

Town staff requests the Shore Protection Board (SPB) review the attached information and provide any additional input deemed necessary.

## **GENERAL INFORMATION**

Listed below is a brief update of the ongoing activities for the Coastal Management Program. Town staff will provide more details of each item during the SPB meeting.

### **Lake Worth Inlet Maintenance Dredging**

- The Corps' contractor is currently dredging the channel and depositing the sand within the -17 foot contour off the Town's shoreline at the north end.
- As of November 3, more than 30,000 cubic yards of sand had been dredged.
- The "emergency" event is expected to finish with a dredged volume of 109,000 cubic yards of sand sometime before the Thanksgiving holiday on November 26, 2020.
- The Corps is scheduling a return to the Lake Worth Inlet in late 2021 to perform a maintenance dredging that will include the settling basins.

### **2021 Phipps Ocean Park Beach Nourishment and Dune Restoration in Reaches 7, 8, and 9**

- This project was included in the Corps' bid solicitation for Mid-Town. The contractor was unable to complete the work before May 2020, so the project was delayed until next construction season (after November 1, 2020).
- The delay gave an opportunity for the Town to solicit bids for the project to see if better prices could be obtained. The bid opening is scheduled for October 1, 2020 at 2:00pm.
- Town Council awarded a contract to Weeks Marine during their October 13, 2020 regular meeting to construct the Phipps Ocean Park Beach Nourishment Project.
- The project will include a volume of approximately 485,000 cubic yards, all of which is eligible for FEMA cost-sharing due to hurricanes Matthew and Irma.
- In addition, the project includes the stockpiling of sand at Phipps Ocean Park to be later hauled to Reach 8 and Reach 9 (in the Town of South Palm Beach) for dune restoration.
- Once the dredging portion of the work has been awarded, the Town will solicit bids for the truck-hauling portion.

- Town consultant ATM is currently preparing the plans and specifications for the truck-haul bid solicitation.
- The dredging work will most likely begin in November or December 2020 and be completed by March 1, 2021. The truck-hauling work for dune restoration would then be completed in March and April 2021.

#### Dune Planting

- Dune planting will be performed upon completion of all sand placement projects.
- With a limited schedule for construction due to sea turtle nesting season and a high volume of work to be completed, dune planting could be delayed until after sea turtle nesting season (November 1, 2021).
- Town staff, as requested by the Shore Protection Board on October 1, 2020, will request regulatory authorization to plant sea oats in the dunes after May 1, 2020.

#### Reach 8

- In October 2020, the Town received correspondence from the Corps following two years of review by the National Marine Fisheries Service (NMFS) that the Town's mitigation plan was not acceptable.
- Town consultant CPE is drafting a response to the NMFS determination.
- The Corps' ROD for the EIS and the Corps' permit for the Town's preferred project will not be issued until an acceptable mitigation plan has been developed.
- The Town will continue to provide storm protection in Reach 8 through repetitive dune restoration (to be completed in April 2021).

#### Future Extension of Mid-Town Beach Nourishment Project Area

- Town staff has issued a purchase order for a Mean High Water Line Survey to be performed in preparation for an Erosion Control Line hearing. The weather has not been cooperative for the survey to be performed. Once seas subside late next week, the work is expected to be completed.
- Corps staff will be meeting with Town staff in the field next week to continue evaluating the project area.
- Town staff and Corps staff are working toward a possible Winter 2021 construction timeframe.

#### Mid-Town Seawall Replacement Design and Permitting

- Town consultant GHD will be performing field work next week to collect data to be used in the design and permitting effort.
- Design and permitting is expected to take approximately one (1) year before a state permit is issued.
- A timeframe for construction will be determined once a permit has been issued and project funding has been further considered.

#### The Breakers/Clarke Avenue/Mid-Town Shoreline Stabilization Project

- Town staff will be meeting with Breakers staff next week to review the recommendations received by the Florida Department of Environmental Protection.
- Town staff will provide an update of this meeting at the Shore Protection Board meeting.

cc: Jay Boodheshwar, Deputy Town Manager  
H. Paul Brazil, P.E., Director of Public Works  
Patricia Strayer, P.E., Town Engineer

# TOWN OF PALM BEACH

Information for Shore Protection Board Meeting on: November 12, 2020

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TO: Shore Protection Board

FROM: Kirk W. Blouin, Town Manager

VIA: Robert Weber, Coastal Program Manager

RE: Annual Report to Town Council  
**Item IX.**

DATE: November 5, 2020

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## **STAFF RECOMMENDATION**

Town staff requests that the Shore Protection Board (SPB) review the draft of the Annual Report that will be presented to Town Council and offer comments or revisions.

## **GENERAL INFORMATION**

Each of the Town Council appointed boards and commissions provide annual reports to the Town Council. Town staff has developed a draft version of the report, based on the actions taken by the board during this past year of meetings.

The draft report is to be discussed by the SPB at the November 12, 2020 meeting. Comments by the SPB members will be incorporated into the draft document and Town staff will work with SPB Chairperson, Llwyd Ecclestone, to finalize the document. Each of the SPB members will receive a copy of the Annual Report once the document has been approved by Chairperson Ecclestone. The report is to be presented by Chair Ecclestone to Town Council on December 8, 2020.

## Attachment

cc: Jay Boodheshwar, Deputy Town Manager  
H. Paul Brazil, P.E., Director of Public Works  
Patricia Strayer, P.E., Town Engineer