

TOWN OF PALM BEACH

Public Works Department

MINUTES OF THE SHORE PROTECTION BOARD MEETING HELD ON WEDNESDAY, DECEMBER 6, 2017

1 **I. CALL TO ORDER**

2
3 The Shore Protection Board meeting was called to order on December 6, 2017, at 9:03 a.m. in
4 the Town Council Chambers.

5
6 **II. ROLL CALL**

7
8 All board members and alternate members were present.

9
10 **III. PLEDGE OF ALLEGIANCE**

11
12 Chair Ecclestone led the Pledge of Allegiance.

13
14 **IV. APPROVAL OF AGENDA**

15
16 Motion was made by Board Member Johnson, and seconded by Board Member Katz, to
17 approve the Agenda. The motion carried unanimously.

18
19 **V. APPROVAL OF THE MINUTES OF THE NOVEMBER 3, 2017 MEETING**

20
21 Motion was made by Board Member Katz, and seconded by Board Member Johnson, to
22 approve the minutes of the November 3, 2017 meeting. The motion carried unanimously.

23
24 Board Member Johnson asked about the level of detail needed for the Shore Protection Board
25 minutes. He preferred greater details regarding the discussion of the innovative technologies
26 and the dredge portions of the agenda.

27
28 Coastal Program Manager Rob Weber noted that the minutes have been briefer because the
29 audio has the details and is the record. The purpose of the minutes are not to recreate the audio.
30 The minutes are to capture the motions and the highlights of the meeting.

31
32 Board Member Johnson questioned that legally the minutes are the official record.

33
34 Public Works Director Paul Brazil explained that Town-Wide, the Town went to simpler
35 abbreviated minutes as a cost-savings measure. Furthermore, the Town Manager's Office is
36 working on a standardized system to ensure the minutes are timestamped topically for quick
37 reference via audio.

38
39 Chair Ecclestone requested the Shore Protection Board (SPB) should expand them a little more

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1 moving forward.

2
3 Alternate Member Kinzelberg asked where the Town stores the meeting audio and minutes at.

4
5 Mr. Brazil answered that they are accessible on the Town's webpage.

6
7 Alternate Member Kinzelberg requested adding a link in the minutes to the Town's audio link.

8
9 Board Member Katz asked who generates the minutes.

10
11 Mr. Brazil answered that the Shore Protection Board clerk and Mr. Weber process the minutes.

12
13 Board Member Katz added that it is important that the processing of the minutes does not take
14 up too much staff time.

15
16 Mr. Brazil summarized that we will add a link to the audio on the minutes and expand some of
17 the discussion items going forward.

18
19 Board Member Gavigan wants the discussion topics added to the minutes.

20
21 **VI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS**

22
23 Board Member Baker observed the north-end of the sand transfer but has not seen a dredge
24 yet.

25
26 Coastal Program Manager Rob Weber responded that the dredge is in the staging area of the
27 lagoon.

28
29 Board Member Baker is excited to see how far it will work in Reach 2. He also requested a
30 clarification on the election process and it was addressed. The Shore Protection Board invested
31 a lot of time and money investigating the Woods Hole Group study on Town elevations. He
32 was reading in the newspaper about the concern for development costs. He thinks the Shore
33 Protection Board study will be helpful in that regard.

34
35 Board Member Gavigan wants to discuss the groin rehabilitation. He noticed that Reach 2 and
36 Reach 3 have dramatic losses in sand with sharp groins showing now. Please expand later
37 regarding how it will be addressed.

38
39 Chair Ecclestone asked if the board has a complete plan for the beach front showing which
40 groins will stay or be removed. Please share the plans and groin updates with the board.

41
42 Mr. Weber affirmed and agreed.

43
44 Chair Ecclestone asked about the status of the U.S. Army Corps of Engineers (USACE)
45 approvals.

