

**REPORT OF THE GOVERNMENTAL IMPACT REVIEW PANEL MEETING
HELD ON FEBRUARY 17, 2006**

I. CALL TO ORDER AND ROLL CALL

The meeting of the Governmental Impact Review Panel was called to order by Chairman Diamond at 9:30 a.m. on Friday, February 17, 2006.

Chairman William J. Diamond
Panel Member Brian McIver
Panel Member Samuel McLendon

Also present:

Assistant Town Manager Sarah Hannah
Deputy Town Clerk Diane Kassover

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Diamond.

III. APPROVAL OF PANEL REPORT FOR JANUARY 12, 2006

The Panel Report for the meeting held on January 12, 2006, was approved unanimously.

Mr. McIver noted that on page 13, he was referred to as Mayor McIver and requested that be corrected.

Mr. McIver advised that he had some comments relative to the minutes. He advised that he wanted to follow-up on the presentation of the City of West Palm Beach who at the last Governmental Impact Review Panel meeting generously offered to give the Town the role of stakeholder in the future development of the Master Plan and the in the waterfront. He stated that he wanted clarified what the role of a stakeholder was. He noted that once it was understood what the role of a stakeholder was, then a decision could be made as to who should be appointed to perform that role for the Town.

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Assistant Town Manager Sarah Hannah explained that, at the last meeting, the City of West Palm Beach had informed the Town that they had not yet identified any stakeholders, primary or secondary. She advised that what West Palm Beach had done and what had been agreed to, was that anytime the City had a meeting regarding the Comprehensive Plan, the Downtown Master Plan or the Waterfront Project, the Town would be invited to attend those meetings. She reiterated that they had not identified any stakeholders in West Palm Beach or in Palm Beach.

Mr. McIver stated that he understood that for the Waterfront Project, but thought it was more concrete than that for the Downtown Master Plan.

Ms. Hannah advised that was not her impression, and informed the Panel that she does stay in contact with them.

Chairman Diamond stated that Mr. McIver's comment brought up a very important point, which was how does the Panel institutionalize going forward, after making their presentation to the Town Council, in order to continue to be active with regard to the various governmental entities that the Panel has found out were impacting the Town of Palm Beach. He requested the thoughts of the panel and stated that the panel should look toward a point in time when they could make a presentation to the Town Council. He suggested the month of May.

Mr. McIver mentioned that he had previously suggested to Ms. Hannah that if the Panel wraps up their interviewing over the next six weeks, with some additional meetings in February and March, the Panel could hold several meetings in April to design its recommendations, which would then be brought forward to the May Town Council meeting.

Mr. McIver stated that the Panel could make a variety of recommendations, which might range from the monitoring, by Town staff, of meetings held by organizations such as the MPO's Technical Advisory Committee and the Metropolitan Planning Organization (MPO), as well as the formation of citizens' committees. He noted that there could be many appropriate outcomes depending on what the issues were.

Chairman Diamond stated that he agreed with that timetable, which meant the Panel should meet at least every two weeks from now on until the end of April. He suggested holding an early meeting in May, before the Town Council meeting of May 9, 2006. He advised that, at that time, the Panel could make their recommendations; and hopefully, the Town Council would approve of them.

Mr. McIver advised that he wanted to follow up on the issue of Publix. He noted that the Panel sent a letter to Publix and had received a generic response from them. He explained that it had

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come to his attention that the Publix at City Place was going to be closed and would be replaced by condos. He stated that Publix would be moved, and it was presumed that it would be moved to a larger location because of the additional 10,000 units planned for the West Palm Beach area. He suggested the Panel send a letter to Publix to reaffirm what was happening at that location. He advised that he did not believe it was necessary to request that Publix appear before the Panel, as there were other issues the Panel should address. He recommended keeping track of this issue and placing it on a lower priority, but thought there should be closure on it.

Mayor McDonald advised that the Town Council, indirectly, addressed this issue at their Council meeting this week. He informed the Panel that the Town owns a large parcel of real estate along the railroad tracks in West Palm Beach. The Council had asked him to contact various supermarket vendors about the possibility of building a large supermarket on that parcel, at extremely attractive rates in an effort to entice them.

