

**REPORT OF THE SHORE PROTECTION BOARD MEETING
HELD ON THURSDAY, OCTOBER 25, 2012**

I. CALL TO ORDER

The meeting of the Shore Protection Board was called to order on Thursday, October 25, 2012, at 9:38 a.m. in Town Council Chambers.

Chairman Ecclestone recognized Bobbie Lindsay Buck thanking her for the four years she served as a member of the Shore Protection Board. He reported that she had been appointed to the Planning and Zoning Commission.

II. ROLL CALL

The following members were present: Chairman E. Llwyd Ecclestone, Mr. Kane Baker, Mr. Pat Cooper, Mr. Gerald Frank, Mr. Lewis Katz, and Mr. Lee David Goldstein.

III. PLEDGE OF ALLEGIANCE

Chairman Ecclestone led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion to approve the agenda was made by Board Member Frank, seconded by Board Member Cooper, and unanimously approved.

V. APPROVAL OF THE MINUTES OF THE APRIL 26, 2012, MEETING

Motion to approve the minutes of the April 26, 2012, meeting was made by Board Member Frank, seconded by Board Member Cooper, and unanimously approved.

VI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS

The members expressed their excitement about the Beach Management Agreement (BMA) process.

Board Member Goldstein stated that he felt groins were still needed in Reach 7 starting with Sloan's Curve continuing from the groin field to the north to Phipps Park or wherever they would be needed. He said he believed that the Town would be wasting money by putting sand down one more time.

Board Member Frank asked Rob Weber, Coastal Coordinator, for a report on the condition of the beaches after the storm (Hurricane Sandy).

**REPORT OF THE SHORE PROTECTION BOARD MEETING
HELD ON THURSDAY, OCTOBER 25, 2012**

1 Board Member Katz spoke about the Humiston & Moore report regarding structures and
2 the size of the sand for Reach 7. He questioned the Board's qualifications for approving
3 or giving instructions regarding the size of the sand. He reported that there were over 500
4 condominiums to the north and south of Phipps Park and if one person was lost after a
5 hurricane because adequate protection was not provided, the Town should feel
6 responsible. He stated that if an engineering firm produces a report, he wants them to be
7 accountable if the project fails.

8
9 Town Manager Peter Elwell responded to Mr. Katz saying that the Humiston & Moore
10 report was not on the agenda because it had not been prepared for the Shore Protection
11 Board to make a decision about Reach 7; it had been prepared as a peer review of the
12 Coastal Tech report to be submitted to Woods Hole as part of their analysis of the entire
13 coastal program.

14
15 Town Manager Elwell clarified the relationship between the BMA and Woods Hole. He
16 explained that the findings and recommendations from Woods Hole should be the focus
17 for the decisions regarding Reach 7. He reported that the Woods Hole report was to be
18 delivered in January with the Town Council to review it in February. He stated that
19 Humiston & Moore was not the final answer for Reach 7; there was an on-going process
20 with Woods Hole, the Shore Protection Board, and the community as to scale and
21 schedule of the program. He explained that the BMA would provide for elements of the
22 plan to proceed in a more streamlined schedule and allow the Town to plan better in
23 terms of the sequence of projects and the work required to get the projects ready to
24 construct. He further explained that the Town would save money in the regulatory
25 process getting the permits and also in the construction bidding because the Town could
26 plan ahead better and bid further in advance of the project which could provide more
27 competitive bids. He stated that projects the Town may want to pursue that are not
28 included in the BMA, because they involve engineering or environmental questions that
29 are not fully resolved, could still be pursued either seeking future modifications to the
30 BMA or by going through the traditional permitting method.

31
32 Board Member Katz gave a brief history of the decisions regarding structures for Reach
33 7. He expressed concern that the Shore Protection Board was not included in the
34 decisions for the Reach 7 program that would be made by the Town Council. He also
35 expressed concern with the lack of consistency of the grain size on the beach.

36
37 Town Manager Elwell explained that the big decisions would come in a few months after
38 the Woods Hole report was received. In response to Mr. Katz' comments, he stated that
39 the Shore Protection Board's investment of time, knowledge, and recommendations were
40 not being dismissed. He explained that the Board had made recommendations to the
41 Town Council regarding the ten year program and the Town Council had requested a peer
42 review to provide advice on whether the Town should pursue the program or if there
43 were some modifications that would be in the better interest of the Town.

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

No citizens requested to speak.

VIII. SHORELINE CONDITION ASSESSMENT [Robert Weber, Coastal Coordinator]

Mr. Weber gave a Power Point presentation on the current shoreline conditions based on annual and seasonal changes. He reminded the Board members of the difference between the summer and winter profiles with the winter being a lower profile.

Mr. Weber reported that this last calendar year there had been less sand coming out of the discharge of the sand transfer plant. He said it was currently less than 50% of normal for this time of year and that it would be monitored. In response to a question from Board Member Goldstein, Mr. Weber said that the reasons for the decline could include the weather (there had not been a lot of sand moving north to south because of the storms) and also due to the structures that were added at Singer Island.