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1
2 Mr. Weber disaffirmed. We are still missing items from the agencies. Currently the priorities
3 have shifted to the Mid-Town groins. Originally, the plan was to look at Reaches 2 and 3.
4

5 Chair Ecclestone asked when there would be an approval for the groins in front of Alternate
6 Member Melissa Cerialle's residence.
7

8 Mr. Weber responded that the Town-Wide groins are pending the federal permits. The focus
9 has also shifted to the Mid-Town area, and most recently pushed to the Gulfstream Road to
10 install that one groin where the waves are hitting the seawall. He added that the Town will
11 construct the groins in the winter for the Mid-Town area, after the sea turtle nesting season.
12

13 Chair Ecclestone asked when we can start constructing groins in front of The Breakers/Clarke
14 Beach area.
15

16 Mr. Weber responded as early as next winter after turtle nesting season.
17

18 Alternate Member Kinzelberg asked Mr. Weber if the homeowner's approval for groin rehab
19 projects are needed in Reach 2 or 3. For example, some groins of the private ocean front
20 properties need addressing.
21

22 Mr. Weber responded that easements on private property would be required to address the
23 groins.
24

25 Alternate Member Cerialle asked about the liability to the Town if those types of private
26 property groins are not addressed and remain a danger.
27

28 Mr. Brazil responded that claims go to the liability of the homeowner. When the Town replaces
29 groins, the Town is liable for claims and maintenance.
30

31 Discussion ensued.
32

33 Board Member Johnson commented that he is looking forward to today's meeting so that the
34 Shore Protection Board can get past some of the items on the agenda and move forward as a
35 board. He noted that the board has been stuck working on several items and he would like to
36 see progress and solutions.
37

38 Chair Ecclestone commented that he wants to get started on the groins. The beach also needs
39 the groins to hold the sand in place and give shelter from the storms.
40

41 Board Member Katz thanked Mr. Weber and Mr. Brazil for their dedication and
42 professionalism, stating they have done an incredible job with overcoming the project
43 challenges, which is not an easy task.
44

45 Alternate Member Kinzelberg commented that Reach 3 going to The Breakers is holding the
46 sand phenomenally. He is still hearing complaints from The Breakers constituents about what

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1 happened to The Breakers beach and when will it be restored. Mr. Kinzelberg wants the Shore
2 Protection Board to help get this resolved.

3
4 Alternate Member Jacoby thanked Mr. Weber for helping the alternate members get up to
5 speed and involved in the Shore Protection Board. He needs clarity regarding what the Town
6 versus The Breakers responsibility is.

7
8 Discussion ensued.

9
10 Chair Ecclestone responded that the Town Council will discuss the topic at the January 2018
11 meeting and include the Shore Protection Board's input. The Town Council is responsible for
12 money related items.

13
14 Alternate Member Jacoby clarified that the Shore Protection Board makes recommendations
15 and a budget, but the Town Council decides how to fund and execute the recommendation if
16 approved.

17
18 Discussion ensued.

19
20 Alternate Member Ceriale commented that a lot of work has gone into positive public relations
21 with the Town and The Breakers efforts. She would like to better understand the issue and
22 asked what the costs are to repair the Clarke/Mid-Town beaches. She also asked to quantify
23 the liability for the Town versus The Breakers. She suggested adding a summary in the report.

24
25 Mr. Brazil responded that they will go over the scope later in the agenda on a preliminary basis.
26 Staff needs the scope and parameters in order to get a better cost.

27
28 Chair Ecclestone stated that the Shore Protection Board needs to have the actual costs in order
29 to figure out who is going to pay for what.

30
31 Mr. Brazil responded that the Shore Protection Board will and can once we get further into the
32 permitting. The Shore Protection Board has the preliminary costs but we have to know what
33 we are allowed to build in order to get the actual pricing.

34
35 Alternate Member Ceriale agrees with Board Member Johnson that we are spinning and need
36 to be able to move forward because the liability side needs to be addressed to protect the Town.
37 She wants to make an impact in the Mid-Town Beach, Reach 2 area, because it is a huge safety
38 issue.

39
40 Mr. Brazil summarized that expediting the approval process requires a legislative change at the
41 federal level. The state level is much more responsive and cooperative. The federal level is
42 creating the log jam for the Town.

43
44 Alternate Member Ceriale asked who can effect change.

45
46 Chair Ecclestone noted that we need to know who is approving items at the state because we

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1 have some friends up in the state as well as the other agencies that feed into the process.

2
3 Mr. Brazil will add another item on the next agenda to talk about the permitting process on the
4 state and federal levels and who approves them.

5
6 Board Member Gavigan interjected the Town Council is going to make a decision on the work
7 proposal at the next meeting.