Mayor McDonald stated that he did not know if the Panel was aware of the Council's discussion on this issue as it had not appeared in the newspaper, as yet; or if they were hearing this for the first time. He explained that he planned to follow-up on the letter the Panel received from Publix in response to their letter.

**IV. PRESENTATION BY PALM BEACH INTERNATIONAL AIRPORT ON
ACTIVITIES OF THE AIRPORT, SPECIFICALLY, THE AVIATION AND
AIRPORTS ADVISORY BOARD.**

Mr. Bruce Pelly, Director of the County's Department of Airports, advised that he would address any questions the Panel had regarding the Aviation and Airports Advisory Board (AAAB). He supplied background information on the Board explaining that the Board consisted of a total of nine members, one member appointed by each County Commissioner, and two at-large members. He stated that District 1 and District 7 both touch the Town of Palm Beach allowing the Town input into those two Districts, as well as input into the two at-large members. He mentioned that Mr. Ecclestone, a resident of the Town, was one of the at-large members, and he could be contacted by the Town to discuss issues that pertain to it.

Mr. Pelly advised that the AAAB generally meets every other month to address issues that concern all four airports; three of those airports were general aviation airports, which has a general aviation subcommittee to look into issues that affect them.

Mr. Pelly stated that the AAAB would be happy to send a copy of their agenda to the Town, as well as invite a staff member or one of the Panel Members to attend AAAB meetings

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Mr. Pelly advised that the Aviation and Airports Advisory Board was strictly an advisory board, and that was the reason he did not think it appropriate to send a member of that Board today to make a presentation. He explained that the Board makes recommendations to the County Commission based on the information provided to them by staff. He mentioned the various items that are provided to the Board by staff.

- Minutes
- Traffic Reports
- Financial Reports
- Marketing Issues
- Construction Updates
- Property Issues
- Security Issues

Mr. Pelly advised that the next meeting of the AAAB was on March 28, 2006. The main topic was how to finance an additional parking garage for the airport. He reviewed the key projects relative to Palm Beach International Airport.

- Additional parking garage
- Addition of three gates to Concourse C
- Changing out of all the current loading bridges, which attach from the terminal building to the aircraft

Mr. Pelly stated that they worked under a Master Plan. The consultants would be making presentations to the Aviation and Airports Advisory Board regarding the projection for increased traffic at PBIA, and how to meet that demand; whether it is met with additional bag claim areas or with additional ticket counters, or with additional gates, etc.

Mr. Pelly advised that the AAAB would be happy to advise the Town when a member decided to no longer serve on the Board. He noted that issue could then be discussed with the appointing County Commissioner, or if it was an at-large member, the County Commission could be approached about having a person from the Town appointed.

In response to Mr. McLendon, Mr. Pelly stated he would leave a list of members for the Panel.

Chairman Diamond thanked Mr. Pelly for his presentation.

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In response to Mayor McDonald, Mr. Pelly advised that the at-large members were appointed by the Commissioners with all the seven districts in agreement.

Mayor McDonald clarified what Mr. Pelly had stated, which was that each Commissioner appointed one member and then all seven, together, appointed two at-large members. He asked if Mr. Pelly would read the seven appointments because he thought there might be another Town resident who sat on the Board.

In response to Mayor McDonald, Mr. Pelly named the members of the Board and it was determined that Herbert Hoffman was the other Town resident serving on the Board.

Chairman Diamond informed Mr. Pelly that the Panel was really interested in the Master Plan, in order to know where the airport was headed, particularly as it related to expansion. He explained that any expansion of PBIA or any of the other smaller airports would impact the Town directly. He asked how the Panel could receive a briefing on the Master Plan?

Mr. Pelly advised that they were not presently in a position to provide that other than to supply basic information. He explained that projections could be provided on what was anticipated for future traffic. He explained that they look at where that traffic might be generated from, whether it was from overseas charter flights or what the domestic market looks like, as well as the growth patterns in the County. He noted that they serve an area somewhat larger than Palm Beach County as the nearest airport to the north was Orlando, so consideration has to be given to what was happening in Martin and Indian River Counties as well.

