



TOWN OF PALM BEACH

Office of The Town Clerk

REPORT OF THE SHORE PROTECTION BOARD MEETING HELD ON TUESDAY, MAY 25, 2010

I. CALL TO ORDER

The meeting of the Shore Protection Board was called to order at 8:59 a.m., on Tuesday, May 25, 2010, in the Emergency Operations Center, 355 S. County Road, Palm Beach, Florida.

II. ROLL CALL

On roll call, all of the Board Members were found to be present.

III. PLEDGE OF ALLEGIANCE

Chair Ecclestone led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Motion to approve the Agenda as presented was made by Vice Chair Frank and seconded by Member Baker. On voice vote, the motion carried unanimously.

V. APPROVAL OF THE MINUTES OF THE APRIL 22, 2010, MEETING

Motion to approve the Minutes from the April 22, 2010 Shore Protection Board meeting was made by Member Goldstein and seconded by Member Cooper. On voice vote, the motion carried unanimously.

VI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS

Responding to Vice Chair Gerald Frank, Town Manager Peter Elwell provided the following information:

- The recent U.S. Army Corps of Engineers (USACE) dredging event at Lake Worth Inlet yielded about 35,000 cubic yards and was disposed in the near shore area, which was a relatively small scale operation in order to keep the navigation flowing for this summer time. The Town was still on track and in communication with the USACE to ensure staying on track for a large scale dredging next winter. They estimated 200,000 cubic

yards at that time, although this was very preliminary. All parties were working toward that sand to go on the beach.

- The meeting at the Town Hall in South Palm Beach, which will be held at 4:30 p.m., on Thursday, May 27, 2010, is a scoping meeting and as it was an opportunity for public input, it was anticipated that there would be some general comments offered regarding the project. The purpose was part of the Federal Environmental Impact Statement process, where at the outset of it, was a meeting to encourage public input about what the scope of the environmental inquiry ought to be. It was a required meeting to have the scientific environmental work on this occur with public input about the concerns that may need to be addressed. He added that Coastal Coordinator Rob Weber would be representing the Town at the meeting.

Vice Chair Frank noted that it was a South Palm Beach project of which the Town was involved, because of the south end of Reach 8.

Mr. Weber explained that the word benthic generally meant the living part of the sea bottom.

Lewis Crampton, 2335 S. Ocean Blvd., said he previously worked for the Environmental Protection Agency (EPA), and added that benthic organisms were those little animals and plants and other matter that you find in the mud at the bottom of a stream. Larger organisms and fish eat them, which makes benthic very important and the bottom of the food chain.

Mr. Elwell indicated that the BO was the Biological Opinion, which is a federal document and the last step in the process of federal permitting for the Federal Emergency Management Agency (FEMA).

Mr. Weber added that the Town had received draft BO's for both the Mid Town and Phipps Reach 8 Dune Restoration Projects. The Board's comments will be forwarded to the U.S. Fish and Wildlife Service.

Member Lee Goldstein provided several of the following comments:

- He was impressed with both engineering firms, after reading the Reach 8 comments in the Peer Review.
- He had met with Jimmy Ryan regarding barging to the Port or directly to the intracoastal. At this time, the Citizens' Association of Palm Beach had nothing to survey the members about, as the Shore Protection Board had not had the opportunity to formulate a definite plan. Moving sand by rail from Ortona into the Port of Palm Beach and barging the inland sand to the sand starved beaches on Reach 7 and 8 was a positive possibility, which did not disrupt the entire Town of Palm Beach during the winter season; it was the most cost effective means of transportation. Sand may be barged directly from Ortona through a river to the intracoastal, which was a better scenario. A barge holds more than 100 trucks. The item would be discussed in more detail later in the meeting.

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Larry Goldberg, 3360 S. Ocean Blvd., commented on Ortona sand and that the rail method and the barge method were not feasible, as the rail lines were not open and the canal was not deep enough to get to the barges. The Town was limited as to how to get the sand transported here other than by truck.