Mr. Weber gave an update on Hurricane Sandy. He compared it to Hurricane Irene in intensity, size, and forward speed. He said that the Town could expect tropical storm force winds on the shoreline. He showed pictures of the condition of the shoreline during Hurricane Irene, the day after the storm, and the current condition.

Mr. Weber reviewed the shoreline concerns:

- Reaches 1-4, Clark Avenue Beach and Sunset Avenue Beach: Monitor how the northeasters influence the Clarke Avenue Beach down drift of the structures built by The Breakers.
- North End of Mid-Town Project in Reach 3: It is the north end of the project, six years post nourishment, and a couple of years until the next nourishment.
- Sand Transfer Plant discharge volumes: Monitor the numbers for the rest of season. The numbers are expected to increase but they will not reach as high as the numbers in the past.
- Reaches 7 and 8: Monitor the north end of the project from Sloan's Curve through Phipps Ocean Park and all the dune only projects where there is not the availability, due to environmental concerns, to construct full nourishment.

A discussion followed on the removal by The Breakers of its southern groin. Board Member Cooper asked if the Town could purchase the rocks.

Connie Gasque, 157 Root Trail, reported that the southernmost groin near the Lauder estate was removed. She further reported that the removal of the groin was saving the seawall but eroding the main beach at The Breakers.

Town Manager Elwell reminded the Board that in January they would receive the annual report of the physical monitoring and it would include The Breakers and the north end of

**REPORT OF THE SHORE PROTECTION BOARD MEETING
HELD ON THURSDAY, OCTOBER 25, 2012**

1 Reach 1 because of the sand transfer plant issues and the large dredging project proposed
2 by the U. S. Army Corps of Engineers (Corps).

3
4 There was discussion regarding the sand transfer plant and the erosion of the beach.

5
6 Mrs. Gasque stated that the County had constructed artificial reefs north of the sand
7 transfer plant which were obstructing the littoral flow.

8
9 Chairman Ecclestone asked about the L groin. Paul Brazil, Director of Public Works,
10 replied that the Town had never properly permitted the sand transfer plant; never had an
11 environmental permit. He explained that once Phase 2 to extend the discharge began, the
12 Town would be obligated to start the permitting process and the L groin would come into
13 the conversation. He stated that the Corps was expanding the settling basin and anything
14 that could not be reached with the sand transfer plant would be minable in the new
15 settling basin. He reported that a mitigation reef had been built close to shore on Singer
16 Island. He further reported that the County was required to monitor it and mitigate for
17 any downstream negative impacts. He said the monitoring reports were something that
18 the Town would evaluate and, if necessary, hire a consultant.

19
20 Board Member Goldstein recommended The Breakers area be included in the monthly
21 shoreline assessment with pictures. The Shore Protection Board members agreed.

22
23 Town Manager Elwell updated the Board on the Inlet dredging saying that the Corps had
24 awarded a contract to begin work in January to clean out the Inlet channel, access to the
25 Port, and the expanded settling basin. He reported that the Corps would place as much
26 sand as possible on the dry beach and, to the degree necessary, in shallow water where
27 the wave energy would move it down the beach. He reviewed that the benefits of
28 dredging the expanded settling basin: there would be a larger hole to capture the sand
29 coming down from Singer Island and future Inlet projects could be planned better
30 because there would be more dredging out of the settling basin and less dredging in the
31 actual Inlet. He said the project would be 100% Federally funded.

32
33 Mrs. Gasque stated that there was a report out of the Florida Department of
34 Environmental Protection (FDEP) that said the sand from the expanded settling basin
35 could not be placed on the beach or in the water because it has 10% silt content and the
36 shell content is very large. Town Manager Elwell responded that some portion of the
37 sand may have to be isolated and deposited separately but the majority is beach quality
38 sand.

39
40 Board Member Katz asked if there was one place that people could look to find all the
41 major events which are expected to happen for shore protection, not only in the Town but
42 in the nearby areas. Town Manager Elwell suggested the BMA website
43 (<http://www.dep.state.fl.us/beaches/pb-bma/index.htm>) saying it had a lot of information
44 about the shoreline, projects and related items.

IX. ANNUAL SHORE PROTECTION BOARD REPORT TO TOWN COUNCIL [Peter B. Elwell, Town Manager]

Town Manager Elwell stated that Chair Ecclestone would appear at the December Town Council meeting to present the report.

Board Member Katz noted there were multiple design alternatives for Phipps Ocean Park/Reach 7. He asked if the Town Council would choose one of the design alternatives. Town Manager Elwell answered that there were substantive decisions for which Woods Hole would provide advice and upon which Town Council will make the ultimate decisions. He noted that in the annual report section entitled "State and Federal Regulatory Participation," Phipps Ocean Park/Reach 7 Renourishment Project with no structures was listed as one of the bullets for projects to be included in the BMA. He explained that the distinction was the BMA work would be relatively easier for the Town to pursue because it does not include continuing dispute regarding either engineering or environmental impact. He said that if the Town pursues a structures project, it would mean that the Town would have to go outside the BMA process; it would not be as efficient but the Town could still pursue it.