In response to Mr. McIver, Mr. Pelly advised that the current Master Plan was a twenty-year plan, which was updated every five years. He stated that they would send a copy of the Master Plan to the Panel. He explained that there were two projects that would come out of Master Plan: the addition of three gates; and the addition of a 3,200 space parking garage. He noted that bids were being received on March 7th for the garage, and they would be going to the bond market to obtain a revenue bond to pay for the parking garage.

In response to Mr. McIver, Mr. Pelly advised that, not too long ago, the expansion of the main runway from 8,000 feet to 10,000 feet was completed, as part of the current Master Plan, they would be looking at the general aviation runway, which currently was 4,000 feet, to see what might need to be done.

Mr. Pelly stated that one of the issues that the Panel had, which had previously been addressed by the Town Council, was the issue of fanning, which had become a result of having more aircraft on the ground wanting to leave at the same time, specifically the general aviation side, the

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south side, of the airport. He discussed the Friday/Sunday scenario where there would be a mass number of general aviation aircraft, private aviation aircraft coming into PBIA. He advised that it was a subject that would be addressed when the Master Plan was looked at.

Mr. McIver stated that what he was trying to get at was that if more runways were built to allow more flights, passengers would come, but if there were no additional runways built and there were no additional flights out, passengers could conceivably go to another airport.

Mr. Pelly responded that he did not believe that would hold true and what would happen was that PBIA would be in a situation where they were forced to fan all the time.

Mr. McIver reported that there was a frequency right now of 700 to 800 flights a day, during peak seasons.

Mr. Pelly reiterated that the vast majority of those were from the general aviation side of the airport.

Mr. McIver stated that if PBIA has more runways put in and more gates, one could presume that the number of flights would go up.

Mr. Pelly advised that from the general aviation side, there was no more land.

In response to Chairman Diamond, Mr. Pelly advised that it was not physically possible for PBIA to become Miami International because PBIA was land constrained. He stated that was not in the Master Plan.

Mr. McIver asked if there were 700 or 800 flights a day, with a lot of them being private planes, and if the next five to ten years were looked at, what did he think would be in the Master Plan regarding the frequency of flights?

Mr. Pelly advised that, in the past, 3, 6, 8 percent increases were projected on an annual basis from past year counts. The last Master Plan had a high, medium, and low scenario, and based on what numbers were hit, made the determination of what was needed, such as more bag claim areas, more gates, etc. He stated that PBIA was presently up over seven million passengers, and the growth rate was somewhere around 8%. He noted that the shortfalls had been parking, and stated the belief was for gate utilization to increase. The other problem PBIA was going to have and would continue to have, based on the airlines, was that PBIA not only peaks seasonally, but peaks on a daily basis, in the mornings and afternoons; but the rest of the time during the day, it could be said that the airport was not busy at all.

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Mr. McIver stated that the underlying issue he was trying to get at was that if a middle of the road projection was taken of 5% or 6%, over ten years, that would approximately double the number of flights going out. He noted that if PBIA was somewhat constrained by land use and could not add significant additional runways, which would lead one to suspect that there would be more planes going out of PBIA with increased fanning to allow them to get out. He wondered if they would be seeing increased fanning over the next ten years which would have implications to Palm Beach?

Mr. Pelly advised that the current update of the Master Plan that was being looked at would take on that subject. He explained that PBIA was doing what it could to avoid having that occur.

In response to Chairman Diamond, Mr. Pelly advised that to get input into that subject, the Town should come to the meetings which were public and noted that questions were taken from the audience. He stated that if the Town Council, at some point, when there was information to provide, wanted PBIA to make a presentation, they would be happy to do that.

Discussion ensued regarding communication between the AAAB, with more of a connection between the Town and PBIA.

Mr. Pelly advised that he has been asked to come twice and has shown up both times.

Mr. Pelly advised that from a commercial standpoint, the number of commercial flights has not gone up dramatically. The types of aircrafts and number of seats have changed. He stated that total traffic was not from the commercial side of the airport. He noted that he agreed with Chairman Diamond that airspace was still being taken up and needed to be programmed. He explained that was the reason for fanning.