Member Goldstein responded to Mr. Goldberg that the river could be dredged, as it had not been used in years, and the rail from Ortona had been disconnected so not to incur an expense, but the tracks were there and needed rejuvenation.

VIII. REACH 8 BEACH RESTORATION

A. JCP Application [John Studt, Coastal Systems International, Inc.]

John Studt, Coastal Systems International, Inc., provided a PowerPoint Presentation regarding the Feasibility Study and Reach 8. A copy was submitted for the record.

Member Baker left the dais at 9:20 a.m., and returned at 9:22 a.m.

His presentation of a Joint Coastal Permit (JCP) Application for Reach 8 Beach Nourishment included several of the following points:

- The Project Strategy
- The Reach 7 Beach Nourishment
- Strategy for the JCP Application
- Proposed improvements
- The material summary
- Site Access and Staging
- Project Performance
- Performance profiles of R-127, and R-130, and R-132
- Impacts to Hardbottom for the North ,South, and within ETOF
- Mitigation – Nearshore Artificial Reef
- Environmental Permitting
- Summary and Next Steps

Mr. Studt noted that he was a benthic ecologist and added that all the growth at the bottom of the sea, such as: coral, Acropora, algae, and all the pretty items that grow on the hardbottom, are either animal or plant, are “benthic”.

Mr. Studt responded to the Board Members’ and Town Manager Elwell’s questions and comments, as they discussed the following issues:

- Cost per year for protection performance

- 1 • Expected time the sand would be delivered
- 2 • The finer the grain of sand/material, the quicker it erodes off the beach
- 3 • Limited protection by the pier from the storms in the south part of Reach 8

4
5 Discussion occurred among the Board Members and Mr. Studt regarding mitigation, location and
6 selection of the mitigation area.

7
8 *Town Manager Elwell announced that Rob Weber had to leave the meeting.*

9
10 ***Discussion on this item continued under Item VIII.C. See motion under Item VIII.D.***

11
12 B. Report on Viability of Train/Barge Method of Sand Placement [Robert Weber, Coastal Coordinator]

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14 ***Item VIII.B. was deferred until next month's meeting as Mr. Weber was not present at the***
15 ***time the item was to be discussed.***

16
17 C. Citizens' Association Comments on Residents' Expectations Regarding Trucking Impacts
[Robert Weber, Coastal Coordinator]

18
19 Madelyn Greenberg, co-chair of the Citizen's Association, announced that their expert, Dave
20 Decker, East Bay Group, was present today.

21
22 Mr. Decker commented on trucking and the logistics of bringing sand in during the season from
23 8:00 a.m. to 5:00 p.m. and handling the increase in traffic. He asked if it was the responsibility of
24 the Citizens' Association to provide the information regarding the tolerance by the residents of
25 trucking the sand.

26
27 Town Manager Elwell responded that the Town Council explicitly asked about the impact of the
28 trucks and level of tolerance for those directly affected by this in the south end of Town. The
29 Board's recommendation would need to go to Council knowing whether or not the residents
30 would tolerate the trucking approach.

31
32 Member Katz suggested that workshops be conducted to educate the citizens about the trucking
33 and the alternate options available, before the Citizens' Association conducts their survey.

34
35 Member Cooper expressed that, after the workshops, a date certain should be put into the motion
36 for receipt of the citizens' feedback, or the Board could pull back the permit.

37
38 There was a lengthy discussion among the Board Members and Town Manager Elwell regarding
39 trucking the material versus dredging.

1 The Board indicated that more information was needed on how the cost of the \$16 million
2 project could be reduced, and the method of transferring material in order to make any decisions.

3
4 Lewis Crampton suggested that some funding be provided to support the Citizens' Association
5 for the survey.