8
9 Mr. Brazil responded that the Shore Protection Board is going to ask them to authorize the
10 funding at the next step for the engineering work at Clarke Beach.

11
12 Board Member Gavigan asked how this would affect the timetable.

13
14 Mr. Brazil responded that it is too soon in the process to tell you when the construction could
15 start.

16
17 Board Member Gavigan affirmed that from the previous meetings everyone is on board and
18 ready to start as soon as possible.

19
20 Mr. Brazil, the draft EIS has been complete for a long time and we are waiting for the record
21 of decision from the U.S. Army Corps of Engineers. We have the EIS, the groins, and the Mid-
22 Town mitigation with U.S. Army Corps of Engineers. We have waited about 2 or 3 years and
23 are doing what they required us to do but we cannot get a permit for it.

24
25 Chair Ecclestone requested clarification on the Mid-Town mitigation.

26
27 Mr. Brazil elaborated that the mitigation is for an artificial reef built offshore as a requirement
28 from the hurricanes and the successive projects. One of the mitigation requirements was for
29 an artificial reef.

30
31 Chair Ecclestone asked if we needed to reach out to the mayor for assistance.

32
33 Mr. Brazil responded that it would normally be a task for the mayor.

34
35 Discussion ensued regarding the size and location of the artificial reef near Reach 5.

36
37 Alternate Member Ceriale requested a priority list of all of the outstanding projects, processes
38 and permits that you are trying to get through so we can try to help. Put them in order of
39 priority.

40
41 Mr. Weber responded that he can do that with the next item.

42
43 Board Member Johnson concurred and wants to help prioritize the list, project by project
44 including the next steps to help overcome roadblocks.

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1 Alternate Member Kinzelberg commented that he hopes the Town has the right connections to
2 help get items expedited.

3
4 Chair Ecclestone summarized that in the next meeting we will look at these and think about
5 adding pressure to get them moving again.

6
7 **VII. COMMUNICATIONS FROM CITIZENS - None**

8
9 **VIII. CURRENT SHORELINE CONDITIONS**

10 *Robert Weber, Coastal Program Manager*

11
12 Coastal Program Manager Weber provided a PowerPoint presentation of the shoreline during
13 this rough weather conditions season.

14
15 Board Member Katz commented that the sea oats look great. He asked if the sea oats on the
16 reaches were they planted by the Town.

17
18 Discussion ensued regarding sea oats.

19
20 Alternate Member Ceriale, are we focusing on putting in sea oats where there are solid beaches
21 such as Reach 3 and can we bolster the sea oats that are located on the wide substantial beaches.

22
23 Mr. Weber responded yes, we want to add sea oats to existing areas and in some places that do
24 not have them such as Reach 2 during the spring dune planting efforts.

25
26 Alternate Member Ceriale noted that some of the presentation pictures show seaweed and some
27 have the sandbox beach cleaned look. Requested that the beach cleaning be done so that it is
28 not detrimental to the health of the beach. She proposed group discussion on the subject.

29
30 Mr. Weber responded that the county's beaches they do not remove the rackline. It varies in
31 the Town amongst individuals and private residents.

32
33 Alternate Member Kinzelberg added that, at Reach 3, the seaweed is being tilled under. Beach
34 cleaners are only removing the unnatural things like plastic and foreign wood.

35
36 Mr. Weber commented that Florida Department of Environmental Protection regulates beach
37 cleaning with a permit. The cleaners rake the beach, but the majority of the beach is not
38 raked.

39
40 Beach cleaning discussion ensued.

41
42 Board Member Gavigan asked if Mr. Weber took any measurements to see how much height
43 of loss of sand there has been.

44
45 Mr. Weber affirmed that the beach has been surveyed and results will be reported at next
46 meeting.

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IX. THE BREAKERS/CLARKE AVENUE CONTINUED DISCUSSION

Robert Weber, Coastal Program Manager

Mr. Weber received a recommendation from the state to the Town. They want to include a Technical Advisory Committee (TAC) in the scope of work. The TAC needs to include a 'technical' voice with the group of stakeholders.

TACs will help get through reaching milestones together.

Discussion ensued regarding the Technical Advisory Committee.

Mr. Brazil noted that the proposal will be in front of Town Council at the January meeting in order to finalize the design and get it into permitting.