In response to Chairman Diamond, Mr. Pelly advised that from their standpoint there was not a safety issue. The tower does its job and that was one of the reasons they fan. He noted that fanning was very limited and only happens during the peaks of the season and on specific weekends.

In response to Mr. McIver, Mr. Pelly stated that, during a peak period, there would be 800 flights, 600 of which would be general aviation, private jets. He advised that he did not know if that number had increased since last year.

Mr. McIver wanted to clarify that due to the geography constraints, would there not be an additional runway established?

Mr. Pelly responded that it did to the extent that the amount of dollars and the issues involved would probably be beyond their capabilities.

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Mr. McIver asked if the alternative of that was the lengthening of the current runway?

Mr. Pelly responded that it was the existing general aviation runway that was being reviewed.

In response to Mr. McIver, Mr. Pelly, advised that there was a 10,000 foot runway that would accommodate any plane out there today. He stated that the 380 could not come in because of the distances between the runways and the taxiways, as well as the capability of the airport to handle that kind of weight and turning radius of that plane. He advised that there were airports being reconfigured to accommodate that, and PBIA would not be one of those.

In response to Town Council Member Susan Markin, regarding flight increases, Mr. Pelly stated that the figure of 200 flights a day has been around for a long time. The difference was the type of aircraft and the number of seats on those aircrafts. He advised that right now, even though they were running good passenger numbers, the flight numbers were the same. They would go back through the Master Plan process. He advised that he anticipated passengers would continue to increase based on just what was going on in the community, and added that Palm Beach was growing so fast, people wanting to get in and out and would be coming through PBIA.

In response to Ms. Markin, Mr. Pelly stated that the figure of an 8% increase was for passengers. He advised that he really did not know what the flight increase would be. The trend has been flat, but again it does not equate to increases in passengers.

In response to Ms. Markin's question regarding the hush kit mandate, Mr. Pelly advised that everything on the commercial side had to be Stage 3 for quite a while. He noted that everything coming in and out of Palm Beach that was commercial was Stage 3 aircraft, and some, in today's market, were Stage 4. He stated that there were still some Stage 2 on the private side, and noted that had not been totally addressed from the standpoint of private aircraft. He explained that there was no date certain for hush kits on private planes. He advised that PBIA was involved in a move to try to set an established date for private carriers to be Stage 3. He stated that this has not occurred but was happening, naturally, in the market.

Mr. Pelly responded to the following issues that were discussed:

- Banning of Stage 2 aircraft;
- Noise program at PBIA;
- Noise from private jets;
- Decisions made by the tower relative to the priority of take offs;
- Inconveniencing private jets/Preference given to commercial carriers;
- Fanning;

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- Growth of general aviation as a result of 9-11;
- Use of the diagonal runway;
- Pilots right to request from the tower the runway they want to use for take off.

Mr. Pelly replied that it was obviously their staff and their consultants that put a plan together and they sit down with the AAAB to review the plan. He explained that he was a County Department Head reporting to Mr. Robert Weisman, County Administrator. He continued that the issues would be talked over with administration, and if everybody was in agreement with the recommendation, it goes to the Board of County Commissioners who would have the final approval. He noted that the County Commissioners have the final say for everything that happens at the airport, subject to FAA rules and regulations. The Master Plan has to be in accordance with the FAA rules and regulations.

In response to Chairman Diamond, Mr. Pelly advised that the citizens would have the most input with the Board of County Commissioners, as elected officials. He suggested that before going to County Commissioners, someone should attend the AAAB meetings, which would give the schedule of events for when particular items would be presented to the County Commission, which would then give the Town an opportunity to send someone to that meeting, voicing the Town's opinion, directly. He explained that there would be public input sessions, and public hearings on things in regard to the Master Plan as they get further into it. He noted that it would also give the Town an opportunity to get their opinions known, as the minutes of those meetings, go to the FAA as does the Master Plan.

In response to Mr. McIver, Mr. Pelly stated the Town could have an automatic procedure of for getting the agenda and the minutes of those meetings.

Ms. Hannah asked Mr. Pelly where exactly they were in the development of the Master Plan?

Mr. Pelly advised that they had picked their consultants who were putting together numbers, the projections of what the anticipated growth would be, in order to take those numbers, and see where the shortfalls were in regard to facilities; he estimated that the development of the Master Plan would take at least eighteen months.

