

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 10, 2023

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 and Construction of the 2023 Palm Beach Harbor Inlet Maintenance Dredging Project

DATE: September 18, 2023

STAFF RECOMMENDATION

Town staff recommends Town Council approve a waiver for the United States Army Corps of Engineers (USACE) to allow 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 from the USACE.

GENERAL INFORMATION

The USACE plans to commence dredging of the Palm Beach Inlet as early as February 2024. The dredged material will be placed in the permitted nearshore placement area. The volume being dredged is less than 100,000 cubic yards, therefore, there will not be placed on the Town's shore. The work is expected to be completed no later than April 30, 2024.

The USACE intends for their contractor to utilize the Lake Worth Lagoon for project staging of offshore equipment. Since 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 USACE 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 1st and ending May 1st).

Section 42-199 – prohibits work between 5:00 p.m. and 8:00 a.m.

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

The proposed staging area is the same location used successfully by the USACE in 2020, 2021, and 2022 which is located near to the Port of Palm Beach and nearly 1/3-mile from the Town's lagoon front shoreline.

FUNDING/FISCAL IMPACT

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

Attachment

cc. Patricia Strayer, P.E, Town Engineer
Chris McNees, USACE