

PUBLIC MEETING
FOR THE SOUTHERN PALM BEACH ISLAND COMPREHENSIVE
SHORELINE STABILIZATION PROJECT ENVIRONMENTAL IMPACT
STATEMENT

January 7, 2015

5:30 p.m to 7:13 p.m.

Town of Palm Beach Council Chambers

PRESENTED BY:

Garett Lips, US Army Corps of Engineers

1 MR. LIPS: All right, everybody, we're
2 going to get started tonight.

3 We're here for the public meeting. This
4 is a forum for you all to be able to express
5 your concerns or issues, any kind of statements
6 for the draft of the Environmental Impact
7 Statement we just released. We made it
8 available December 12th.

9 My name is Garret Lips. I'm the project
10 manager with the Army Corps of Engineers. Just
11 introductions, we have Susan Kaynor who is the
12 chief of the Palm Beach Gardens office right
13 here. We have some other people who have
14 helped in developing the EIS. Tom Pierro --
15 you guys want to stand up just so you know --
16 everybody knows who to ask if you have problems
17 or questions -- Stacey, Lauren, Brad. So if
18 you have questions about the project once we
19 get through all the -- through the presentation
20 you can ask these people.

21 Why we're here is so you, the public,
22 stakeholders, can express concerns and be
23 involved in our federal process which is this
24 Environmental Impact Statement. We do have a
25 court reporter right here. She's going to be

1 recording everything that's made orally,
2 including my presentation. Once we get through
3 all the -- oral comments they'll be a time, if
4 you're not comfortable giving oral comments,
5 she'll be available and you can speak to her
6 directly, or you can make written comments.
7 Anywhere in the back there's paper and pens
8 available. We encourage you to make your
9 comments orally, written or through the court
10 reporter. Please be sure to sign in if you
11 haven't already. We're keeping a tally of the
12 attendance. If you want to make oral comments
13 make sure you made it noted on the sign-in
14 sheet. The time limit is going to be three
15 minutes as it is currently posed.

16 This is just a basic outline of the
17 presentation. It's going to be quick, 10 or 15
18 minutes. There's just six components,
19 basically. I am going to go through each one
20 of these real briefly.

21 All right. Basically we're here because
22 of NEPA. NEPA is the National Environmental
23 Policy Act which requires government agencies,
24 federal government agencies, when they
25 undertake an action you should involve the

1 public. You should be transparent and you
2 should work with the stakeholders at every
3 chance you get.

4 So you may ask why is the Corps involved.
5 At this point it's because the projects that
6 the Town and the County, two projects, two
7 separate projects by two separate entities, are
8 being considered under one EIS. And that's --
9 it's our discretion to do that. It allows
10 streamlining and to expedite, you know, instead
11 of doing two separate EIS's. But, anyway,
12 their projects have proposed structures,
13 filling and dredging within tidal waters and
14 that's why the Corps of Engineers is involved.
15 And for these structures, fill and dredging,
16 they actually need a permit and that's our
17 role.

18 NEPA is the reason we're here. This is a
19 quick rundown of the different types of NEPA
20 classes of action. Typically Environmental
21 Impact Statements are for the very large
22 projects that have potentially significant
23 effects on the human environment. Most of the
24 projects that we review in the Palm Beach
25 Gardens Permits Office are environmental

1 assessments. It's really tied to the magnitude
2 of impact, or potential magnitude of impact.

3 You may ask yourself why we have to do
4 Environmental Impact Statements. The Corps of
5 Engineers is responsible for determining the
6 level of significance. So a couple of years
7 ago we received these applications and we made
8 that significance determination and said, yes,
9 in fact, Environmental Impact Statement would
10 be the appropriate cause of action because of
11 the changes in the shoreline and based on
12 conditions of the shoreline.

13 Just so you know, the EIS is really a tool
14 for our decision making it's -- it's there as
15 the foundation -- it's supposed to be an
16 analytical and scientific basis for our
17 decision which comes eventually after the EIS
18 process is completed.

19 So this is just a check back on our little
20 agenda. This is -- we're going to get into the
21 EIS process right now, and the steps that are
22 involved in that.

23 So just so you know, the Corps of
24 Engineers is the lead federal agency. We
25 weren't notified by any other federal agency

1 that they wanted to be a cooperating agency
2 with us. We didn't invite any either, and
3 that's more of a federal process if, like, they
4 would be part of the project and they would be
5 potentially adopting our EIS if it was
6 necessary. But at this point we're not
7 considering any cooperating agencies.

8 If you remember, for those of you who were
9 here last -- for the scoping meeting, it was in
10 August of 2013, if you want to look at the
11 yellow box up on the top, and where we are now
12 is the yellow box there on the right
13 (Indicating).

14 So here's a Notice of Availability that we
15 published in the Federal Register which
16 triggers the 45-day comment period for the EIS.

17 We are required to submit the document,
18 make it available to all you stakeholders and
19 all the agencies prior to the Notice of
20 Availability. So if you are on the stakeholder
21 list you probably received notification of
22 that.

23 January 26th is the end of the common
24 period for the draft Environmental Impact
25 Statement.

1 Looking forward the final -- based on
2 comments received tonight, based on the amount
3 of additional analytical work we might need to
4 do, based on comments, based on alternatives
5 that may be brought forward tonight, anything
6 like that could change these dates that we have
7 forecast right here. But as -- between
8 scoping, the scoping meeting and tonight, what
9 we did was go through these phases right here
10 (Indicating) where we had to acquire the data,
11 we had to find out what's out there, what
12 environmental resources, culture resources. We
13 did a whole evaluation of everything that was
14 in the project area and then we cataloged it
15 all in the draft Environmental Impact Statement
16 that you all received.

17 So what's your role as the stakeholders?
18 We are encouraging you to express your views on
19 the DEIS, Draft Environmental Impact Statement,
20 and our current understanding. We wrote it.
21 We're on the record. This is our understanding
22 of what's going to be occurring, what the
23 projects are and the effects and those
24 alternatives and the impacts associated with
25 alternatives. So we want you to provide your

1 feedback. You can check our data. We're
2 wanting you to do that. You have questions
3 about the way we assess something, let us know.
4 If you are aware of other information that may
5 be useful, please let us know. We're going to
6 continue on with the proposed project. These
7 are just the basic elements of the project just
8 so you have an understanding of what we're
9 talking about.

10 So this is the overall view (Indicating).
11 There's the two projects. You'll see if you
12 orient yourself to the north, the Lake Worth
13 Pier is right here (Indicating). Lantana, the
14 public beach, is down here (Indicating). The
15 Town of Palm Beach line is right about here
16 (Indicating). So the section on the north
17 between -- just south of Lake Worth Pier down
18 to the County Town line is all beach and dune
19 proposed sand placement. There is some dune.
20 There's some sand in the water. But for the
21 most part it's a long -- which is less than
22 about a 2-mile limit -- and then as you hit the
23 Town of South Palm Beach the County project
24 picks up and they proposed some coastal
25 armoring and some beach and dune restoration as

1 well.

2 The one thing you should know is that
3 during the scoping meeting, if you were here,
4 is that the original plan by the Town was to
5 utilize upland mined sand. Since that day we
6 were notified that the Town's preferred source
7 is actually offshore dredge material which
8 would be obtained from a borrowed area north of
9 the inlet, I believe. The method with where
10 they would obtain the fill is they would dredge
11 it from an offshore borrow area, transport it
12 to the beach, somewhere in midtown, stock pile
13 it temporarily and then truck it to Reach 8.
14 That's their proposed -- it's an important
15 thing because originally the plan -- we just
16 want to make sure you're aware that that has
17 changed. But we -- in the draft we also
18 included upland mine as an alternative for fill
19 material. However, the prefer plan by the Town
20 has been changed.

21 And for the County they still propose
22 upland mine sand because they're not using
23 dredge material.

24 This is a basic rundown of some of the
25 elements more -- with more detail. And these

1 are range monuments based on the FDEP monuments
2 on the beach. You'll actually get more detail
3 on the exhibits in the back. But the basic
4 change that you should be aware of is that
5 dredged sand is now preferred for the Town.

6 This is just a general depiction of, I
7 know it's difficult to see, but that's just the
8 general outline of what -- you can see a little
9 fill template here (Indicating), and then down
10 here there's seven groins, they're very, very
11 small, I'm sorry to have to do that to you but
12 you'll get more detail in the back.

13 Just a quick cross section of what it
14 would look like. This is at the address near
15 3120 South Ocean Boulevard. This is a cross
16 section so you're looking from the south north
17 and the dune is over here (Indicating), so
18 there's a modest amount of fill that will be
19 placed in the dune area. As it goes out
20 there's a high tide line about here, so this
21 amount of fill would actually be in the water.
22 It's just slightly different than what the
23 existing profile is. There's more detail in
24 the back.

25 This cross section (Indicating) actually

1 we put in here so you can see what coastal
2 armoring structure looks like, what it would
3 look like if it was constructed this way. So
4 these groins made of concrete would be driven
5 into the ground, seven of them, and it's based
6 about 300 feet apart or so and they'd be
7 sticking out roughly about three feet more or
8 less.