Chairman Diamond thanked Mr. Pelly and introduced Mr. David Roach, Executive Director of the Florida Inlet Navigation District.

Mr. David Roach advised that the organization was the Florida Inland not Inlet Navigation

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District (FIND). He explained that they were an ad valorem taxing authority located in twelve counties along the east coast of Florida.

Mr. Roach made a power point presentation to discuss the Florida Inland Navigation District. He stated that FIND was the State sponsor of the Atlantic Intracoastal Waterway in Florida, which was a joint State/Federal Project Agreement between the United States Congress and the Florida Legislature. The Congressional partner was the U.S. Army Corps of Engineers and the State Representative was FIND. He explained that the agreement between the two bodies was that the Federal Government had agreed to construct, maintain and operate this navigation channel if the State of Florida through FIND provides all the lands that were required for the project.

Mr. Roach explained that the district boundaries include the twelve coastal counties of east Florida that was bisected by the project. The project starts at the Florida/Georgia border and goes 406 miles to the southern boundary of Miami-Dade County. FIND was known as an independent special taxing district created by the Florida Legislature. He advised that FIND taxes all real property within those twelve counties to provide the funding for FIND's mission. The Governor appoints one commissioner from each of those twelve counties to sit on a Board of Commissioners and provide the policy and direction for staff. He noted that the current Commissioner in Palm Beach County was John Booth, who was the Executive Director of Palm Beach County Solid Waste Authority. The Governor appoints the Commissioners to four year terms. Mr. Booth would be at the end of his term in January 2007, at which point, there will be a new Governor to appoint a new representative in Palm Beach County. The Commissioners do not receive compensation for the long hours and travel that was involved.

Mr. Roach explained that meetings were held in each of the twelve counties during the course of the year, one meeting per month. FIND meets in Palm Beach County every September.

Mr. Roach advised that FIND has four major programs that they have been authorized to operate by the Florida Legislature.

- Land Acquisition and Management Program
- Assistance Programs - 40% of tax money taken to be returned back to communities to help build Waterway Improvement Projects
- Manatee Regulatory Signage
- Public Information

Mr. Roach discussed the tax levee in the budget.

- Levied against all real & personal property within counties along the ICW

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- Maximum rate allowed is 0.1 mills
- Current rate is 0.0385 mills or \$3.85 per \$1,000 of value
- Rate has been lowered or remained the same for the last 9 years
- Tax generated is \$23 million - \$4.8 million from Palm Beach County (21%) and \$37,545 from the Town of Palm Beach

Mr. Roach presented a snapshot of FIND's budget.

• Administration	-	815,480
• Operations	-	15,275,000
• Capital Programs	-	24,062,000
• Assistance Programs	-	23,900,000
• Manatee Signage	-	240,000
• Public Information	-	96,400

In response to Mr. McIver, Mr. Roach explained that if one had a \$125,000 home with a \$25,000 Homestead Exemption, FIND's tax rate applied to the \$100,000 would be \$3.85 that the homeowner would pay.

Mr. Roach further discussed the following programs and facilities:

- Land Acquisition and Management Program
 - 22,000 acres of right-of-way lands
 - 35,000 acres for Dredged Material Management
 - 3,500 acres for long term Dredged Material Management
- Dredge Material Management Facility located on Peanut Island

In response to Mr. McIver, Mr. Roach explained in detail the dredging activities taking place on Peanut Island.

In response to Chairman Diamond, Mr. Roach explained that Peanut Island was at one time the second highest piece of property in Palm Beach County next to the landfill, at 47' of elevation. He explained that it has now been lowered to 25' of elevation and advised that material inside the containment facility could never go higher than the top of the facility. The design was to put material there for fifty years bringing it up to within 3' from the top of the dike, which at that point the material would be offloaded. He stated that 1.3 million cubic yards of sand were offloaded from Peanut Island to rebuild it the way it was now seen. He added that in the future, this material will be offloaded to in all likelihood be placed on the beach.

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Mr. McLendon advised that the Town would encourage them to do that, and that the Town has a good location for any excess sand they have.