Board Member Johnson thought the board recommended a design and scope of work be advanced. The board should have given Town Council a finalized recommendation to work from.

Chair Ecclestone commented that he thought the board had offered up a finalized recommendation.

Mr. Brazil responded yes, the final scope that we have vetted, less the details from the consultants to get it through permitting, will be presented to Town Council in order to not lose another month.

Discussion ensued regarding the recommendation from the Shore Protection Board.

Mr. Brazil summarized the components of the conceptual plan that the Shore Protection Board has recommended to Town Council. The plan's major components consist of: a) modifying the existing groin field in front of the The Breakers hotel, b) installing a structure between the Lauders and The Breakers location, c) a proposed structure on the boundary between the Lauders and the north end of Clarke Beach, d) and includes a new structure at the south end of Clarke Beach, e) modifying the Mid-Town groin field, f) and work on the existing groins. The plan has been reviewed by the council, the board, The Breakers and regulatory favorably.

Alternate Member Ceriale asked if sand is part of the budgeted solution or will the board have to go back to the Town Council to ask for additional funds for the sand.

Mr. Brazil responded that sand needs to be a part of the solution. Sand is an additional cost.

Discussion ensued regarding the structural and sand components of the plan.

Mr. Brazil commented that staff is taking ATM's proposal for engineering and permitting to the January Town Council meeting. The staff is not taking the budget details to council at this time.

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1
2 Alternate Member Ceriale asked when the cost portion of the discussion will be determined.
3

4 Alternate Member Kinzleberg added that the board also has to look at causation.
5

6 Board Member Gavigan asked if there is precedence for this.
7

8 Mr. Brazil responded there is no precedence for this. Historically the Town has paid 100% for
9 this. There is no precedence for this. Also, The Breakers is not at the meeting today.
10

11 Discussion ensued regarding the impacts of modifying structures.
12

13 Board Member Katz stated that the board is not going to solve the full issues mentioned today.
14 The Shore Protection Board has no authority on finance.
15

16 Alternate Member Ceriale and Alternate Member Jacoby disagreed. It is the Shore Protection
17 Board's responsibility to advise and offer a point of view to the Town Council for the
18 recommendation so the Town Council can make a more informed decision of the Town's
19 funds.
20

21 Discussion ensued.
22

23 Mr. Brazil reminded the board that The Breakers should be included in this dialog in order to
24 be fair. Today's agenda is for the design and permitting of the plan. The cost details will be
25 addressed later.
26

27 Board Member Baker reminded the board that the number on the 10 year plan is known. The
28 numbers on fixing The Breakers are small compared to the 10 year plan. It is a slippery slope
29 to start worrying about private property, etc.
30

31 Alternate Member Jacoby reiterated that it is a significant spend. We need to give the Town
32 Council our recommendation.
33

34 Chair Ecclestone proposed tabling the discussion of the board's opinion for the next meeting.
35

36 Town Manager Tom Bradford advised that if the board goes down this path; the board will
37 need the following: (1) you need a professional coastal engineer to give you an opinion that
38 the maintenance work done by The Breakers had a detrimental cost to the beach system, (2) if
39 the board gets that, the board will also need a professional opinion about the cost of the sand
40 to the system. The Shore Protection Board must have the data and the facts. Then privately
41 present the facts to The Breakers in a meeting if the board goes down this path.
42

43 Alternate Member Ceriale commented that the board should pole the Town Council to see if
44 they think that this information is important to them. If it is impactful, then the board should
45 put their efforts into addressing it and giving them an opinion.
46

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1 Chair Ecclestone said that that sounds reasonable.

2
3 Discussion ensued.

4
5 Mr. Brazil added that the technical info already exists with a written recommendation from
6 Florida Department of Environmental Protection exists.

7
8 Chair Ecclestone stated the board needs an engineer's opinion to discuss and make
9 recommendations to Town Council.

10
11 Mr. Brazil explained that the board can ask council if certain elements should be funded as a
12 public/private partnership or not. Currently the proposal excludes the funding part until later
13 discussion.

14
15 **X. COASTAL PROJECTS UPDATE**

16 *Robert Weber, Coastal Program Manager*

17
18 Items addressed earlier.