6
7 Member Lindsay Buck commented relative to having a cost comparison of a dune-only project
8 available if the citizens in the south end could not tolerate the trucking, in order to take the
9 permitting process to the next step.

10
11 Larry Goldberg, 3360 S. Ocean Blvd., commented further regarding the method of accessibility
12 for transporting the sand onto the beaches south of the Lake Worth Pier and impacting residents
13 in the Town of Lantana and the City of Lake Worth.

14
15 D. Peer Review [Michael Walther, P.E., Coastal Technology Corporation]

16
17 Michael Walther, P.E., Coastal Technology Corporation, provided an overview of his report and
18 advised the Board that the report was provided in their back-up.

19
20 Mr. Walther responded to several of the following questions and comments by the Board and
21 Town Manager Elwell:

- 22
- 23 • Clarity of comments at the end of page 53 for the objectives of the Board should read
24 "Pursue placing dry sand on hot spots (at the south end of Reach 7 and north end of
25 Reach 8)..."
 - 26
 - 27 • It was unknown how fast the sand would migrate south and how it was slowed at the pier,
28 as the graph on page 55 of the backup was prepared in 2004 and the project was
29 constructed in 2006.
 - 30
 - 31 • Sand proposed to be placed will prevent a loss of property, which was primarily the land
32 between the buildings and the ocean.
 - 33
 - 34 • The more sand placed in the beach/dune system (Reach 8), the greater the level of
35 protection afforded (above the Reach 7 project spreading to the south).
 - 36
 - 37 • At the time that the Lake Worth Beach had no sand, the Life Guard stands had to be
38 placed on the driveway and the sidewalk. It had taken a significant amount of sand to fill
39 that beach up.
 - 40

41 Responding to Town Manager Elwell, Mr. Walther noted that the permits that were obtained for
42 the FEMA dune projects this coming winter, the sand placed in the dune area in Reach 8 may
43 reduce the amount of fill needed for constructing this project. Mr. Studt responded that it would

be best to see how it is after the seasons because of the eroded state. The dune could be eroded back quickly.

Town Manager Elwell thanked both consulting firms, as they worked very well together and demonstrated teamwork.

Chair Ecclestone and the Board echoed the sentiments of Town Manager Elwell.

Motion made by Member Goldstein, seconded by Chair Ecclestone, to recommend Town Council approval to proceed with the Joint Coastal Permit Application with John Studt, Coastal Systems International, Inc., for \$205,000; within the next year work with the Citizens' Association of Palm Beach on a survey relative to residents tolerance of trucking; analyze a better transportation method for transferring sand from the E. R. Jahna Ortona Sand Mine; determine a cost comparison of a dune only project.

Mr. Elwell noted that the \$205,000 and the budgeting work is reflected in next year's proposal for FY11. If the Board approved, a budget amendment would be requested at the Town Council meeting in order to move the funds and make them available now from reserves to be spent in this fiscal year and reduce the request for next year by the same amount.

On a voice vote, the motion passed unanimously.

IX. MID-TOWN CUMULATIVE IMPACTS REVIEW [Cheryl Miller, President, Coastal Eco-Group]

Mike Jenkins, Ph.D. P.E., Applied Technology and Management, Inc., (ATM) provided a presentation for the Shore Protection Board. A copy was submitted into the record. He noted that Cheryl Miller was not present due to the oil spill response and was in the field collecting data.

Chair Ecclestone left the dais at 12:00 p.m. and returned at 12:04 p.m.

Dr. Jenkins noted after the presentation that no action was required from the Board.

Member Goldstein stated that there was some question that previous Mid-Town beach projects had caused the coverage of hard bottom, but this report showed the opposite. He asked if the Town would have to mitigate more since more hard bottom was showing.