9 MR. VOICE: Level with the berm.

10 MR. LIPS: Level with the berm. These are
11 -- these are proposed for the County project,
12 and the Town doesn't have any of these
13 proposed.

14 So we're going to get into the major
15 sections of the EIS. For the Corps of
16 Engineers the purpose and need is a big, very
17 important detail that we -- we base everything
18 on what the goal of the project is, what the
19 desired outcome that the applicant wants. So
20 when we get to purpose and need we do a long
21 detailed evaluation of what the actual purpose
22 is, the need, and what the hope to goal is.
23 From there we -- we come up with alternatives
24 and we always include a no action, what would
25 happen if you left it status quo. But the

1 alternatives are based on the purpose and need.
2 There's a whole bunch of information in the
3 draft document about all the alternatives that
4 we considered. We considered six of them. And
5 then moving on into the draft document we talk
6 about what's -- what's out here, what's in the
7 project area, all the resources, human
8 resources, culture resources, environmental,
9 aquatic resources, all those things that we
10 have to identify those to make sure we assess
11 those if they're going to be potentially
12 impacted.

13 So then once we have those resources
14 identified then we go through and figure out
15 what would happen to these resources if the
16 project was constructed or if any alternatives
17 were constructed as well. So we -- so we're
18 always comparing apples to apples when it comes
19 to alternatives and the effects. So we can say
20 if you did this one, this would happen; if you
21 did what the applicant proposed, this would
22 happen, so we can see what's going to occur and
23 make sure that we're on the track of having a
24 project that's not contrary. And in these
25 environmental consequences we look at direct,

1 indirect and the cumulative. For any
2 endangered species we had to do required
3 consultations, essential fish habitat.

4 And then the last part is mitigation. How
5 do you offset the potential adverse effects.

6 Basic understanding of the project
7 purpose, the draft has the Town's and the
8 County's project purposes written out as they
9 prepared them in their permit applications.
10 This is just summarized just so you have an
11 understanding of the basic concept of what
12 they're trying to achieve.

13 So when we talk about purpose and need and
14 we talk about potential alternatives that would
15 be potentially viable we ask ourselves is it
16 reasonable and would it meet the project
17 purpose. So if it is reasonable, it can built
18 considering the amount of money that's
19 potentially budgeted, it has to be reasonable,
20 then we would consider that as a potentially
21 viable alternative.

22 In our draft we're going to go through
23 these different alternatives and they're
24 discussed in detail in the draft. There's six
25 of them.

1 So when we talk about the affected
2 environment these are some examples of what we
3 see when we go out there. We see how the human
4 environment here with the, you know,
5 residences. We got the dune. We have
6 intertidal beach. We have rock line. We have
7 sea turtle nesting habitat. We have near shore
8 hard bottom. We have all those things. That's
9 just to name a few.

10 This information is tied to the near shore
11 hard bottom that's been mapped over consecutive
12 years. I know it's very hard to see but you
13 can generally see the outline of what the
14 proposed project and these squiggly purple and
15 red and blue lines represent hard bottom lines
16 that were delineated between 2012 and, I think,
17 2003 or so -- about 12 years -- 10 years of
18 data. So we have all that information and we
19 included it in the EIS.

20 Environmental consequences, we're looking
21 at direct, indirect and cumulative. The direct
22 effects of where the fill placed in the
23 footprint of the construction, the construction
24 toe, the footprint, that's the direct. When
25 you think about where is that sand going to go

1 once the tide hits it and gets into the
2 littoral system and starts moving as the
3 natural coastal processes occur, those are the
4 indirect effects.

5 And we've done some modeling assessment,
6 we have an understanding of where that sand is
7 potentially going to be spread to.

8 And the cumulative, those are -- which
9 result from the incremental, we have a whole
10 list of, in the draft, of all the potential
11 cumulative effects.

12 We are including all these effects
13 analysis for each alternative. So we have,
14 what we're aware of are swimming and nesting
15 sea turtles, is a big component of this
16 project, we have loggerhead critical habitat
17 which is a new resource that recently came in
18 that we're going to have to consult for which
19 wasn't identified during scoping because it
20 wasn't part of the Endangered Species Act at
21 that time. That's a new factor we're bringing
22 in to the draft. And we have Acropora. We did
23 a Acropora study. No Acropora, which is a
24 federally listed coral and were not found in
25 the project area.

1 Other resources, Piping Plover, animals
2 that use -- small birds that utilize the
3 shoreline. West Indian Manatee transit the
4 area. And the Red Dot which is another type of
5 shore bird, another thing that recently became
6 listed under the Endangered Species Act. And
7 we have included that in our evaluation as
8 well. So there has been some changes since
9 scoping.

10 Moving along in our itinerary we're going
11 to open it up for questions about the EIS
12 process. At this point we want to limit it to
13 that. Just so everybody is clear where we are,
14 where we came from and where we're going. So
15 we're going to have -- the next slide is
16 actually about the future milestone. So if you
17 have questions about the process, if I wasn't
18 clear just, you know, feel free to ask about
19 what's next if you're not clear.

20 MS. ERICKSON: I have a question. Having
21 been involved in many --

22 MR. LIPS: Is it possible to use the
23 microphone?

24 MS. ERICKSON: Having been in -- for the
25 record, my name is Karyn Erickson. I'm a

1 coastal engineer with Erickson Consulting
2 Engineers. I've served as the engineer of
3 record on a number of projects that involved
4 Environmental Impact Statements and
5 Environmental Assessments through the NEPA
6 process, and also as a consulting engineering
7 firm with the Savannah Corps of Engineers.

8 Each of these processes we were involved
9 and participated throughout the process all
10 major stakeholder groups whether it was
11 Autobahn, Southern Environmental Law Center or
12 a specific special interest group such as the
13 Save Our Shoreline Coalition. And in this case
14 we have a scoping meeting that occurred one
15 time in August which was about 15 months ago,
16 and since that time rather than be involved in
17 this process through the development and
18 decision making on data sets that drove
19 hundreds of thousands of dollars in numerical
20 modeling with results that we may or may not
21 agree with we're being presented with a draft
22 final EIS without that participation and I find
23 that that's very unusual and I'm disappointed
24 that the public hasn't been involved up to this
25 point.

1 MR. LIPS: Okay.

2 MS. ERICKSON: That's my statement.

3 MR. LIPS: Thank you.

4 Any other questions or comments?

5 MR. BONANO: I have a question. I don't
6 think I have to go up to the mike. I have a
7 statement I'd like to make later on. But right
8 now the question. I'm confused -- by the way,
9 my name Charles Bonano. I've been on A1A for
10 the last 30 consecutive years, domiciliary 15
11 of those years in South Palm Beach and the last
12 15 years at 3360 South Ocean Boulevard. I'm
13 confused. The sand, as I understand it, is
14 sand that the Town of Palm Beach is
15 recommending. That's what I understood when I
16 walked through that door. That was different
17 sand than the County sand.

18 MR. LIPS: You mind speaking on the
19 microphone? He's handing it to you there on
20 your left.

21 MR. BONANO: Sorry about that. Do I have
22 to repeat everything, or can I just keep going?

23 MR. LIPS: Keep going.

24 MR. BONANO: Anyway, my name is Charles
25 D. Bonano. I reside at 3360 South Ocean

1 Boulevard. I've been on the barrier island for
2 30 years and I've also been on the ocean for
3 over 50 years and I've been through this kind
4 of thing up in Cape Cod and so forth and so on.

5 When I came through the door tonight it
6 was my understanding that the -- my question is
7 about the sand and then I'd like to make my
8 statement. It was my understanding that the
9 sand was approved or met the approval of the
10 Town of Palm Beach but wasn't necessarily the
11 sand that the -- that Palm Beach County would
12 have supplied or recommended. Is that still
13 the case or has something changed?

14 MR. LIPS: Well, we can -- I can answer
15 that, but, yeah, that's really a comment for
16 just after this because we're just trying to go
17 through --

18 MR. BONANO: Then I'll get right to my
19 statement to conserve time.

20 MR. LIPS: Okay. We're going to call --
21 we're go through the list of people who -- who
22 are on the list to make comments, or we're just
23 going to call them off one by one if you don't
24 mind so we can keep on track. We're getting to
25 the point where we're going to make public

1 comments just after we're there.

2 MR. BONANO: All right. Well, I had a
3 statement to make, I'll make it later on.
4 Whatever you wish.

5 MR. LIPS: Okay. Just hold that thought.
6 Right now -- there's four ways to comment on
7 the draft. You can do it publicly. You can
8 comment, you know, we have forms here you can
9 make. We have a court reporter, or you can
10 mail in comments to us directly. You can email
11 right here (Indicating).

12 Right now we are transitioning to
13 stakeholder comments.

14 MR. EUBANKS: I have one more quick
15 question. I hate to interrupt. John Eubanks
16 for the record.

17 I had a quick question, and this goes back
18 to the process not the public comment because
19 we'll get into that in a minute. But my
20 question was you had mentioned in here a couple
21 of things that there's been some changes made,
22 there have been some things added, and I was
23 wondering, okay, now that we've made those
24 changes where are those going to be reflected
25 in the draft EIS? Will people get a chance to

1 see those, and will there be any other time to
2 make additional comments because right now it
3 looks like we only have one, and now I'm coming
4 to learn from what Ms. Erickson is saying that
5 normally there's a little more give and take
6 and some of those things are even addressed
7 before this. So it's just a procedural
8 question, I guess, if you will, if there is any
9 changes do we get to see them, and do we get to
10 comment on it?

