MINUTES OF THE SHORE PROTECTION BOARD MEETING
HELD ON THURSDAY, MARCH 22, 2012

I. CALL TO ORDER

The meeting of the Shore Protection Board was called to order on Thursday, March 22, 2012, at 9:00 a.m. in Town Council Chambers.

II. ROLL CALL

The following members were present: Chairman E. Llwyd Ecclestone, Vice Chair Bobbie Lindsay Buck, Mr. Pat Cooper, Mr. Gerald Frank, Mr. Lewis Katz, and Mr. Lee David Goldstein. Mr. Kane Baker arrived a few moments late.

III. PLEDGE OF ALLEGIANCE

Chairman Ecclestone led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Chairman Ecclestone asked that item IX, Advanced Design Alternatives for Phipps Ocean Park (Reach 7) Beach Restoration & Stabilization Project, be deleted from the agenda and discussed at the next meeting. He explained that Coastal Technology Corporation (Coastal Tech) had not completed its work. He said that it was expected the work would be complete by the second week in April and the report would be sent out in advance of the agenda.

Vice Chair Lindsay Buck asked that the item remain on the agenda as there were some other issues that she would like to discuss that pertain to the project, such as the Town Council's recommendation to have Woods Hole do a peer review of the program. Board Member Katz asked if the Shore Protection Board members would have a voice in the Woods Hole review.

Town Manager Elwell reported that based on the Town Council's direction, it was expected that Woods Hole would do a very complete peer review. He said that Woods Hole would not need instruction from the Shore Protection Board or the Town Council because the Council wants a complete look at the program since the last review in 1998.

Vice Chair Lindsay Buck stated that the Board had received a recommendation to approve $137,000 for a peer review of the groin rehabilitation program and she believed it was important to discuss whether that review should be conducted by Woods Hole or if there would be a peer review of a peer review. Chair Ecclestone responded that the Woods Hole review was a Town Council decision.

Board Member Katz questioned the timing of the review. Town Manager Elwell replied that it was expected that the review would be conducted during the summer months with the report submitted by the end of the summer.

Motion was made by Vice Chair Lindsay Buck and second by Board Member Frank to approve the agenda including a discussion regarding the status of the Reach 7 program. The motion was approved 6-1 with Chair Ecclestone dissenting.

V. APPROVAL OF THE MINUTES OF THE FEBRUARY 23, 2012, MEETING

Board Member Frank requested that page 9 of the minutes, line 30, be corrected to read: "He reported that the Town had received a letter confirming that ~~it~~ the County was pulling out of the project."

Vice Chair Lindsay Buck requested that page 4 of the minutes, line 27, be amended to read: "She stated that the Town was depending upon a positive settlement with the Federal government to fund Phase 2 of the Sand Transfer Plant and requested that there be a notation that this item would be revisited if a satisfactory outcome was not achieved with the Federal government."

Motion to approve the minutes with the two amendments was made by Board Member Frank, seconded by Board Member Goldstein and unanimously approved.

VI. COMMUNICATIONS FROM SHORE PROTECTION BOARD MEMBERS

Board Member Katz stated he had pictures of Phipps Park from a year ago and today and asked that Town Manager Peter Elwell forward the emails to the Board members. He expressed concern with safety of the Park due to the significant drop between the top of the dunes and the shore level. Chair Ecclestone suggested that the pictures include the dates they were taken and if it was high tide or low tide. He suggested the pictures be sent to Rob Weber, Coastal Coordinator. Town Manager Elwell assured Board Member Katz that whenever the conditions at Phipps Park or any other beach were not safe for the public to use the beach, the beach would be closed. He stated that staff monitors the beach and takes pro active action.

Board Member Goldstein complimented Mayor Coniglio and Rob Weber for their work with the Department of Environmental Protection (DEP) to get the Inlet to Inlet trial and also with the dredging project to put sand on the dry beach after turtle nesting season.

VII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

John Rodney Blair, 2275 South Ocean Boulevard, spoke about groins and eddies to preserve the shoreline, the work at The Breakers to hold sand, sand metabolism, and the movement of the sand. He suggested the Shore Protection Board consider hitting the high spots: put a pipe in Reach 1 to get sand to Reach 2 and then hit the hot spots in Reach 7 and Reach 8.