Town Manager Elwell responded that the impacts were there, and in the next permitting effort, there might be additional mitigation. What it seemed to indicate was that the impacts were limited enough that the Town would not be required to build a substantial reef. Coastal Coordinator Weber along with DEP was forming a good relationship and is aware of the changing situation. In the next re-nourishment cycle, there most likely would be a more intense monitoring effort required or perhaps more mitigation required, but would not be on a scale that would overwhelm the budget.

Member Lindsay Buck asked Dr. Jenkins about biological monitoring where nourishments had been done in the past. She asked if the entire coastline was monitored and it is not. Dr. Jenkins informed the Board that only where specific projects have been performed and the required monitoring is needed.

Town Manager Elwell stated that Cheryl Miller was in the field now. The acceleration of the work effort that was supposed to be August/September was now being done in May/June due to the oil spill. There is required monitoring that needed to be completed in order to comply with the Town's permits. The town-wide effort, which is more of a physical monitoring, includes some required permit elements and some are proactive elements in preparation for future coastal projects. The biological work is required by permits held. He said there were some areas more ecologically sensitive on the coastline that are not being monitored right now in response to a question from Member Lindsay Buck.

Member Cooper asked Dr. Jenkins about impact and no impact on the hard bottom and how that determines the Town's mitigation. Town Manager Elwell discussed the difference between permanent losses of habitat and temporal losses. Town Manager Elwell reinforced the positive efforts of the Town's communications between the FDEP, USACE and Coastal Coordinator Weber. Per Dr. Jenkins, there is no definitive answer regarding a measureable acreage of temporal impacts.

Member Lindsay Buck asked if the Town ever receives any monetary credit for increasing and improving the habitat for turtles. The benefit is acknowledged, but no funding is given by the agencies. She said the lobbyists should be requesting this from the agencies.

Lewis Crampton, 2335 S. Ocean Blvd., stated that what was vexing everyone was that the dimension that what was missing was litigation. As a former employee of EPA, the agency looks at the questions that are difficult now, and would not be defined and answered until a lawsuit is filed. It would take years to litigate. There have been forty years of terrible projects and those who opposed them, are using the same arguments today.

X. UPDATE REGARDING TOWN COMMUNICATIONS AND PREPARATIONS FOR POSSIBLE LOCAL IMPACTS FROM OIL SPILL IN GULF OF MEXICO [Peter B. Elwell, Town Manager]

This item was heard after Item XI.

Town Manager Elwell provided an update on the oil spill in the Gulf of Mexico, and at first, it appeared that it would not affect the Town of Palm Beach. Now, we know the oil could flow into the loop current and into the gulfstream, so there is a possibility it could affect our beaches and habitats.

Coastal Coordinator Rob Weber and Palm Beach County Emergency Management personnel were commended for creating a task force in daily monitoring and reporting. At the State level, PBC was declared part of the state of emergency declaration. Since this was a new and

1 unprecedented situation, there were competing theories and confusion as to what to do. The
2 Town is monitoring the State and Federal agencies' actions.

3
4 He mentioned that Mike Galvin is the representative for the Town and was participating in daily
5 conference calls on the situation. He is a contractual employee and runs the EOC when it
6 becomes activated during storm events.

7
8 The Town has taken the following actions:

- 9 • Accelerated biological monitoring.
- 10 • Town and County staff are inspecting the beaches frequently.
- 11 • Documenting conditions of the beaches and coastlines.
- 12 • There is a volunteer network. The Town website will have an information tab with links
13 to the PBC sites etc.

14
15 Town Manager Elwell noted that if there was any good news, there was an indication that by the
16 time oil has traveled out of the well and dispersed into our area, after going through the current,
17 it should be very different from what Louisiana is experiencing. The Town may get tar balls,
18 mats, etc., but in any case, the expectation would be that what arrives on the sand would be more
19 coagulated, which makes the cleanup effort more manageable.