11 MR. LIPS: The Corps of Engineers' process
12 in the Jacksonville District is we do a scoping
13 meeting, everybody contributes their ideas and
14 their issues that they have with the proposed
15 project, they identify the concerns, express
16 whatever they need, whatever they feel is
17 appropriate. We take that information, we
18 compile it, we go through it and then we
19 include it in the draft Environmental Impact
20 Statement and that's where we are tonight. So
21 everything we have that was contributed during
22 the scoping is what you see in the draft. So
23 that helped evolve that document. The
24 Jacksonville District doesn't engage with, you
25 know, public -- NGOs and things like that, you

1 know, the comment period is where we'll always
2 consider comments but we're not going to reach
3 out and hold forums other than the scoping
4 meeting that we had.

5 MR. EUBANKS: That leads me to just two
6 quick comments. One, I didn't see the SOS.
7 Was that in there, the alternative, their
8 alternative that's actually defined in there?

9 Two, the second issue was I understand
10 you're not reaching out to folks but apparently
11 somehow something else is now going to be in
12 there or considered just in the comments you
13 made, in the opening comments, that's all I was
14 asking. Those things that have been added,
15 those things that have been added into the
16 draft, well, that means then it's a different
17 draft, that's all I'm questioning.

18 MR. LIPS: No. No. Just to clarify,
19 those issues are what we uncovered during the
20 time period between scoping and right now. So
21 we found new information so we included it in
22 the draft. If we didn't include it we'd have
23 to go back. But at this point we uncovered
24 those new issues between scoping and now we've
25 included that so we are covered. We're not

1 going to go back and have to do anything more
2 with the draft at this point. So they're
3 not -- they're not new -- when I say "new" at
4 the time of scoping they weren't -- they
5 weren't available. They weren't protected
6 under the Endangered Species Act. They are now
7 and we included them in the draft so that's
8 what I'm referring to is the new regulations
9 and new laws that came in that were related to
10 those resources.

11 But there is another opportunity for
12 comments, is at the final impact, final EIS.
13 So after this we're going to take all the
14 comments, go through it. We're going to revise
15 the draft, incorporate appropriate comments
16 that we're going to consider and then, you
17 know, we'll have another opportunity for
18 comment at the final Environmental Impact
19 Statement. We'll release that. There's going
20 to be an NOA. I had the -- I had the -- Just
21 one thing, the notice of availability is right
22 now tentatively schedule for June, 2015 so at
23 that point if that schedule holds they'll be
24 another 30-day comment period for the final
25 Environmental Impact Statement.

1 UNIDENTIFIED SPEAKER: I have a question.
2 Would you clarify -- my question is did I
3 understand that there will be no changes to the
4 draft?

5 MR. LIPS: No, that's not correct. The
6 draft is what we have tonight. That's our
7 current understanding and our -- all the
8 information we compiled is in there; however,
9 things that you guys express, and stakeholders
10 and federal agencies, this is just a draft so
11 once we release it we're looking for input.
12 We're looking for feedback on -- did we get it
13 right? Do we need to look somewhere else? Did
14 we miss anything? So, yes, if we uncover
15 those things we are going to update the draft
16 once it goes to final between the draft
17 Environmental Impact Statement and the final
18 which would be sometime in the summer of this
19 year we would be adjusting the draft and making
20 it morph into the final with all the
21 information that you guys provided and any kind
22 of new information that we uncover between now
23 and then.

24 UNIDENTIFIED SPEAKER: Thank you, very
25 much.

1 MR. LIPS: Sure. Anybody else on the
2 process because otherwise we'll go right in to
3 the public oral comments.

4 We're going to ask that you step up to the
5 mike or we have the mobile microphone. It's
6 going to be -- just make your statement. It's
7 going to be three minutes and we'll go through
8 the list of people -- we're not going to
9 have -- it's not going to be a feedback.
10 You're going to make your statement. She's
11 going to record it and then we'll go on to the
12 next person.

13 The first person, Todd Rimmel. If you
14 don't mind, state your name.

15 MR. REMMEL: Good evening. I'm Todd
16 Rimmel. I'm the current coastal preservation
17 liaison for the Surfrider Foundation.

18 I just had a -- we had a comment in
19 regards to the offshore borrow areas. The plan
20 proposes using sand from the north borrow Area
21 1, south borrow Area 2, south borrow Area 3,
22 or, quote, any offshore sand source that is
23 consistent with the BMA cell-wide sediment
24 quality specifications. And I think the
25 criteria is a bit more stringent than the

1 original Reach 8 sand quality. I think a
2 couple of the borrowed sites previously
3 explored for Reach 8 wouldn't meet the grain
4 size or Munsell requirements of the current
5 BMA, but I feel it's worth asking what the new
6 criteria will mean in terms of sand sources
7 that can be used. Thanks.

8 MR. LIPS: Thank you. Michael Sharp. Is
9 that right?

10 MR. VOICE: My name is Michael Sharp. I
11 live here in Palm Beach at 225 Dunbar Road.

12 I read certain parts of the draft
13 Environmental Impact Statement and it seems to
14 indicate that the Town of Palm Beach has
15 adopted, as its preferred choice, Alternative 2
16 in your plan. And a further statement I saw
17 that sort of disturbed me was that there's no
18 need to consider further the SOS plan. My
19 question is why? The plan, Alternative Number
20 2, provides for just dune restoration which at
21 best gives you 15-year storm protection, from
22 what I understand, versus the Town and other
23 parts, all other parts really, other than Reach
24 8, the objective is to get 25-year storm
25 protection, i.e. beach restoration, not just

1 dune restoration.

2 Also, the proposal, the supposed proposal
3 that's been chosen as Alternative 2, and I
4 don't know if the Town decides this or you have
5 the ability to guide the Town to a more
6 sensible solution, the proposal uses an
7 inferior quality of sand, smaller grain size
8 and that requires more sand to be used. That,
9 as I understand it, could result in problems in
10 obtaining permits and, perhaps, another
11 Surfrider litigation redux. I don't think we
12 want that. I think we want a solution for
13 Reach 8 that is the same as what's provided for
14 South Palm Beach, Lantana and Manalapan. I
15 don't understand why the difference, and I
16 don't understand if the Town has chosen that
17 inferior plan why you, The Army Corps of
18 Engineers, hasn't educated the Town as to what
19 would really be best.

20 The SOS plan, which I have some
21 familiarity with, would provide 25-year storm
22 protection versus a temporary fix. We tried
23 the temporary fix in the past, in 2006, with
24 the same inferior type of sand and sand size
25 that is being proposed now. It washed away.

1 It accomplished nothing. To do the same thing
2 over and over again and spend a lot of money
3 just doesn't seem to make a lot of sense to me.
4 Mined sand, as I understand it, could be more
5 consistent in terms of grain size and if what
6 is proposed is an average grain size of
7 .25 millimeters when what's really desirable is
8 grain size of 38 to 42, .38 to .42 millimeters,
9 why aren't we going for what's desirable so
10 that we can adopt a solution that has some
11 chance of being successful in the years ahead?
12 Thank you.

13 MR. LIPS: Thank you.

14 MR. LIPS: Robert Davidson.

15 MR. DAVIDSON: I'll speak after Karyn
16 Erickson.

17 MR. LIPS: Okay. Connie Gaskway
18 (phonetic).

19 MS. GASKWAY: Good evening. My name is
20 Connie Gaskway (phonetic). This is what the
21 County, the sand that the County received after
22 it guaranteed that they were going to get good
23 quality sand (Indicating), and this was placed
24 on Carlin Park Beach (phonetic). It's nothing
25 but mud. And you could see here that they're

1 giant scarps. I think with the EIS and the
2 borrow areas that they have I think the only
3 thing that's going to be really a solution to
4 Reach 8 is using the up loose sand source and
5 make sure that it's washed and make sure that
6 random truckloads need to be inspected, but
7 it's the only thing -- you're going to be
8 paying a lot more money for it once but it's
9 going to stay on the beach. It's not going to
10 cause the environmental impact that the other
11 alternatives are and it is good quality sand.
12 Borrow areas 2 and 3 are a disaster. To be put
13 on -- and we're going to find out about borrow
14 Area 1, whether it's good or not, because
15 there's pictures here that show it's still
16 black. So my proposal is the original one
17 using the upland sand source and washing it.
18 Thank you.

19 MR. LIPS: Thank you for your comment.
20 Buck Carlton.

21 MR. CARLTON: Buck Carlton down in the
22 southern part of Palm Beach.

23 I think we've got a flawed plan here. I
24 think we need to talk about consequences.
25 We've already run through and have been shot

1 down by the Florida Department Judicial Branch
2 for having a plan that calls for dredged sand
3 and calls for miniscule sand. So why do I go
4 through it again? We don't want to go through
5 it again because we don't want litigation.