Larry Goldberg, 3360 South Ocean Boulevard, suggested the current permit application for the south end beach be terminated because it is in conflict with the Reach 7 plan, initiate the design of a project for south of the pier that provides the same protection as north of the pier and which may or may not be integrated with an independent Environmental Impact Statement (EIS), and obtain a report on what needs to be done to initiate modification of regulations and laws relating to hardbottom issues.

VIII. STAFF REPORT REGARDING "BEACH MANAGEMENT AGREEMENT" PROCESS AND MAINTENANCE DREDGING OF LAKE WORTH INLET [Peter B. Elwell, Town Manager]

Town Manager Elwell reported on the meetings held with Florida Department of Environmental Protection Deputy Secretary Jeff Littlejohn. He reported that the Deputy Secretary announced the state's intent to undertake an effort for a better and more efficient way of doing permitting and that the effort would start in Palm Beach between the Lake Worth Inlet and the South Lake Worth Inlet. He spoke about the parties involved in the agreement. He said projects include in the agreement would have a "lifetime permit" as long as they were constructed in compliance with the agreement, including related monitoring and mitigation. He talked about the timeline for the agreement and DEP's intent to complete the negotiation and execution of the agreement within the year.

Board Member Katz expressed concern with the time and energy that it would take staff to work on the project. Town Manager Elwell responded that there was enough staff to work on the program but if additional resources were needed, he would ask.

Board Member Cooper spoke about the meeting, the stakeholders involved, the issues, and the savings of money and time in the permitting process.

Board Member Frank congratulated the staff and Town Council on their ability to get the program. He stated that while staff had not responded to remarks about the Town not doing anything politically, the work had been done.

Vice Chair Lindsay Buck said she believed that it was the amount of work that Palm Beach had done over the past twenty years that made the Town an obvious choice for the experiment. She spoke about ephemeral hardbottom saying that it had made it extremely difficult for the areas which were the most eroded, north end of Reach 7, south end of Reach 8 and Reach 2, to do any meaningful work. She said she hoped that the state would designate areas where it would accept covering the ephemeral hardbottom in order to achieve a greater good for coastal protection. She stated that this was the first opportunity to address these difficult issues.

Town Manager Elwell commented that the issue of hardbottom and the ephemeral nature of a lot of hardbottom near Palm Beach were discussed. He reported that another benefit of a regional agreement that is not possible under the specific narrow constraints of a project application for permit was the possibility of combined mitigation for a number of different projects so the environment is protected and, hopefully, enhanced at a lower overall cost to the taxpayers. He further reported that the state had a parallel program with mitigation banks for wetlands protection inland called an Eco System Management Agreement.

Town Manager Elwell updated the Board on the Inlet dredging. He stated that the larger scale dredging in the fall was not for a deeper or wider Inlet but to have a larger sand settling basin on the north side of the Inlet which would provide for better management of the Inlet and fewer emergency dredging operations. He said that the plan was for a very large scale dredging and placement of high quality sand on the Town's beach when it was not turtle season. He explained that the current work was for an abbreviated dredging to keep shipping flowing.

Vice Chair Lindsay Buck asked if the Town would have the permit to place the dredged sand further south when the large dredge operation was completed. Town Manager Elwell answered that it was unlikely that there would be any extension of the permit out of Reach 1. He added that staff would continue to explore tying the dredging and disposal permits together so if the sand is needed or wanted further south at permitted disposal areas, particularly Mid-Town or Reach 7, the dredged sand could be used. He said that staff would work with the Corps to see if it would be possibly to have some flexibility in placing sand from the winter dredging further south than Reach 1. He stated that there was not a permit to place the sand in Reach 2. A discussion followed. Paul Brazil, Director of Public Works, reminded the Board of the issues with nearshore hardbottom in Reach 2 and that the permit for the dredging was a Corps permit, not a Town permit.

Board Member Frank asked for a discussion regarding increasing the size of the settling basin. Mr. Weber explained that the settling basin was a footprint located east and slightly north of the existing Sand Transfer Plant location. He stated that the portion of sand flowing immediately east of the Sand Transfer Plant, which is dredged by the Corps, was being expanded to collect some of the additional sand that is trapped before it moves into the Inlet. He reported that the expansion of the settling basin would help reduce the amount of time the Corps would have to do emergency dredging it that area. He said that the sand would have to be analyzed to ensure it was beach compatible. There was further discussion regarding the settling basin and dredging of the Inlet.