Board Member Katz asked about providing the Council with the history of the Reach 7 project. Town Manager Elwell responded that the history would be reflected in the Woods Hole report and the Mayor and Town Council were very aware of the history of the project.

Town Manager Elwell reminded the Board that the annual report to the Council was only meant to be a brief summary and the decision making documents would have more information. Following a brief discussion about the involvement of residents, Town Manager Elwell stated that there was an opportunity to participate in the stakeholders meetings for everyone who had been involved in the process and the community could participate in a forum on December 10 when Woods Hole will receive public comment.

Board Member Cooper recommended that Woods Hole be up front and center in the annual report under 2012 Peer Review Studies with a disclaimer that a lot of what is suggested would be dependent upon what is received from Woods Hole. Town Manager Elwell agreed.

Board Member Cooper said he believed that in April the Shore Protection Board agreed it wanted option G3 on Reach 7. Town Manager Elwell explained that the reason there were no structures in the Beach Management Agreement was it lists projects that are "the least controversial and the most conventional" of the options for the different segments of beach. He gave examples of projects that were and were not included in the BMA. Board Member Cooper commented that the projects in the BMA were recognized as not being what the Shore Protection Board necessarily wanted to see approved but were included in the BMA because nothing would be included for Reach 7 otherwise. He questioned why a structure could not be included in the BMA for Reach 7 given all the engineering reports with respect to the hot spot. Town Manager Elwell responded that a discussion on

1 the issue would be premature because the analysis by Woods Hole of the work of the
2 other engineers had not yet been received.

3
4 Board Member Goldstein asked that the BMA for Reach 8 include a dunes only project in
5 the event there was a hurricane. Town Manager Elwell replied that there was a Townwide
6 dunes only profile component to the BMA where, based upon the existing shoreline
7 conditions, there were three different types of dune projects that would be pre-approved.
8 He said they were still working out the details in the north end of Reach 7 by Sloan's
9 Curve and in Reach 8 south of the pier of how to address the component of the expanded
10 Reach 7 project because the dune work would not fit into one of the three profiles
11 established in the BMA but would be allowed because it was part of the Reach 7/Reach 8
12 work that was being planned. He stated that absent that approval, the Reach 8 portion
13 would not have the streamlined permitting through the BMA and traditional methods
14 would have to be used. A discussion followed. Mr. Brazil reported that there were
15 provisions in the BMA that allowed the Town to respond much more quickly for
16 emergency work on the dunes but the dunes could not, necessarily, be built back to the
17 way they were before the storm. Town Manager Elwell suggested adding a bullet to the
18 report for provisions for emergency response after storms. Board Member Goldstein
19 asked that the bullet include "i.e. south of the pier." Town Manager Elwell suggested it
20 not include the statement because the storm response would apply Townwide.

21
22 Board Member Goldstein stated that the Board had unanimously recommended groins for
23 the north end of Reach 7. Chairman Ecclestone agreed that it should be included in the
24 report to the Town Council because it was the opinion of the Shore Protection Board.
25 Town Manager Elwell responded that what was normal and appropriate for the annual
26 report was a brief synopsis of what had occurred during the year. He said the Board had
27 already sent the Town Council the ten-year plan and the Council had commissioned a
28 peer review upon it. Board Member Katz stated the Board wanted to articulate what they
29 strongly believed with regard to the groins.

30
31 **Motion was made by Board Member Goldstein to add a sentence to the annual**
32 **report to state that the Shore Board in April 2012 unanimously recommended**
33 **groins for the north end of Reach 7. Board Member Katz seconded the motion.**

34
35 Mr. Brazil gave a brief history on the studies of Reach 7. He stated that the Shore
36 Protection Board refined the alternatives and added an alternative recommended by Save
37 our Shores (SOS). He further stated that the alternatives were given to Humiston &
38 Moore for peer review. He reported that the Board never chose an alternative.

39
40 Bobbie Lindsay, 212 Caribbean Road, addressed the Board agreeing with Mr. Brazil's
41 summary of the action taken by the Board and saying there was not a vote at that time.

42
43 Town Manager Elwell referred the Board to page 9, line 6, of the April 26, 2012,
44 minutes: "Motion was made by Vice Chair Lindsay Buck and seconded by Board
45 Member Goldstein to contract with Humiston & Moore Engineers for a peer review of
46 the project to include alternatives F3, G1, G3 and Ms. Erickson's hybrid option and also

REPORT OF THE SHORE PROTECTION BOARD MEETING
HELD ON THURSDAY, OCTOBER 25, 2012

1 include a review of the durability of the grain size in the borrow sites of .25 mm or
2 greater. The motion was unanimously approved.”
3

4 **Mr. Goldstein withdrew his motion and Mr. Katz his second.**
5

6
7 X. ADJOURNMENT

8 Town Manager Elwell stated that in January or February the Board would have their first
9 meeting of the year.

10 Chairman Ecclestone adjourned the meeting at 11:23 a.m.
11

12 APPROVED:

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14 
15
16 E. Llwyd Ecclestone
17 Chairman
18