6 Now the second thing that's wrong with
7 this plan is we have 25-year plans for half of
8 Palm Beach and 15-year plans, which really
9 isn't a plan because it hardly even gets you to
10 a hurricane status. Now I think 100 years ago
11 when they put people in the lower parts of the
12 Titanic and they were allowed to drown and the
13 people with more money were getting lifeboats,
14 we're looking at the same thing here. The
15 question is if you have something this divisive
16 that is so discriminatory you're obviously
17 going to have a lawsuit. You're going to have
18 a lawsuit when people are shot down with sands
19 coming through the ground from the water before
20 and you're going to have lawsuits from the
21 people who discriminate against. What does
22 this mean? This means we're going to have
23 another six years of litigation. We're going
24 to have another four years of probing. We're
25 going to be ten years out. We're three years

1 overdue already for a major hurricane and we
2 are not talking about a cent. We're talking
3 about life safety. We're talking about over a
4 billion dollars in property that's going to be
5 destroyed. We're talking about 2,000 people
6 living there who are going to be at risk for
7 their lives and if the Corps of Engineers
8 cannot tell the Town Council -- it's not the
9 Town, it's the Town Council -- that if they
10 don't come up with a plan that meets a 25-year
11 protection for everybody in the Town and for
12 the County of the Town of Palm Beach then they
13 are not going to be considered. They shouldn't
14 even be considered. It's crazy. Anyway, thank
15 you.

16 MR. LIPS: Thank you. John R. Umbrowski.

17 MR. EUBANKS: It's Eubanks. The
18 attorneys have bad handwriting but that may be
19 the worst I've seen.

20 For the record, my name is John Eubanks,
21 and actually I represent Buck Carlton who just
22 spoke so passionately as you can see.

23 We also provided you -- I emailed you last
24 night -- a rather lengthy, detailed letter
25 asking some of the same things. I won't go

1 through all of it but I do want to touch on
2 some of those things.

3 As you can tell, people like Buck, they're
4 excited because, look, we talk about dredge
5 materials, we talk about sand and everything
6 else, they look out their window and they see
7 the ocean versus what's left of the beach and
8 they go "The ocean is winning and it's going to
9 win unless we do something." And as you can
10 tell Buck and many others have said the same
11 thing, look, let's put in place a plan which is
12 very similar to the rest of the Town that
13 provides for a 25-year storm period and the
14 protection from that. And there's no reason,
15 they don't see any reason, why we shouldn't do
16 that.

17 Now the problem is, looking through the
18 six alternatives you've given and the reason I
19 asked about the SOS plan because I didn't see
20 it in those six, none of those do what is being
21 done for the rest of the Town for the 25-year
22 storm period. So what he would urge is,
23 obviously, let's do the same thing we're doing
24 for the other parts of the Town. Not only has
25 he urged it as you've seen from my packet,

1 there's a letter from the Town Council itself
2 back in April saying, hey, we would ask you,
3 United States Army Corps of Engineers, to give
4 the same consideration, give the same
5 consideration, SOS has brought this to us, we
6 want you to give the same consideration and, in
7 fact, look at the 25-year storm protection. So
8 we'd ask you to do that too.

9 The second issue is we've all talked about
10 and I'm sure we'll talk about it again is the
11 quality of sand. Clearly it doesn't mean
12 anything if we get loose sand that you have to
13 put two to three tons more on the beach
14 expecting a lot of it to wash away. Most of
15 the people in this room probably saw in 2006
16 offshore dredge materials go on to Reach 7, I
17 think it was, and 85 percent of it washed away
18 in less than three years. That's huge. Nobody
19 wants a repeat of that. Nobody also wants a
20 repeat of the Surfrider Foundation where we
21 spent years and we end up in litigation because
22 whether it's your permit what my understanding
23 is there's still going to be some other permits
24 out there that will have to come back through
25 FDEP and if we're putting poor quality sand on

1 and then if we're being told it's because it's
2 cheaper than it's not cheaper because, you
3 know, the old adage is you buy cheap you may
4 have to buy twice, and if the problem is if
5 it's all going to wash away it's going to
6 create those type problems.

7 The other aspect is just looking at it why
8 would the Town of Palm Beach allow itself to
9 be -- do something different than the County.
10 The County is, in fact, using upland mined
11 sand. The County is, in fact, using sand of a
12 better quality and it's going to stick. It's
13 going to settle better. It's not going to be
14 as much problem with the hard bottom. There's
15 not going to be any problems with native
16 species. I don't know why the Town would
17 actually say, well, we really would prefer
18 something that's -- from everything we've
19 seen -- is a lot -- is a lot inferior. So at
20 the end of the day I think everybody who's
21 involved in this, everybody who looks out their
22 -- out their window is not looking for the
23 quick fix. They're looking for the correct fix
24 and we would ask you guys go back through the
25 process, look at it again, look at the SOS plan

1 which is the only one that seems to start from
2 the provision of providing a 25-year storm
3 period protection. Look at it again and look
4 at the issue of using the upland sand versus
5 repeating the same thing over and over again
6 with the inferior sand. I appreciate it.
7 Thank you.

8 MR. LIPS: Thank you for your comment.
9 Sorry for messing up your name.

10 MR. EUBANKS: That's all right.

11 MR. LIPS: Richard Hunegs.

12 MR. HUNEGS: Thank you. My name is
13 Richard Hunegs and I'm a resident of 3360 South
14 Ocean Boulevard. As an active participant,
15 that is our condominium, as an active
16 participant in what will be the project,
17 because we've given Town access over our
18 property to do the work that we're now
19 discussing, they're going to build a temporary
20 road through our property, this is the third
21 time they've done it with our property, and I
22 think it's fair to say that we've been ready
23 and quick to try and provide the access
24 necessary to the beaches for all the
25 condominiums in our area. We have an agreement

1 with the Town that was carefully drawn by the
2 Town and I executed it on behalf of 3360
3 because I'm the president of that condominium.
4 We've been through this as -- as counsel just
5 reported to you a few moments ago -- more than
6 once. The last time was the fiasco of 2006.
7 And I call it a "fiasco" because, again, we
8 used the wrong sized sand from the wrong
9 borrowing sites and -- and we don't need to
10 repeat that more than once, I don't think. It
11 was costly, expensive and we all, as taxpayers,
12 paid for that.

13 Going back even a little further than that
14 we've had litigation over those kinds of
15 issues. As I've been told by the Town Manager
16 and others that litigation cost the Town \$1
17 million in attorney's fees and costs, but it
18 doesn't begin to touch on the real costs which
19 were probably another \$3 million in the effort
20 to put the sand on the beach that was the wrong
21 size, incorrect, and once again left us with
22 barren and dangerous beaches and dunes that
23 expose the ownership of the condominiums and
24 homes along this beach.

25 So once again, as I see it -- I'm just

1 going to read some of this to try and shorten
2 up my statement -- once again, as I see it, the
3 Town of Palm Beach is about to engage in an
4 Atlantic shoreline project that is both high
5 risk and expensive. Speaking for more than
6 1,000 people who belong to and are members of
7 the SOS we propose a far sounder, less riskier
8 plan that in the long run is no more expensive
9 and gives far greater protection. As in all
10 scientific discussions one must be sure that
11 comparisons of data are accurate or the
12 conclusions to be drawn will be erroneous and
13 that's your business and I understand that. As
14 an engineer that's your coin of the realm.
15 That is your knowledge. Fortunately we have a
16 historical precedent to look to here in Palm
17 Beach as a comparison to the present Town plan
18 and that's the 2006 fiasco. It was a failure,
19 a blatant failure and a waste of money and the
20 proof of that was the judgment made by a
21 hearing officer who said not only was it an
22 abysmal failure but that it impaired the
23 environment and caused an environmental
24 disaster because we used the wrong size sand
25 and we're about to try it and do it one more

1 time. So if we go back to those kinds of
2 lessons apparently -- apparently the Town
3 hasn't learned that and apparently we need to
4 repeat that at least once more. I learned in
5 playing baseball that three strikes and you're
6 out. I think in a fiasco like this probably
7 one strike and you're out. I don't know that
8 the Corps of Engineers would want to approve a
9 program that repeats that kind of disaster.
10 I'm sure you don't want to be complicit in it.
11 I think that's why you want to hear from all of
12 us to make your own determination as to whether
13 or not this plan is a sound plan. We have
14 hired a coastal engineer who has worked for us
15 for a very long time because this has been a
16 struggle for the Town and for the Town's
17 citizens, what to do, how to do it, and make
18 sure that we don't repeat the old mistakes. To
19 sustain her credentials, she's worked for the
20 Town and has produced the most successful
21 efforts in the Town's past in terms of
22 engineering beaches. She can tell you about
23 that and I'm sure at the appropriate time
24 you'll call on her and allow her to testify.
25 So rather than have multi-million dollar

1 fiascoes repeated again for the Town we'd
2 almost rather have you do nothing, absolutely
3 nothing, and then see what the consequences
4 are.