20
21 Member Bobbie Lindsay Buck was pleased to hear Town Manager Elwell's report. She said the
22 situation was:

- 23 • Unprecedented
- 24 • No scientists can agree on what to do
- 25 • We don't really know what will happen
- 26 • Duration is unknown

27
28 She also asked about volunteering and Town Manager Elwell stated that the County is
29 spearheading that effort, but the Town would post a link on its website to refer interested persons
30 to the right place. She suggested the various fishing clubs, scouts, animal lovers, etc., could all
31 obtain training and help, if needed.

32
33 Member Katz stated that the Town should not rely solely on volunteering and realize that
34 materials would also be needed. Town Manager Elwell indicated that if there was an expected
35 impact, The Town had emergency funds available.

36
37 Member Katz provided an analogy that a few months ago, a lot of residents had the idea that
38 only the people who live on the beach should pay for beach restoration. This was an opportunity
39 to show the point that the beaches are everyone's responsibility and should be involved.

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41 XI. PROPOSALS FOR FDEP REQUIRED AND TOWNWIDE PHYSICAL MONITORING
42 [Robert Weber, Coastal Coordinator]

43
This item was heard after Item IX.

Town Manager Elwell said that the staff was seeking authorization to request approval from the Town Council for the three items that were listed on page 21 of the back-up.

All three pieces of work were being supervised by ATM:

- ATM/Sea Diversified, Inc. proposal for 2010 physical monitoring tasks totals \$80,829. Appropriations by Town Council in the FY 2010 budget will cover the cost of these services.
- ATM's Not-To-Exceed Time and Materials proposal for 2010 physical monitoring tasks, including three (3) engineering reports, totals \$38,830.39. Appropriations by Town Council in the FY 2010 budget will cover the cost of these services.
- ATM/Sea Diversified, Inc. proposal for Nearshore Hardbottom Mapping surveys totals \$37,474.50. Sufficient funds exist in the coastal management fund, due to the reduction in the 2010 biological monitoring effort for the 3.1 acre reef, to conduct these surveys without requesting Town Council appropriation of any additional funds for the overall 2010 monitoring effort.

Motion to recommend approval from the Town Council on the three ATM items was made by Member Lindsay Buck, seconded by Vice Chair Frank. On voice vote, the motion carried unanimously.

XII. COASTAL PROJECTS UPDATE [Robert Weber, Coastal Coordinator]

There was no discussion on this item.

XIII. CONTINUED DISCUSSION OF ALTERNATIVE STRATEGIES FOR FUNDING COASTAL PROTECTION PROJECTS [Peter B. Elwell, Town Manager]

Member Katz left the dais at 12:54p.m., and did not return to the meeting.

Town Manager Elwell commented that the approval of \$4.1 million budget was modified slightly by the \$205,000 that was approved today, and some of the DEP required efforts that Coastal Coordinator Rob Weber has negotiated. The request to fund next year's Shore Protection Board budget would be less, probably about \$3.9 million.

Chair Ecclestone did not want to request the lower amount. Town Manager Elwell informed Chair Ecclestone that if he requested the \$205,000 from the Town Council now, and left it in next year's budget, the Shore Board would lose credibility with the Town Council and they should not do that.

Member Goldstein made the motion to allow Town Manager Elwell to decrease the amount requested for the FY2011 budget and was seconded by Member Cooper. On roll call, the motion carried 6-0 with Member Katz absent.

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3 XIV. SHORELINE CONDITION ASSESSMENT [Robert Weber, Coastal Coordinator]
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6 There was no discussion on this item.
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9 XV. FUTURE MEETINGS [Robert Weber, Coastal Coordinator]
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12 Chair Ecclestone announced that the next meeting would be June 24, 2010, in the new Town
13 Council Chambers.
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16 XVI. ADJOURNMENT
17

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19 There being no further business to discuss, the Shore Protection Board meeting of Tuesday, May
20 25, 2010, was adjourned at 12:57 p.m.
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23 APPROVED:

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26 E. Llwyd Ecclestone
27 Chairman
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33 Backup Documents 5-25-2010
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