IX. ADVANCED DESIGN ALTERNATIVES FOR PHIPPS OCEAN PARK (REACH 7) BEACH RESTORATION & STABILIZATION PROJECT [Michael Walther, P.E., Principal, Coastal Technology Corporation]

Mr. Brazil reported that Mr. Michael Walther of Coastal Technology Corporation (Coastal Tech) was not comfortable with the modeling results of the Reach 7 project, but believed that he would have better results by the middle of April. He stated that staff had asked that this item be removed from the agenda.

Vice Chair Lindsay Buck stated that the information prepared for the Town Council included some items under "Further Shore Protection Board consideration" that included dollars amounts that she did not recall discussing, particularly for Reach 7. She reviewed the discussion at the October 2011 meeting regarding groins in the Phipps Park area and stated that the Board had asked Coastal Tech to look at another alternative that showed structures in the north area. She expressed concern that there was an additional $9 million cost for structures that was given to the Town Council that she did not recall discussing.

Mr. Brazil responded that the project that had been envisioned and budgeted for several years was a sand project similar to what had previously been done in Reach 7 with some additional volume and a limited number of structures. He reported that at the last Shore Protection Board meeting the consultant was given direction to explore more alternatives. He stated that some of the alternatives would cost significantly more because there were many more structures. He explained that this was one of the asterisked items from the Shore Protection Board and staff had to put dollar numbers on those items. Town Manager Elwell clarified that staff tried to be clear that on the asterisk items there was uncertainty. He said that depending upon on what the Board decides, those asterisk items may add substantially to the program.

Vice Chair Lindsay Buck encouraged the Board members to listen to the discussion from the October meeting because two engineers gave opinions of the placement, numbers, and size for structures in Reach 7. Town Manager Elwell stated that the project could be phased. He suggested that conversation regarding the work wait until the model was completed.

Board Member Katz spoke about the asterisks and commended staff for putting numbers to them. He stated that if the Board takes the approach that had been discussed, it would provide for a much longer life of a project and protection for the condos. Board Member Goldstein agreed with Board Member Katz.

Chair Ecclestone informed the Board that the modeling report would be provided to the Board members and Ms. Erickson prior to the agenda for the April meeting.

Karyn Erickson of Erickson Consulting Engineers stated that modeling was wave dependent and it was important to also have an analytical analysis considering sand size. She suggested the Board ask Coastal Tech to clarify their assumptions for the mean grain size.

X. UPDATE ON REACH 8 ENVIRONMENTAL IMPACT STATEMENT [Robert Weber, Coastal Coordinator]

Mr. Weber reviewed the history of the work with the County's EIS. He stated that the Town had expanded the scope of work about 2,000 feet into Reach 8. He reported that separate to that EIS, the Town had been working on a small, scaled back Reach 8 project (South End Palm Beach Restoration Project) using Coastal Systems International. He further reported that last year the Corps requested an EIS be conducted south of the pier for a south end sand project to integrate the Town's project with what the County had proposed for the south end of the Town. He stated that the Corps is continuing to look at the south end Palm Beach restoration project north of the pier and evaluating it independent of what goes on with the EIS. He spoke about the decision by the Palm Beach County Commission on February 7to discontinue the EIS project. He listed options:

- If the County Commission reconsiders, the Town would work with them to extend the work up to the pier.
- If the County Commission does not reconsider, the Town could work as a project lead with South Palm Beach and Lantana to continue the EIS efforts independent of the County.
- If Lantana and South Palm Beach do not want to continue the EIS, the Town could perform the work independently to continue the efforts for structures in the south end of Reach 8 and the south end Palm Beach sand project to have a comprehensive EIS document from the Lake Worth Pier to the Town's limits.

Town Manager Elwell added that in the area to be added, 2,000 feet north of town limits to the pier, the Board had discussed a structural alternative there and an experimental project with aragonite. He assured the Board that once it was known who would be involved in the project, staff would come back to the Board to discuss the scope. He stated that there was a possibility that the Town would have to take on the lead agency role which would mean more cost to the Town and a different process than the Town had undertaken.