5 Coastal engineers agree that grain size of
6 sand is critical. And if you look at the grain
7 size of sand that's proposed here it's a
8 repetition of 2006. You're going out in
9 borrowing sites in the ocean when mined sand is
10 available to you on the land, available to the
11 Town on the land. And guess what? The County
12 is using that land-located sand. They're using
13 it in the Town of South Palm Beach. They're
14 using it in Boca Raton. They're using it in
15 Manalapan. So it isn't as though we don't have
16 experience and the engineers don't have
17 experience with the nature of the sand that's
18 required and recommended. This isn't anything
19 more than science and I don't know why we'd
20 want to violate the principals of science. If
21 it means that we're somehow saving money, I
22 don't see that because we keep repeating the
23 same mistake every three years. How can we be
24 saving money? The only way to save money is
25 not to do it and endanger all the properties on

1 the eastern Atlantic seaboard of the island, or
2 to do it right once and for all. Coastal
3 engineers agree that the grain size of the sand
4 to be used on projects of this kind is critical
5 to success. The Town's consultants have, once
6 again, advised the use of the lowest possible
7 grades of sand to be dredged from the ocean
8 unlike the County that's getting it from an
9 on-land site where they can inspect it and see
10 it. And it's placed on dunes as a band-aid to
11 solve the critical erosion problem. We
12 experienced that before. This is the third
13 time our condominium has given access to the
14 Town to come through with a proposed repair of
15 the beaches and dunes. So we have experience
16 with that, and to use a band-aid for this
17 critical erosion problem is an absurdity
18 especially when you've experienced it already
19 and we've seen the losses and we've seen the
20 fact that our money has been wasted and washed
21 out to sea. That has contributed to the
22 problems that have been pointed out by all of
23 us who I think are true environmentalists at
24 heart.

25 It was pointed out by one of the speakers

1 just a few moments ago they don't want a
2 project that creates and compounds the problems
3 that you addressed before when you were talking
4 about nesting turtles and the other sea life
5 that we need to be concerned about. We put out
6 our lights on our beach during nesting. We
7 follow the law. And we're anxious to make sure
8 we have a beach that the turtles can come on to
9 and lay their eggs. Those kind of beaches are
10 disappearing and I think you have recognized
11 that as a coastal engineer yourself.

12 I'm not sure why we'd want to repeat the
13 mistakes of the past and do this over and over
14 again. I don't know why Palm Beach County has
15 devised a plan that's better than the plan that
16 the Town of Palm Beach has devised, and the
17 Town of Palm Beach doesn't want to engage with
18 the County. The County has offered to do that.
19 That would solve the substantial part of the
20 problems that we all are concerned with and
21 that we all are talking about. Palm Beach
22 County has gone so far as to go just to the
23 Town of South Palm Beach to erect -- erect
24 structures to keep the sand. They have mined
25 the sand that's of the appropriate size on

1 land. The Corps of Engineers -- the Corps of
2 Engineers is certainly capable, certainly
3 capable of devising and adopting the plans that
4 the -- that the State has put in place and
5 cooperate with them. And I guess I'd ask the
6 question what possible excuse could there be in
7 not asking the County of Palm Beach to
8 participate with the Town of Palm Beach in
9 solving this issue and solving this problem
10 once and for all. It defies for me, it
11 actually defies common sense, good judgment to
12 be mired in to these old failed schemes and
13 just keep doing them over and over again. All
14 the citizens are sick and tired of that,
15 watching their money wasted on programs that
16 don't work. Is it a coastal engineering
17 problem or is it a Town problem where people
18 just want to look at the easiest solution and
19 the cheapest solution rather than the best
20 solution which over time is the cheapest
21 solution. So we don't want to be a place that
22 settles on impoverished ideas. We're capable
23 of doing better and the proof of that are for
24 other plans in the same Town where better work
25 is planned and better work is being done. If

1 you fail in one third of the Town or half of
2 the Town or two thirds of the Town it's
3 immaterial, it's a failure. The Town needs
4 equal protection for all its vulnerable beaches
5 for the same reason that a team is only as
6 strong as its weakest link. The Town of South
7 Palm Beach, as I said, the County of Palm Beach
8 are, as we speak, implementing a much better
9 program, infinitely better, and they're doing
10 it with care. And I've met with the engineer
11 that's in charge of the projects and he's
12 available, as you know, to this -- to our Town,
13 both as a consultant and both as one who will
14 offer the County assistance.

15 MR. LIPS: Would you mind wrapping it up?

16 MR. HUNEGS: I'm going to wrap it up
17 right now.

18 MR. LIPS: Thank you.

19 MR. HUNEGS: I appreciate that, for your
20 generous allowance of time.

21 Let me say just say this: Here in the
22 Town of Palm Beach the conservative thing to
23 do, the conservative thing to do is to preserve
24 our beaches and to do this correctly one time.
25 It's the conservative thing because it's the

1 least expensive in the long run. It's the best
2 and it provides the protection that people
3 deserve. So let's allocate our resources
4 without waste. We, once and for all, need to
5 have the job done that lasts and is prudent.
6 Thank you.

7 MR. LIPS: Thank you. Larry Goldberg.

8 MR. GOLDBERG: Hi. My name is Larry
9 Goldberg. I live at 3360 also where Mr. Hunegs
10 lives. I will not be as eloquent as him, and
11 I'll be shorter but I have few things I'd like
12 to tell you.

13 I submitted comments to you after the
14 public scoping meeting. My hope was that you
15 would have an open process which would help
16 develop much needed shoreline protection.
17 However, no public progress meeting, as called
18 for in the CBI scope services, was held to
19 review the status of project design analysis
20 and obtain stakeholder input, so now we have to
21 comment on the finished DEIS report. I'm going
22 to cover just a few items and I'll give more to
23 you in writing.

24 You now state that your overall project
25 purpose you chose a 15-year interval criteria

1 for evaluating upland infrastructure
2 protection. This is not consistent with
3 anything that we've received from anybody. The
4 Woods Hole Group has said that you should have
5 a 25-year interval for beach restoration and a
6 15-year interval for sacrificial dunes. Woods
7 Hole also said that for sacrificial dunes you
8 need a 17-cubic yard per foot fill. The only
9 volume where this is achieved in Reach 8 is by
10 Alternative 7 which is the SOS Erickson
11 project. However, this is not a dune project.
12 It's a project for beach nourishment and
13 stabilization to provide for shoreline
14 protection. It's intended to establish a new
15 beach and dune profile in an area where this
16 has never been done before. You revised your
17 approach to the analysis of the project. You
18 originally considered them as similar and said
19 that they should be evaluated together. Now
20 you say they're not connected. This flies in
21 the face of the scope of the FDEP BMA which is
22 doing inlet-to-inlet analysis and the Woods
23 Hole Group which recommends, at a minimum,
24 using groups of reaches for better management.
25 There should be no gaps in contiguous beach

1 dune projects to ensure that there will be
2 continuous shoreline protection. The plan that
3 we have shows two beach nourishment projects
4 separated by a dune-only project and that
5 doesn't work, we've seen that before. It just
6 helps the beach areas wash away. Protection of
7 this plan, the one that's proposed versus the
8 continuous beach nourishment project like
9 Alternative 7, the Erickson Plan, should be
10 evaluated to determine the best solution. By
11 excluding the SOS Erickson project and not
12 modeling its effectiveness you did not get a
13 clear picture of how that alternative provides
14 maximum shoreline protection like reduction and
15 overtopping with minimal hard bottom coverage
16 and impact on aquatic resources. A detail
17 analysis of that project must be included in
18 the final EIS.

19 MR. LIPS: Thank you, very much.

20 MR. BONANO: I introduced myself before,
21 Charles Bonano, 3360.

22 I guess I now understand why I'm so
23 confused about the sand. I will just make a
24 very simple statement and than I want to make
25 one other comment about an area that didn't do

1 anything in a timely fashion.

2 After listening to everybody here I concur
3 and I am opposed to the project in Reach 8 as
4 it stands. The Town needs a 25-year beach and
5 dune renourishment to protect all of the
6 investment and residents.

7 In the summertime I -- I spend time in
8 Gloucester, Massachusetts and I had to go back
9 to an area after there was an unnamed storm.
10 It was the perfect storm. And that blasted the
11 coast and it was on a ledge. With all my years
12 of being on the ocean and experience with loss,
13 rip wrap and so forth and the discussion
14 tonight earlier by the president of our
15 association about six years and having watched
16 this beach wash away with or without sand, the
17 dune wash away, a very dangerous condition
18 exists. I actually believe there are threat to
19 life and limb if we have any kind of a major
20 storm and I can almost assure you that we will
21 have a storm and we will have a breach in that
22 area in the next six years if that's what it's
23 going to take.

24 By the way, does the Corps of Army
25 Engineers, are you aware that we actually did

1 have a blow through down in the south area of
2 the island, because we did. It occurred in the
3 -- in the 90s and it was three or four
4 buildings south of Dune Deck. It was a sunny
5 day. It wasn't particularly high winds, and it
6 was attributed, by the newspapers, to three or
7 four rogue waves. Now those rogue waves came
8 up, went right through the beach, blew the
9 beach away, blew the wall away, went into the
10 pool, went through the building out on to the
11 street and when I was coming home from a
12 haircut and I saw all this green debris out on
13 AlA I thought that landscapers -- a trailer had
14 been lost, but it wasn't, it was seaweed. So
15 we're already there. The next storm that we
16 have of any -- of any significance along with a
17 surge we're going to have a breach, plain and
18 simple. So we not only got to do this, do it
19 fast, we damn well better do it right. Thank
20 you.

