

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 10, 2024

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P. E., Director of Public Works

RE: Endorse Palm Beach County's Bonefish Islands Restoration Project and Amend Approved Waivers to Town Code for Construction Dates, Hours, and Noise in Lake Worth Lagoon to Include Sunday Work and Extend Waivers to August 1, 2025

DATE: December 5, 2024

STAFF RECOMMENDATION

Town staff recommends that Town Council endorse Palm Beach County's Bonefish Cove Islands Restoration Project, and Palm Beach County Environmental Resources Management (ERM) request to amend approved waivers to Town Code of Ordinances for construction dates, hours, and noise in Lake Worth Lagoon to allow for Sunday work and extend approved waivers to August 1, 2025.

GENERAL INFORMATION

At the March 12, 2024 Town Council Meeting, Town Council approved a request by Palm Beach County ERM for a waiver to Town Code for construction, hours, and noise. This request did not include work to be performed on Sundays. Town staff has been working with ERM and the US Army Corps of Engineers to reduce the number of bridge openings at Royal Palm Way bridge and Southern Boulevard bridge in an effort to reduce the impacts on traffic within the Town. ERM has requested the waiver to be amended to allow for Sunday work. This will allow the work production to be extended through Sundays which will reduce the number of barges transporting to Bonefish Islands. The number of barges is being driven by a strict completion date in the Corps contract. The date for completion cannot be extended, therefore, including Sunday work is the next best option to reduce the number of barges on any given day.

For additional background information, Palm Beach County ERM has been performing environmental enhancement projects in the Lake Worth Lagoon for many years with several projects which include Grassy Flats and Ibis Isle, completed within Town limits. Currently, the Town is working with Palm Beach County to place fill from the marina rehabilitation into an old dredge hole in Tarpon Cove to construct resilient islands near the El Cid neighborhood of West Palm Beach.

Palm Beach County ERM staff have been coordinating with Town staff for many years regarding future environmental enhancement projects in the Town of Palm Beach. ERM is now constructing resilient islands, called Bonefish Cove, near the south end of the Town approximately 1,000 feet from shore in the lagoon between 3120 and 3390 South Ocean Boulevard Condominiums. In

addition, ERM has been coordinating with Town staff with their plans to construct resilient islands south of Everglades Island. These projects, like the previously constructed projects, will serve as environmental habitat, improve water quality in the lagoon, and provide wave-breaks to help shoreline stabilization. Neither of these projects are expected to negatively impact the three (3) recently completed channel dredging project areas.

In order to construct these projects, Palm Beach County ERM provided a letter to the Town dated February 26, 2024 and subsequently an email requesting waivers of the following sections of the Town Code of Ordinances:

Section 42-198 – prohibits operation of equipment or machinery during winter, Sundays, and legal holidays (commencing on December 1 and ending May 1).

Section 42-199 – prohibits work between 5:00pm and 8:00am.

Sections 42-226 through 229 – regulates noise, equipment operation, and work hours and the standard Town requirement to “stand down for the season”.

Specifically, Palm Beach County ERM is requesting approval for construction hours of 7:00am to 6:00pm, Monday through Sunday. The original memorandum explicitly excluded Sundays. The US Army Corps of Engineers is the Federal sponsor and has awarded a construction contract. The contractor has until July 2025 to complete the project.

FUNDING/FISCAL IMPACT

There is no funding/fiscal impact related to these Palm Beach County projects.

Attachment

cc: Joanne O'Connor, Town Attorney
Jason Debrincat, P.E., Assistant Director of Public Works
Carolyn Stone, Deputy Town Manager