In response to Assistant Town Manager Sarah Hannah, Mr. Roach stated that it was that sand that was used for the Spoil Islands in Lake Worth across from the golf course.

In response to Chairman Diamond who asked if there were any projects planned for the Island of Palm Beach, Mr. Roach advised that they did have a plan to deepen the Intracoastal Waterway from Blue Heron Bridge south to Rybovich Spencer.

Mr. McLendon stated that he hoped there were no plans to increase the inlet, because the Town could not afford to lose any more on the north end of the Island.

Mr. Roach advised that the Florida Inland Navigation District does not have any responsibility for the Palm Beach Inlet. The Corps of Engineers would be the Federal representative and the Port of Palm Beach would be the State sponsor of that project.

Mr. Roach discussed all FIND projects from 2004 through 2006. He noted that the only project in Palm Beach County was a dredging project in the waterway by Jupiter Inlet. He noted that over a fifty-year period, 5.5 cubic yards of material would be dredged from the waterway in Palm Beach County; 5 million of that comes from the vicinity of Jupiter Inlet. He advised that the material would be placed on the beach, presenting a picture of a project completed in 2001, which was south of the Jupiter Inlet.

Mr. Roach discussed the Assistance Programs which provides funding assistance to other governments within the District through the Waterways and Cooperative Assistance Programs to develop waterway improvement projects.

- 125 Navigation channel dredging programs
- 95 Boat docking and mooring facilities
- 91 Boat ramps and launching facilities
- 88 Shoreline stabilization programs
- 68 Waterways boating safety programs
- 67 Fishing and viewing piers
- 56 Other waterway related projects
- 50 Waterfront boardwalks
- 46 Navigation aids and markers
- 45 Waterways related environmental education programs
- 13 Inlet management projects

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- 7 Waterway signs and buoys
- 6 Spoil disposal site development
- 2 Beach renourishment on beaches impacted by navigation inlets

Mr. Roach stated that in Palm Beach County, there were 108 total projects, \$13.8 million in district assistance and \$50.8 million in total construction. He advised that the notable projects in Palm Beach County were Lake Park Marina, Peanut Island and Jupiter Riverwalk. He discussed Town of Palm Beach Assistance Projects.

• 1992 Town Marina Dredging	\$200,000
• 1996 Australian Dock Replacement Ph. I	\$ 21,000
• 1997 Australian Dock Replacement Ph. II	\$382,000
• Total	\$603,000

In response to Mr. McIver, Mr. Roach advised that the Town had not applied to FIND since last year and that application just missed the cut off by less than one point. The project was to build the police/fire dock at the marina and then some money was requested for the new police boat. He stated that FIND's commissioners supported the dock but did not support the police boat. He noted that FIND has spoken to Town staff relative to the sand pumping facility at the inlet and suggested to the Town that would be a good project to apply for.

Mr. McIver inquired as to how the beach erosion project which runs along the ocean front in Palm Beach and the sand pumping station that supplies relates back to the Intracoastal situation? He stated that he was trying to understand the connection.

Mr. Roach advised that a Master Plan of the waterways had been done, in terms of its needs for maintenance over the next fifty years; and it was determined that the ocean inlets allow 50% of the shoaling into their waterway. He continued that when the high tide comes in through the inlet, water was not just brought in but sand comes in along with it; and when the velocity of that water slows down in the lagoon, the sand falls out of suspension into the waterway. He advised that at the Palm Beach Inlet, the Port of Palm Beach provides assistance and dredges every year or every other year, to capture a great deal of the sediment which comes in through the inlet into their basin. He noted that there was some shoaling on either side of their basin in the waterway and what FIND has determined was that if the sand could consistently be kept out into the ocean, they would do less dredging in their waterway. He explained that it behooves them to help the Town financially to get the inlet station working and whatever FIND invests there, they recoup many times over.

In response to Mr. McIver, Assistant Town Manager Hannah advised she did not know if the Town was linked to the renourishment project and would find out.

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Mr. Roach advised that he had attended a few intergovernmental meetings that have been held with the Port of Palm Beach, the Town of Palm Beach, Palm Beach County and the Corps of Engineers, and at the first one, he offered FIND's Assistance Program.