19
20 **XI. DUNE PLANTING OVERVIEW**

21 *Robert Weber, Coastal Program Manager*

22
23 • **Lake Worth Inlet Maintenance Dredging**

24
25 Mr. Weber stated that work is starting in the next couple of days.

26
27 Chair Ecclestone asked if the work will start in Reach 2.

28
29 Mr. Weber responded yes it will go further into Reach 2 and then going south. Over time it
30 will go and connect into Reach 3.

31
32 Chair Eccelstone inquired about the problem south of Gulfstream Road.

33
34 Mr. Weber responded that it is being addressed as quickly as it can. Sand will be brought in
35 from the Ortono Sand Mine. It is a coarser sand which reduces sand blown onto private
36 property.

37
38 • **Sand Forepassing**

39
40 Mr. Weber stated that staff are working with procurement to get a contractor in place before
41 turtle season, by March 1.

42
43 • **Groin Rehabilitation**

44
45 Mr. Weber said that the federal permit is ongoing and staff already has the state permitting in
46 the Beach Management Agreement. The bottom line is that Phase 1 needs to shift priority to

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1 Mid-Town rather than Reach 2. The federal permit will include all groins.

2
3 Alternate Member Ceriale asked if the board can get a list of permits before the next meeting.

4
5 Mr. Weber affirmed.

6
7 • **Reach 8 EIS**

8
9 Chair Ecclestone asked if it is possible to get the Environmental Impact Study (EIS) out.

10
11 Mr. Weber responded he will get an updated list prior to the next Shore Protection Board
12 meeting showing where items are being held up.

13
14 • **Dune Planting**

15
16 Mr. Weber is finalizing the scope of work. He needs additional input from the Shore Protection
17 Board regarding the plant particular such as: size, age, spacing and species.

18
19 Discussion ensued.

20
21 Alternate Member Kinzelberg advocated for selecting bigger plants that can hold more sand
22 during severe weather.

23
24 Board Member Baker stated that more mature plants are available.

25
26 **XII. DRAFT ANNUAL SHORE PROTECTION BOARD REPORT TO TOWN COUNCIL**

27 *Robert Weber, Coastal Program Manager*

28
29 Mr. Weber showed a draft of the Annual Shore Protection Board Report that will be presented
30 to Town Council on Dec. 12, 2017 along with any edits mentioned by the board.

31
32 Alternate Member Jacoby stated that the 2017 Coastal Protection Projects bulleted items are
33 not in the budget and do not apply.

34
35 Chair Ecclestone noted a few minor changes to page 16 of 17. Added sections in Anticipated
36 2018 Shore Protection Board Actions, add Dune Plantings Plan and Implementation, Coastal
37 Vulnerability Assessment, and Innovative Technologies.

38
39 **XIII. SCHEDULING OF NEXT MEETING**

40 *H. Paul Brazil, P.E., Director of Public Works*

- 41 • Thursday, January 25, 2018
42 • Coastal Vulnerability Assessment update, Woods Hole Group
43 • Annual Town-Wide Sediment Budget Review and Erosion Rates
44 • Permitting process and an outline of the agencies
45 • Project updates including next steps in the regulatory process
46 • Public/private partnership conversation with The Breakers

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- Annual Town-Wide Sediment Budget Review and Erosion Rates
- Permitting process and an outline of the agencies
- Project updates including next steps in the regulatory process
- Public/private partnership conversation with The Breakers
- Master plan for the groins for the backup

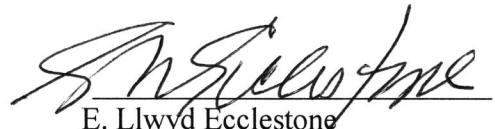
Public Works Director Paul Brazil provided an overview of the items for discussion for the upcoming meetings. Due to the large amount of topics to be discussed next month, Mr. Brazil suggested that the Innovative Technologies discussion, the Contracting Alternatives for Coastal Projects discussion, and Sand Transfer Plant discussion be postponed to another month.

XIV. ANY OTHER MATTERS - None

XVI. ADJOURNMENT

There being no further business, the Shore Protection Board of December 6, 2017, was adjourned at 11:12 a.m.

APPROVED:


E. Llwyd Ecclestone
Chairman

Meeting audio is located at:

http://townofpalmbeach.granicus.com/ViewPublisher.php?view_id=3