21 MR. LIPS: Thank you, very much. Robert
22 Davidson.

23 MR. DAVIDSON: I'm after Karyn Erickson.

24 MR. LIPS: Heath Chude, C-H-U-D-E.

25 MR. CHUDE: I'm Heath Chude, 3000 South

1 Ocean Boulevard representing the Bellaria
2 Condominium. Since so many comments have
3 already touched on a lot of the points that we
4 wish to make I'll simply say that we at the
5 Bellaria are also opposed to the project as
6 proposed and believe that mined sand must be
7 used and a 25-year storm protection plan must
8 be considered.

9 MR. LIPS: Thank you, very much. Dr.
10 Sanford Kuvin.

11 MR. KUVIN: Good afternoon. There's been
12 a confluence of problems with the Corps that
13 brought us here today. We've lived here 50
14 years. My name is Sanford Kuvin, 149 East
15 Inlet Drive. I think that it is fair to say
16 we are on the way to becoming "Palm Beachless"
17 and unless the Army Corps of Engineers gets
18 through its bureaucratic mode and gets on to
19 the common sense that many speakers have
20 vocalized here today, including Mr. Hunegs, we
21 will become "Palm Beachless." No matter how
22 many millions we pour into poor projects we
23 haven't come up with the right solution. Just
24 recently, last two weeks, you had the -- the
25 Corps has had two emergencies. They wanted to

1 take about 10 feet of sand away from the inlet
2 to allow larger ships to come through on an
3 emergency basis and that sand which was dredged
4 by Meek (phonetic, I believe, was supposed to
5 go south on to our beaches. But it didn't go
6 south. It went north. Why on earth that sand
7 went north up you to Calduer Island (phonetic),
8 where Connie Gaskway showed you that dirt, is
9 beyond me and nobody seems to know why, or at
10 least readily why.

11 Another point is that the Corps has
12 basically ignored the lifeline to Palm Beach
13 itself namely the sand transfer plant which has
14 been shut down totally for almost a year now
15 whereas before it was pumping 220,000 cubic
16 yards a year, now it's moving virtually nothing
17 and not the Corps and not the County, not the
18 Town, knows exactly why. One prominent theory
19 that's floating about is that the mitigation
20 reef up in Riviera Beach is -- has pods which
21 are drawing sand offshore and, therefore, no
22 sand, or virtually no sand, is coming to the
23 sand transfer plant.

24 In addition to that the sand transfer
25 plant actually broke down and has not been

1 repaired in several months. I've called
2 repeatedly. I've never received one phone call
3 back from the engineering firm that's dealing
4 with it. I would imagine the Corps should know
5 why the electrical system has not been working.
6 If it is working they've not indicated what was
7 broken in the first place.

8 The threat to the Town now is getting more
9 and more serious and certainly more and more
10 real. We don't want to become "Palmless Beach"
11 we have to do something proactively. And there
12 are good people out there that can do that and
13 create a basis for a 25-year storm and other
14 things that have been requested but one thing
15 that has not been suggested is take perhaps a
16 holiday for a year and just stop this bickering
17 about who is right and whose got the right
18 grain size until the companies that this Town
19 has paid hundreds of thousands of dollars in
20 consulting fees is allowed to express itself by
21 consulting.

22 I would urge the Corps to -- years ago it
23 had a meeting, about two years ago, and said
24 it's going to be transparent. It hasn't been
25 transparent. It hasn't been proactive, and it

1 hasn't been communicative to the citizens. And
2 I think what Mr. Hunegs said, maybe a little
3 bit facetiously, but I think it has merit, take
4 a year off and just see what happens and maybe
5 we can save a few hundred million dollars.
6 Thank you.

7 MR. LIPS: Thank you. Eileen Curran?

8 MS. CURRAN: I decline and will speak
9 after Karyn Erickson.

10 MR. LIPS: We only have three more so if
11 you wanted to do it now I think, you know,
12 Karyn will have enough time. If we can put her
13 last --

14 MR. ALLEN: I'll go.

15 MR. LIPS: It's you three.

16 MR. ALLEN: My name is Robert David Allen.
17 I live at 2100 South Ocean Boulevard in Palm
18 Beach. The Noble Prize winning economist
19 Milton Friedman once said that if you put the
20 federal government in charge of the Sahara
21 Desert in five years they'll be a sand
22 shortage.

23 After decades of shoreline mismanagement
24 by successive Palm Beach governments a Town
25 named for its beaches now has a beach shortage.

1 No where is the situation more acute than in
2 the south end of the Town of Palm Beach. Sad
3 to say, the south end beaches are now in a
4 death spiral where hard bottom is uncovered.
5 The hard bottom transforms to habitat which
6 can't be covered which leads to more adjacent
7 hard bottom being uncovered and so on ad
8 infinitum until there is no beach left.

9 Sadly this project being proposed could
10 have been a win win win where the Town uses the
11 taxpayers' money efficiently to produce a
12 successful project, the property owners would
13 see their beach preserved and their property
14 value safeguarded, the environmentalists would
15 have gotten a project with less environmental
16 impact and the County would have gotten a
17 compatible project. Instead the Town has
18 proposed, and the Army Corps has endorsed, a
19 lose lose lose. The Town will overspend on a
20 failed project based on inaccurate modeling,
21 substandard sand and lack of structures. The
22 property owners will be no better protected one
23 year after the project than they were before it
24 started and the environmentalists and other
25 interested parties will have reason to sue

1 again to preserve the environment. Let's give
2 this important decision the time it takes and
3 the facts it needs to get it right. Let's not
4 rush to judgment. Thank you.

5 MR. LIPS: Eileen Curran.

6 MS. CURRAN: My name is Eileen Curran.
7 I live at 2778 South Ocean Boulevard. I have
8 lived on the shoreline of this barrier island
9 in Reach 8 for 25 years. I have watched the
10 wide beach in front of my home disappear
11 through erosion and neglect. As a member of
12 the first Shore Board of the Town of Palm Beach
13 I learned firsthand from 12 different coastal
14 engineers, who were from Florida all the way up
15 to Massachusetts, including Woods Hole
16 Institute, they said, and they were all in
17 agreement, dunes are the last line of defense
18 against hurricanes and catastrophic storms.
19 These 12 coastal engineers explained that the
20 function of a sand beach is as a blotter in
21 absorbing the force of the waves and thereby it
22 reduces the damage to the dunes which are there
23 as the last line of defense to upland
24 properties and to the infrastructure and to the
25 residents.

1 I want to state my objection to another
2 dune project that will use minimal grade sand
3 that is dredged with no beach nourishment in
4 front of all the dunes on Reach 8.

5 I want to see the United States Army Corps
6 of Engineers recommend in its EIS the first
7 beach nourishment using mined sand that will
8 provide 25-year storm protection for the
9 homeowners of Reach 8. Thank you.

10 MR. LIPS: Lou Crampton.

11 MR. CRAMPTON: Hi. Good evening. My name
12 is Lou Crampton. I live at 2335 South Ocean
13 Boulevard and I'm the chair of the Citizens'
14 Association of Palm Beach, one of the
15 commenters on the report. I might be the only
16 person here to say that I think that in the
17 context of the process that we're going
18 through, and I have to say that I spent seven
19 years at the USEPA so I know a little bit about
20 how this process works, that it's a positive
21 document. Clearly the no action alternative
22 ranks below the various action alternatives
23 that were outlined and -- the report makes the
24 case that there's environmental value and even
25 benefit in moving forward with a significant

1 sand placement project. That's a key finding,
2 folks. That bloggers well for our future
3 because if the report had found otherwise the
4 whole process would stop right here. Nothing
5 would happen going forward. The bedrock issues
6 in this report, and there are two of them, one
7 -- and I read every page of this damn report --
8 Number 1, sand quality and grain size; and 2
9 hasn't been touched on, but it's even more
10 important is hard bottom mitigation. The
11 report does not supply enough clarity on those
12 two issues, clearly on sand. There's a huge
13 amount of confusion about what's going on. I
14 do recognize that. I mean the report needs to
15 make clear that the BMA which guides what the
16 state will permit and what it won't permit
17 requires sand at a .25 grain size. That needs
18 to be made a lot more clear, and the report
19 also needs to be clear about the need for
20 constant monitoring as Connie Gaskway said of
21 both the color and the grain size of the sand.
22 So if the borrow site isn't working then we
23 switch to mined sand from Ortona.

24 The other issue is hard bottom mitigation
25 because the report creates confusion on that

1 point especially with respect to the amount of
2 hard bottom mitigation that the Town is
3 required to take on and how much hard bottom
4 mitigation that the County is required to
5 perform. There is a significant difference
6 between the two. Something like .5 acres I
7 think for the Town and something like 4.2 acres
8 for the County. That's not clear in the
9 report. At least I didn't get it. At
10 \$1 million an acre, \$1 million an acre there's
11 a tremendous savings and a tremendous
12 difference for our Town.

13 Moreover, because mitigation costs could
14 be less for us than originally thought, there's
15 a good possibility that we could ask for more
16 sand in Reach 8 than we originally thought we
17 could simply because of the fact that we
18 thought hard bottom mitigation costs would be
19 so high.