Ms. Hannah advised that with regard to the project Mr. Roach was referring to, the Town has been working for months with the Port, the Corps and the County. She noted that the Town was in constant contact with those entities and the Town's Coastal Administrator Sandy Tate was in daily contact with them.

Discussion of the placement of groynes to stop beach erosion ensued. Mr. Roach explained that groynes had gone out of fashion for a while. He mentioned that the Town of Palm Beach had groynes at one time. He advised that there was a new design for groynes being used in water known as "hot spots" where sand just would not stay.

Mr. McLendon advised that when the groynes were approved for the Mid-Town Beach Project, about eight or nine years ago, the Town had to agree to take the groynes out if the Florida Department of Environmental Protection (FDEP) ordered the Town to do so.

Mr. Roach discussed the reasons for spending all this money on the Intracoastal and discussed the commercial economics of the Atlantic Intracoastal Waterway in Florida. He noted that not much of the commercial economics of the Atlantic Intracoastal Waterway took place in Palm Beach County, most of it north and south of Palm Beach.

•	Cargo Transported	-	1.7 Million Tons
•	Total Cargo Value	-	\$0.5 Billion
•	Total Economic Output	-	\$0.6 Billion
•	Total Personal Wages	-	\$68 Million
•	Total Jobs	-	4,869

Mr. Roach discussed marine related economic activity in Palm Beach County.

•	831 Business
•	\$2.1 Billion in Annual Sales
•	19,928 Jobs
•	\$751 Million in Wages
•	4,356 Waterfront Parcels
•	\$78.4 Million Marina Values
•	\$436 Million in Boat precautions
•	\$1.9 - \$2.2 Billion in Property Value Increase

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Mr. Roach discussed the current economics of the Atlantic Intracoastal Waterway. The totals were extrapolated from economic studies performed by the Florida Inland Navigation District and the Marine Industries Association of Florida.

•	Total Economic Output	-	\$7.9 Billion
•	Total Personal Wages	-	\$2.6 Billion
•	Total Jobs	-	124,857
•	Total Property Values	-	\$38.4 Billion

Chairman Diamond thanked Mr. Roach for his presentation.

Council Member Markin stated that she lived on the Intracoastal had witnessed several situations that she wanted feedback on.

- Who had jurisdiction over abandoned, uninsured boats left in their moorings along the Intracoastal side of the Town's shoreline?
- What pre-hurricane precautions were taking place to protect dock owners from abandoned boats damaging their docks in the future?

Mr. Roach responded that everyone has learned from the last hurricanes. He explained that open mooring of docking of a vessel was legal as long as the boat was not docked in the channel itself. He advised that the only course for repercussion was to go after the particular individual, if possible, in that situation.

Mr. Roach advised that the marine industries in Palm Beach County had a marine summit, which he believed had some representatives from the Town present. He stated that at that summit these issues were addressed. He noted that there was legislation pending in the State Legislature to address some of these issues such as open water mooring, and where boats go in the storm. He noted there was a law stating that boats could not be forced out of a marina when a storm was pending.

Mr. Roach stated that the Coast Guard was the ultimate entity for anchoring issues. He advised that his organization was not regulatory. He advised that a boat might appear to be abandoned but in actuality was not. He explained that Florida had a very strict law to address that situation. He noted that it required a law enforcement officer to tag the vessel, to provide a notice to the property owner, and to grant sixty day time period to move it.

In response to Council Member Markin, Mr. Roach stated that it could be the Palm Beach

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Police who enforced that law. He advised that he was not sure what reciprocal law enforcement agreements the Town had with other municipalities or with Palm Beach County, and he was not sure of how one would know who to contact. He advised that if there was no reply to the notice, and the Town of Palm Beach was the one to remove the vessel, the Town would have to find the money to do that. He noted that in his experience, most communities do not like to reach into their own pocket to have a vessel removed. He advised that FIND had just instituted a Derelict Vessel Removal Program and there was assistance funding available to address these issues. He noted that if the Town goes through all the necessary steps, was ready to remove the vessel, and it was somewhere in the vicinity of the channel, there would be assistance funds available to help in the removal of that vessel.