Board Member Goldstein asked if the project would fall under the new Inlet to Inlet group. Town Manager Elwell replied that it would be addressed in the Beach Management Agreement (BMA) process but the specific requirement for an EIS for this segment of beach would not likely be eliminated by that process. He said that the BMA could not be completed in the time frame. There was discussion regarding the EIS project and the BMA. Town Manager Elwell said he believed that a condition of the BMA would be the completion of an EIS in full compliance with all federal regulations.

Board Member Cooper asked if there had been a study of the littoral flow caused by the pier and the buildup of the beach in Lake Worth having a dramatic impact on Reach 8. Town Manager Elwell responded that the impact to that area of the shoreline may be exacerbated by the existence of the pier and because of that there may be some willingness on behalf of the parties to help the Town do something but not without strings attached. He explained the agencies would not require that the pier be removed and would not allow the Town to do anything that would have tremendous environmental impact. He stated that the pier was not stopping the flow of sand but was slowing it. Mr. Brazil added that it was like a permeable groin. He reported that the sand from Reach 7 was just getting through the pier area and it was believed it would now move more quickly. Mr. Weber stated that the requirement for the EIS was based on the existence of hardbottom, the value of hardbottom that exists offshore, and not necessarily the influence of the pier. A lengthy discussion followed on the impact of the pier. Chair Ecclestone asked if the impact of the pier on the beaches could be discussed in the EIS or the BMA. Vice Chair Lindsay Buck asked that the revetment that the state built in Reach 6 be included in the discussions.

XI. PROPOSAL FOR REVIEW OF GROIN REHABILITATION PLAN [H. Paul Brazil, Director of Public Works]

Mr. Brazil reported that the Board had an engineering firm do a physical survey of the location of the groins, the type, their condition, and their elevation. He further reported that another firm looked at the performance and created a priority list of the rehabilitation of the groins, the benefit, and the cost over time. He stated that it was learned that if the groins were rehabilitated as planned, it would create a minimal width beach also minimal in elevation and provide very little in storm protection. He stated that there was a concern from the Board as to the level of protection and if there was a different approach that could be used, and, as a result, Coastal Planning & Engineering (CPE) was asked to provide a proposal for a peer review of the last groin evaluation to verify the work that had previously been done and look at performance. He stated that the proposal was for $37,396.

Motion was made by Board Member Goldstein and seconded by Board Member Cooper to approve the proposal by Coastal Planning & Engineering in the amount of $37,396 for a peer review of the last groin evaluation and to enumerate the groins that would be most effective in maintaining the beaches.

Vice Chair Lindsay Buck expressed concern with the CPE proposal because it was too broad and technical and she would like it to be more specific. She explained that the initial groin rehabilitation program was for 12 groins. She said that the location of those groins were in some areas where the beach was eroded and others where the beach was not eroded and in some areas where there is zero traffic on the beach. She asked that the review specifically quantify and discuss the actual recreational benefit versus protection benefit. She stated that the primary question should be what is it that these groins will do to protect if they are rehabbed and how much will they protect. Board Member Goldstein agreed that the Board needs to know specifically which ones would give the most protection; nothing to do with recreation. Mr. Brazil stated that it was the intention of the staff and the consultant to provide that information.

Vice Chair Lindsay Buck asked that the consultants also specifically address the impacts of the revetments at the Beach Club and Reach 6. Mr. Brazil responded that it was not his intent to have CPE address the effects of the revetment in Reach 6 because Taylor Engineering had looked at it and Coastal Tech would be looking at the revetment's impact on Reach 7. He suggested the Board leave out the revetment of Reach 6 in the Reach 7 project.

Vice Chair Lindsay Buck stated that the first statement of the CPE proposal said they would "retain and review studies related to coastal structures and performance...in Reach 1 through Reach 8." She further stated that if CPE was going to be looking at structures in Reach 8 and 7 where they don't exist, they should look at the revetment or else the proposal should say they are not looking at Reach 7 and 8, only Reach 1 through 6. Mr. Brazil suggested the proposal be revised.

Board Member Katz agreed that the proposal was general. He suggested that the proposal be specific as to what the Town expected regarding Reach 6. Town Manager Elwell responded that it would be clarified. Board Member Katz asked that Coastal Tech provide to CPE their thoughts and assumptions. Mr. Brazil assured Mr. Katz that they would work together in the beginning and then CPE would do their own work.

