

TOWN OF PALM BEACH

Information for Town Council Meeting on: November 12, 2019

TO: Mayor and Town Council

VIA: Kirk. W. Blouin, Town Manager

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

RE: Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging in the Lake Worth Lagoon for Palm Beach County's Jupiter-Carlin Federal Shore Protection Project

DATE: November 5, 2019

STAFF RECOMMENDATION

Town staff recommends Town Council approve a waiver for the United States Army Corps of Engineers' (Corps) to perform construction related activities outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels in the staging area shown in the request in support of Palm Beach County's Jupiter-Carlin Federal Shore Protection Project.

GENERAL INFORMATION

The Corps' contractor, Cashman Dredging, is currently mobilizing to dredge the Palm Beach Inlet. This work is expected to be completed by early December. Town Council approved waivers for this work at the October 10, 2019 meeting. Another Corps' contractor, Great Lakes Dredge & Dock, is preparing to mobilize on November 12, 2019 to the Palm Beach Inlet to stage and commence preparations for Palm Beach County's Jupiter-Carlin Federal Shore Protection Project. These two operations, both managed by the Corps, will not affect one another. The Corps is requesting that the same waivers approved for the inlet project also be considered for the Jupiter-Carlin project.

The Corps recognizes that the Town's Mid-Town and Phipps Projects take precedence and will also require staging areas, which were approved by Town Council on October 10th. Town staff is working with Corps staff to assure that the project is of the least-impactful to the residents as possible.

The Corps intends for their contractors to utilize the Lake Worth Lagoon for project staging of offshore equipment. Because the Lake Worth Lagoon east of the Intracoastal Waterway's centerline is within the jurisdictional limits of the Town of Palm Beach, work performed in this area must either conform to the Town Code of Ordinances or be allowed by the Town Council.

This Corps request includes 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”.

The proposed staging area is in western location closest to the Port’s turning basin and the Intracoastal Waterway. The Corps is not requesting to use the location along the secondary channel that runs north-south near the Town.

FUNDING/FISCAL IMPACT

There is no funding/fiscal impact related to this item.

Attachments

cc. Patricia Strayer, P.E, Town Engineer
Robert Weber, Coastal Program Manager
Brian Choate, U.S. Army Corps of Engineers