Ms. Hannah advised that the Town of Palm Beach was one of the few municipalities that did remove boats, because they were willing to pay for it. She noted that there was nothing that states the Town had to do it. She explained that the Town's marine boats were out on the water tagging and checking boats to ensure that they were current.

Council Member Markin stated that she would like the Town to become familiar with FIND's programs in order to tap into their funding especially since the Town was probably due for some funding.

Mr. Roach advised that next Wednesday at 10:00 a.m., Commissioner Warren Newell was convening a waterways meeting on all water issues and one of the topics to be addressed was tagging boats, particularly after storms. The meeting would be held in the Commissioner's Office downtown on the 12th floor.

Council Member Markin advised that the Miami City Commissioners had taken steps to approve a very restrictive anchoring ordinance for all Miami Beach boaters which seemed to be very successful. She inquired why they were so successful?

Mr. Roach advised that he was not certain that they had been that successful, as yet. He explained that he was aware that the program was in the process of being implemented, but was not sure where it was, at this point. He noted that the City of Stuart had anchoring laws, as well, but they had provided formalized anchorage. He stated that either you had to be part of the formalized anchorage program or could only be open water moored for, he believed, 72 hours.

Mr. McIver asked Mr. Roach to explain what role FIND played relative to an expansion plan for the Palm Beach docks or the waterfront in West Palm Beach. He asked if they had approval, advisory or controlling interaction in that process?

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Mr. Roach advised that they work with the Corps of Engineers to protect their real estate interests in the Intracoastal waterway project. He stated that the Corps of Engineers would forward any proposal that was close to the channel and then FIND comments on it. He explained that the West Palm Beach Waterfront project has requested FIND's assistance financially and technically. He stated that they do not have to sign off on a project.

In response to Mr. McIver, Mr. Roach advised that FIND does not have any say in who determines wake zones. He noted that FIND just comments on them but the speed zones in the Intracoastal coastal waterway channel itself can only be established by the State of Florida through the Florida Fish and Wildlife Conservation Commission. The speed zones outside of the channel can be established by any local government. He advised that if the Town wished to change a wake area, the Town Council could pass a resolution, send it to the State who would study that issue to determine if it had any merit. He noted that if they found there was merit to it, they would go through a process, which takes a while, to pass a law. He advised that there were only two types of speed zones in the State of Florida, one for manatee protection and the other was a boating safety speed zone. The law specifically states that a speed zone cannot be placed to protect private property such as a shoreline or a seawall.

Chairman Diamond once again thanked Mr. Roach. He advised that the next scheduled meeting, was on Monday, March 6, 2006 at 9:30 a.m. He stated that the speakers would be County Commissioner Jeff Koons, who was Chairman of the Metropolitan Planning Organization (MPO). The MPO deals with all roads and infrastructure planning, which included the Town's three bridges. The second speaker would be Sharon Jackson, the Community Director for the City of Lake Worth.

The Panel decided to hold future meetings on March 20, 2006 at 2:00 p.m., April 6, 2006 at 9:30 a.m. and April 20th at 9:30 a.m.

Discussion ensued regarding which organizations should be invited to future meetings. Ms. Hannah advised that for the March 20th meeting she would contact the Port of Palm Beach. She stated that she would also find out information relative to the possible expansion of the Convention Center, and research the World Trade Center. She suggested that if the Port of Palm Beach was able to attend the March 20th meeting, she would ask that the Town Coastal Coordinator Sandy Tate, and the Public Works Director Paul Brazil be present to answer any questions that may come up.

In response to Mr. McIver, Ms. Hannah advised that for the March 6th meeting, she would invite staff from the Planning, Zoning and Building Department as well as the Town Engineer.

Discussion ensued regarding the presentation of the Panel's recommendations to the Town Council. Mayor McDonald advised the Panel that their recommendations should be presented to

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him, in writing, and he would present the report to the Council. He stated that if the Panel was able to provide him with the report by May 1st, he would place it on the agenda for the May 9, 2006, Town Council meeting. He advised the Panel that it was up to them to let him know when they were ready with their recommendations.

There being no further business, the Governmental Impact Review meeting of February 17, 2006, was adjourned at 11:25 a.m.

William J. Diamond
Chairman