Board Member Frank also agreed that the proposal needed to be more specific stating that CPE should look at where Coastal Tech said that the groins had done some damage because they did not release enough sand further the south. He said that if there are problems with the groins in some areas, maybe they should be shortened, which may be a problem because some of them are private.

Board Member Cooper asked that if the recommendation was to improve a groin, would it include a design change. Mr. Brazil responded that modification of a groin would be raising the elevation, extending the length, or both. Board Member Cooper asked if the groins that are not performing would be classified as being so deteriorated that the recommendation would be not to replace them. He also asked if safety issues would be addressed. Mr. Brazil answered that the issues would be addressed. Board Member Cooper asked that the issues be included in the report.

Vice Chair Lindsay Buck asked if the groin peer review would be done during the time that the Woods Hole review would be conducted. Town Manager Elwell responded that the timing would align so that it would be possible that there would be a conclusion to the groin review in time for it to be meaningful to Woods Hole, but staff could not guarantee it. He stated there was an opportunity for Woods Hole to confer with Coastal Tech and CPE.

The motion to approve the proposal by Coastal Planning & Engineering with the changes as discussed was unanimously approved.

Town Manager Elwell inform the Board that the clarifications and additional input on the proposal would be given to the Town Council.

Richard Hunegs, 3360 South Ocean Boulevard, asked that Karyn Erickson be allowed to speak. Ms. Erickson asked that the report from CPE distinguish between a recreational benefit and a storm protection benefit. Board Member Goldstein responded that his motion specifically included a discussion of storm protection. In response to a question from Board Member Katz, Ms. Erickson stated that a groin could not be improved without mitigating for its impact. She said that when CPE runs it's numerical models, very few of the groins would give 25 years of protection, so the question would be if they would provide five or ten years or protection and is that important for the Board to know. Vice Chair Lindsay Buck stated that the Board had asked CPE to quantify the protection.

XII. FLORIDA STATUTES CONSULTANTS COMPETITIVE NEGOTIATIONS ACT (CCNA) SELECTION PROCESS FOR COASTAL ENGINEERING CONSULTANTS [Peter B. Elwell, Town Manager]

Town Manager Elwell stated that in January the Board had been provided with detailed information on the CCNA process with updates from the nine firms contracted to do work for the Town currently. He reported that the contracts would expire in January 2014 and the full CCNA process would begin in December 2013.

There was general agreement to leave the CCNA process as scheduled.

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

Mr. Weber stated that the conditions with the northeasters were very consistent with the conditions a couple of years ago. He reported that in some areas of the beach conditions had worsened, some areas were stable, and some areas showed an improvement over two years ago.

Mr. Weber gave a PowerPoint presentation on the shoreline condition. He reported that in Reach 7, the longshore rock was exposed and there was a large dune escarpment which was higher than two years ago as the beach has further deflated. He stated it was a hot spot. He reported that he had reviewed the memorandums from two years ago and it wasn't until June that he noticed a significant amount of sand make its way back onto the beach.

Mr. Weber stated that the Town had tiller operations in Reaches 1, 3, 4, 7 and 8 to satisfy the permit conditions for turtle nesting season. He further stated that additional activity was the removal of pestilent vegetation in the municipal beach area. He reported that about 6,000 sea oats had been planted between Clarke Beach and the Mid-Town area.

XIV. TOPICS FOR APRIL 26, 2012, SPB MEETING [Peter B. Elwell, Town Manager]

- Proposals for Annual Biological and Physical Monitoring Services
- Offshore Dredging Technologies Overview
- Any Unfinished Business Before the Summer Break

Chair Ecclestone stated that Reach 7 would be included on the agenda for the April 26 meeting. Town Manager Elwell added that would provide any updates to the Board regarding the Beach Management Agreement, dredging and other on-going activities. Vice Chair Lindsay Buck asked for an update on the Sand Transfer Plant, Phase II, and neighborhood meetings.

XV. ADJOURNMENT

Chair Ecclestone adjourned the meeting at 11:31 a.m.

APPROVED:

E. Llwyd Ecclestone
Chairman

3-22-12 Backup Documents