20 I think -- this is advice to you --
21 clarifying these points are very important, as
22 you've seen, to bringing better decisions to
23 our part of this Atlantic coast. We are, after
24 all, the Town of Palm Beach, not the Town of
25 Palm, and we want a solution to our problems

1 that will last for generations to come and can
2 be built on year after year with confidence for
3 property owners and for all of the rest of us
4 who live here. Thank you, very much.

5 MR. LIPS: Thank you for your comment. We
6 have two more and then Karyn Erickson.

7 MS. GREENBERG: Thank you. My name is
8 Madeline Greenberg. I'm a property owner in
9 the Town of Palm Beach in Reach 8 who happens
10 to also live at 3360 South Ocean Boulevard.

11 First, because of the poor timing of the
12 holidays and the departure from the standard
13 protocol that is normally followed for the EIS
14 process, due to the fact that there are errors
15 in the profile modeling which would include the
16 hard bottom and other aspects, I request that
17 the US Army Corps of Engineers give a 30-day
18 extension of the public comment period for this
19 South Palm Beach Island Comprehensive Shoreline
20 Stabilization EIS Project for Reach 8.

21 I object to the fact that the Town of Palm
22 Beach and all the alternatives offered by CP
23 and E for Reach 8 using the lowest standard of
24 dredge sand which apparently the Town of Palm
25 Beach has a lower standard than the rest of

1 Palm Beach County for all the beach projects
2 that they use versus using mined sand, palm
3 Beach County is using only mined sand in their
4 preferred alternative and, therefore,
5 everything being studied for the County is
6 using mined sand. All of the alternatives
7 studied for the County and for -- are in that
8 capacity and yet all the alternatives being
9 offered for the Town are being offered with
10 dredged lowest standard. The .25 that was
11 referred to is the lowest standard. We live in
12 the Town of Palm Beach which is supposed to be
13 a premium town. Why is it that Palm Beach
14 County uses better sand than the Town of Palm
15 Beach? I think that's pretty disgraceful.

16 I object to the fact that we also -- they
17 did not consider, in the Reach 8 part of the
18 project, using groins. They keep referring to,
19 and it's very confusing to the public, that
20 there are groins. Those groins are for South
21 Palm Beach and down for the County portion.
22 The Erickson plan, the SOS plan, had two groins
23 in hotspots and yet that was not given
24 consideration.

25 I'm opposed to the project as it stands.

1 Reach 8 needs 25-year storm protection for this
2 project and mined sand and the only alternative
3 submitted to the US Army Corps that offers
4 25-year storm protection to the upland project
5 shoreline is the Karyn Erickson SOS Beach
6 Nourishment Plan. The SOS plan submitted uses
7 mined sand source, but that's not the way the
8 Army Corps studied it. The object of the SOS
9 plan is, as it is submitted, was -- had groins
10 and mined sand. Town Council on April of 2004
11 asked the Army Corps to give, quote, equal
12 consideration, unquote, to 25-year storm
13 protection to the project shoreline. The
14 current draft EIS does not give equal
15 consideration to 25-year storm protection as
16 the Town Council agreed to give the SOS Beach
17 Nourishment Plan.

18 I object to the fact that the Town is
19 using 15-year storm protection. That's what
20 they applied for and of course 15-year storm
21 protection is the equivalent of protection from
22 one tropical storm. They're in the plan that
23 the alternative that the Town provided there is
24 some beach in front of two or three condos and
25 the rest -- in the middle of no where -- and

1 the rest of them -- the rest of the project is
2 basically dunes. Those two or three condos
3 that they think they're going to get sand
4 that's going last, they're dreaming. It's
5 going to wash away.

6 The last thing that I wanted to say is
7 that it's very important that the Army Corps of
8 Engineers listens to the public. It don't use
9 -- do the wrong project -- I don't -- I think
10 that you should do the right project and I
11 think that the Town Council will see in the
12 wisdom when they do decide to vote for the
13 right project, it's not more expensive. It's
14 more expensive to lose the condos and maybe
15 there's a lot of information that hasn't been
16 brought out. If you give this 30-day extension
17 then you will find out there's a great deal
18 more information than is in that draft EIS.
19 Thank you for your time.

20 MR. LIPS: Thank you, very much. Karyn
21 Erickson.

22 MS. ERICKSON: Thank you. As you, I
23 believe, are aware, Erickson Consulting
24 Engineers represents the coalition to Save our
25 Shoreline who is represented earlier by

1 Mr. Richard Hunegs.

2 I'm a licensed professional engineer in
3 the State of Florida and I have more than 35
4 years experience in planning, permitting,
5 environmental impact assessments and statements
6 through construction of large-scale beach
7 restoration projects in Florida, North Carolina
8 and South Carolina.

9 One of these projects was noted was the
10 Midtown project which was the first restored
11 beach at the Town of Palm Beach in 1995. That
12 project was highly successful because while it
13 was an offshore sand source we looked very
14 closely and found the coarsest material within
15 the borrowed site. We didn't compile all of
16 the sand and mix the fines with the coarse and
17 it was a very successful project also because
18 we used structures to slow erosion losses.

19 With respect to the project before us we
20 received the draft EIS statement for comment
21 and review after many prior requests for
22 updates and a preliminary copy of the EIS on
23 December 8th. A summary of our comments will
24 be presented tonight with our full written
25 comments to be submitted in writing prior to

1 your deadline which we would request would be
2 extended an additional 30 days given the volume
3 of material which I see is more than 1500 pages
4 with a number of discrepancies I'll point out
5 tonight.

6 But a quick brief summary of our findings
7 is that the plans preferred alternative for the
8 Town section uses a fine offshore sand source,
9 quantities that actually approximate very
10 closely the losses that occurred in the 2012
11 Hurricane Sandy event. And it excludes any
12 consideration of groins or structures to slow
13 sand losses. Further, it does not evaluate the
14 differences in sediment erosion rates and
15 longevity nor its impact on the adjacent hard
16 bottom of using coarser sand at .57 millimeters
17 or .45 millimeters which is closer to native
18 sand and the .25 millimeter sand. There's only
19 one type of sand that was analyzed. In
20 contrast, the County uses and considers coarser
21 sand and places their sand at twice the density
22 that the Town is going to be seeing if this
23 project were to go forward and they incorporate
24 structures to slow erosion.

25 In my discussions with the County's

1 representative they state they consider this a
2 very minor project, and yet their project is
3 backed by seawalls which they're relying upon
4 and is twice to four times the project that the
5 Town will be seeing in this EIS preferred plan.

6 The specifics of our findings are -- in
7 terms of the evaluation of alternatives, the
8 SOS alternative which is described in only the
9 modeling section as Alternative 7 is not
10 evaluated or represented as stated in the
11 base -- in the main part of the EIS document.
12 The SOS preferred project alternative looked
13 and evaluated three types of sediment and sand
14 and cost of those and it also considered
15 overfill factors that are required to
16 approximate a natural native beach sand such
17 that one cubic yard of native beach sand often
18 requires two cubic yards of offshore sand to
19 behave the same way in an erosion or storm
20 event. The SOS alternative places volumes and
21 represents volumes inaccurately. The EIS
22 states, quote, recognizing SOS's request for a
23 project with additional storm protection the
24 Corps of Engineers modified the SOS fill
25 design. So they took the design that we

1 developed, modified it, greatly reduced it, and
2 took the sand and reduced the quality
3 substantially. This is not the SOS alternative
4 and should be struck in any reference.

5 Specifically, five brief points. The SOS
6 volume of 99,100 cubic yards was assuming a
7 three to four-year renourishment with two
8 structures towards the south end to slow
9 erosion. It also assumed a coarse sand that
10 was comparable to Ortona or upland mined sand.
11 This is a significant discrepancy by modeling
12 what is referred to as the SOS design using .3
13 millimeter sand when, in fact, the Town is
14 proposing sand that could be as fine as a mean
15 grain size of .25 millimeter; therefore, the
16 results are not reflective of the Town's
17 proposal. And when we say "mean" that means
18 that 50 percent of that sand could be
19 .1 millimeter, .12., .15, substantially finer
20 sand. The County's preferred alternative
21 includes several low profile groins at a
22 nominal cost of \$100,000 each. Coastal
23 structures were not assessed or modeled in the
24 Town's portion of the project as recommended by
25 the SOS plan. Why is that? The quality of

1 sand, which is a critical component of the SOS
2 alternative, is not considered. The SOS
3 alternative is not accurately reflected either
4 in Alternative 6 which is inferred, which is
5 the Town and the County's plan with increased
6 sand volumes as the SOS alternative includes a
7 dune feature and protective sand in front of
8 the dune to approximate a 25-year protection.
9 The average sand volume loss for a 25-year
10 storm event, which we modeled for the Native
11 Beach, we didn't assume that the Native Beach
12 was .3 which is what we assume the modeling
13 from the results we're seeing in the analysis
14 in the EIS assumed the Native Beach was much
15 finer. For that reason we took the natural
16 beach sand and the models show that you would
17 expect an average of 12 cubic yards of loss per
18 foot per year for a 25-year event, that's the
19 average. The north end is milder so it's a
20 lower volume. The south end, where you're near
21 135 and 134 monuments, is higher so this is an
22 average. In fact, during Hurricane Sandy the
23 shoreline for this reach eroded 61,000 cubic
24 yards. The design basis in all the modeling
25 performed was based on beach profiles that were

1 three years old, they were all pre-Hurricane
2 Sandy profiles so the beach that would be built
3 today wouldn't be as wide with just a dune only
4 as what existed prior to Hurricane Sandy in
5 November -- which was, I believe, October of
6 2012.

7 The second major point is the grain size
8 which we've discussed, and I'm not going to go
9 much further than to say that in an offshore
10 borrow site, and this is why the County is
11 moving away from the offshore borrow sites in
12 the north part of Palm Beach County, you find a
13 large fraction of finds in areas with coarser
14 material and it tends to be mixed with rock
15 rubble. And this is exactly what happened at
16 Reach 6. They had two borrow sites to pump
17 from. They pumped from the coarser site first
18 and was supposed to end up with a 2.2 overfill
19 ratio, twice as much as compatible sand would
20 be required. Not long in to the borrow site
21 they hit so much rock they had to abandon that
22 part of the borrow site. They ended up at a
23 finer -- they went to the finer site. The
24 resulting sand on the north part of Reach 7 was
25 .19 millimeters to .22 millimeters. And that's

1 based on our firm going out and taking multiple
2 tests. I know for a fact that the DEP and the
3 Corps and their permit conditions often only
4 require very minimal testing of the sand as
5 it's slurried on to the beach. And as Judge
6 Neal said in his the finding for the challenge
7 of the Reach 8 permit in 2009, you're not going
8 to be able to stop a hydraulic dredge to start
9 testing sand when it's placing sand at
10 20,000 cubic yards per day. A project that's
11 75,000 yards or a project up in Reach 7 that
12 may place 3 or 400,000 cubic yards you don't
13 turn off a dredge that you're paying \$100,000 a
14 day to go on standby and 3 to \$5 million to
15 mobilize. It just doesn't happen. So you need
16 to know when you're going in to a project that
17 you have sufficient sand of the quality you
18 require. Most of these borrow sites we heard
19 time and time again from the Town we meet the
20 DEP's requirements for Corps to represent the
21 borrow site. They meet the minimum
22 requirement. So as an engineer I never go with
23 the minimum requirement. I want to have
24 sufficient coarse to know exactly what's in the
25 sand source so when I designed the Martin

1 County 4-mile project we required four times as
2 many coarse and we excluded two thirds of the
3 borrow site and came up with the best quality
4 sand and that's what is lacking with looking at
5 these offshore sites. That's the big problem.

6 Finally, as I noted earlier, the profile
7 data that was the basis for all the modeling
8 was pre-storm November 2011. And it states in
9 the report that while these storms had occurred
10 and likely contributed to background erosion
11 rates there was no major hurricanes that made a
12 direct impact to the project area since the
13 surveys were evaluated, and they implied that
14 the loss and the impacts of Hurricane Sandy
15 were minor and represented average conditions.
16 Well, 61,000 cubic yards for that reach of
17 shoreline is not an average condition. And, in
18 fact, they show no fill necessary near the area
19 of the Atriums which had the very worst erosion
20 and has absolutely no dune there now. There's
21 substantial discrepancies that we would have
22 addressed if we were part of this process six
23 months ago and been able to participate when
24 you set up the modeling. We want to be
25 constructive. The owners want a beach. They

1 don't want hard bottom in front of their
2 properties.

3 I have just a couple of more comments and
4 I will wrap it up.

5 The Town has repeatedly stated that the
6 purpose of the shore front -- in the Shorefront
7 Management Plan that was developed in 1998 that
8 a severe storm impacting the Town representing
9 a 25-year return event should be the designing
10 criteria for these beaches. We recognize that
11 those numbers mean different volumes. What we
12 recommended is identifying that we have three
13 reaches along -- three segments along Reach 8
14 that represent three lines of building and that
15 you need to designate a baseline in front of
16 those buildings that would be your protective
17 shoreline beach. That is where seaward at that
18 point you would have sufficient sand to weather
19 between renourishment events and still have
20 some protection that is sufficient to weather a
21 25-year storm event. That's consistent with
22 the Town's independent consultant
23 recommendation from the Woods Hole Group. They
24 recommended in this area 17-cubic yards of sand
25 per foot of shoreline. The SOS plan

1 recommended 16-cubic yards per foot. This is
2 also similar to what the County will be
3 receiving to the south. We also though stated
4 that because our profiles and analysis occurred
5 before Hurricane Sandy, of course not knowing
6 Hurricane Sandy would occur, we said that if
7 any major storm event occurred it would need to
8 compensate for that volume because the modeling
9 was based on the protection and condition from
10 2011 which was also the year and the evaluation
11 period that was covered in the EIS.

12 With respect to hard bottom acreages we
13 believe they're biased. They used two
14 post-hurricane conditions averaging those
15 acreages to represent the amount of hard
16 bottoms seaward of Reaches 8 and the South
17 County. We believe the County also concurs.
18 There's many, many years of data. It's a
19 femoral hard bottom meaning the sand moves off
20 of it and on to it. In 2011 when we evaluated
21 coverages we came up with 2.25 acres of direct
22 impact from the project that was proposed as
23 the SOS plan when the dune still existed prior
24 to the loss of Hurricane Sandy. And I believe
25 that if you average all of those years, as I

1 believe the County is also going to suggest to
2 you in their written statements as we will as
3 well, you'll find there's significantly less
4 impact.

5 In general the draft EIS completely fails
6 to discuss the impact of sand quality on
7 project performance, on hard bottom impacts and
8 on costs considering sand quality is a key
9 engineering consideration and biological factor
10 in the design of beach restoration projects.
11 The absence of any analysis and discussion of
12 this critical design factor is extraordinary
13 considering the EIS is a principal decision
14 document for the federal agencies. While the
15 DEP requires a mean grain size of .25 to
16 .60 millimeters their goal isn't for the Town
17 to place the lowest possible quality sand at
18 .25 but to strive to put coarser cleaner sand.
19 Recognizing the impact of sand size and
20 performance on environmental impacts Palm Beach
21 County has self-imposed specification of .3 to
22 .7 millimeter grain size again looking to
23 offshore sand source as a very last resort at
24 this point due to the problems inherent with
25 these sites.

1 We did a cost comparison of Ortona sand at
2 .57 millimeters recently, very recently, and
3 the unit cost of sand we found for recent
4 projects in these areas is \$35 to \$70 -- I'm
5 sorry, \$35 to \$40 per cubic yard. The Stuart
6 mine source which is used by Indian River
7 County and many counties where you can specify
8 the amount of shell content and they screen it
9 so you exclude finds, you can specify a minimum
10 of no more than .25 or .3 millimeters is \$32 to
11 \$35 a cubic yard. Keep in mind oil prices are
12 plummeting and so is the cost of trucking sand
13 because as your fuel to fill your car goes down
14 the fuel to fill the tanks to truck sand goes
15 down.

16 Finally, offshore sand, poor quality at
17 .25 average sand size results in a cost of \$30
18 a cubic yard based on the recent Mid Time
19 Project or \$46 a cubic yard if you consider the
20 inconsistency of the sand. So, therefore, in
21 your table where you state that the Town's
22 project will only cost \$10 a cubic yard to use
23 offshore sand is a gross inaccuracy. It
24 doesn't include the cost of mobilization, the
25 cost of dredging and hydraulic conveyance, sand

1 placement, grading, site restoration, beach
2 tilling turbidity nor the cost of the original
3 sand source investigation which was over
4 \$2 million to permit and design the offshore
5 sand source.

6 I'm going to finally conclude by saying
7 that why would the Town spend two to three
8 years to develop an EIS at a cost that's
9 approaching a half a million dollars for a
10 dune-only project that does not even require a
11 federal permit because you could have placed
12 all the sand above mean high water and avoided
13 this entire process if that is truly what the
14 intent of the project is to provide protection
15 to the property owners that is meaningful.

16 That concludes my remarks, and thank you
17 very much for your time today.

18 MR. LIPS: Thank you. Terry Revele
19 (phonetic).

20 MS. REVELE: My name is Terry Revele and
21 I am a resident in Reach 8. I'm just shocked
22 tonight to find out that the Army Corps of
23 Engineers could discriminate from one town to
24 another, that we're not all treated equally
25 with the same type of sand. I've also found

1 out from one of the Council members just now
2 that it was our Town staff that decided not to
3 join in on the County plan and I just am
4 bewildered. It's just -- it's just mind
5 boggling that so many things could be
6 interfering with one another, why we're not all
7 joined, we're not all together. I don't know
8 if it's your fault that we're getting different
9 sand, but I would like to just comment as a
10 resident.

11 MR. LIPS: Thank you. That's all the
12 comments that were on the list to be given
13 orally. So if anybody has any other comments
14 we have a court reporter here if you don't want
15 to present them in front of everybody you can
16 speak to her directly and she'll take them.
17 Otherwise we don't have any other comments at
18 this time.

19 We're here until 8:00.

20 (Whereupon, the presentation, comments and questions
21 are concluded at 7:13 p.m.)

22 (Whereupon, the meeting is concluded at 8:00 p.m.)

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Dated the 13th day of January, 2015

JULIE ANDOLPHO