

The Florida Coastal and Ocean Coalition

Caribbean Conservation Corporation & Sea Turtle Survival League •
Reef Relief • Gulf Restoration Network • Natural Resources Defense Council •
The Surfrider Foundation • The Ocean Conservancy • Environmental Defense

February 25, 2008

Secretary Michael Sole
Florida Department of Environmental Protection (FDEP)
3900 Commonwealth Blvd., Mail Station 300
Tallahassee, Florida 32399-3000

Re: Comments on Palm Beach Reach 8 Beach Project

Dear Secretary Sole,

The Florida Coastal & Ocean Coalition would like to offer the following comments regarding the Town of Palm Beach Reach 8 Beach Project ("project"). As you know, the Coalition is a group of environmental, civic, business and outdoor organizations working together to sustain Florida's environmental and economic future. The Coalition Steering Committee alone represents over 100,000 Floridians and that number is growing everyday; over 160 businesses and environmental organizations have joined together to support the Coalition's shared voice on the critical issues facing our coastal communities.

We fully appreciate the commitment of staff resources and the engineering efforts outlined in the draft permit notice. However, we believe the underlying strategy of this proposed Reach 8 permit and the future proposal to combine Reach 7 and 8, relying solely on repetitive beach re-nourishment, is not the best approach to ensuring protection of this beach and dune system. While this beach profile historically has been dynamic, the project scope and engineering does not take into consideration the feeder beach sand transport flows to the north from both individual beach projects and the inlet bypass plant. With almost half of the State's beaches in need of perpetual maintenance at great public expense, it does not seem prudent to spend state restoration money on widening a beach berm that is not deemed "critically eroded." This constitutes an enormous drain on limited tax revenues, especially in the current political climate of state and local government tax cutbacks.

Governor Crist has recognized that Florida needs to face issues head on; adapt and change direction when necessary to ensure our well being and quality of life. In his State of the State Address and Keynote Address at the Climate Summit, Governor Crist highlighted in no uncertain terms that Climate Change is one of the most critical issues we must address. Yet there is no mention of climate change in the project scope and analysis. Recognition of the impacts we can

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expect on our beaches from climate change, and development of policies to deter armoring as those impacts onset, should be a key component of the project.

Finally, we have reason to believe the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), will likely declare near and offshore areas of Palm Beach County as Critical Habitat for elkhorn (*Acropora palmata*) and staghorn (*A. cervicornis*) corals, which were listed as threatened species under the Endangered Species Act of 1973, as amended (ESA), on May 9, 2006. While NOAA will not disclose the exact location of existing colonies, there is a known colony only a few miles south of the project area, increasing the likelihood for the critical habitat designation. In correlation to the project area, there is a strong likelihood of direct, indirect, and cumulative impacts to elkhorn coral habitat since it commonly grows in turbulent shallow water on the seaward face of reefs in water ranging from 1 to 5 m in depth. Elkhorn and staghorn corals require relatively clear water since they are almost entirely dependent upon sunlight for nourishment and adequate hardbottom for attachment. These coral species cannot compensate for long-term reductions in water clarity with alternate food sources. The currently proposed advanced fill material placed on the beach berm will not only directly impact the water column, but will also greatly decrease and bury the area's shallow hardbottom – critical habitat for these protected species.

Section 3 of the ESA (16 U.S.C. 1532(3)) defines the terms “conserve,” “conserving,” and “conservation” to mean: “To use, and the use of, all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this chapter are no longer necessary.” The designation of elkhorn and staghorn to the US Endangered Species List, and inclusion of Palm Beach in the proposed critical habitat for these species, mandates that state and federal agencies reviewing this project consider the impact on these species. While the soon-to-be-released Biological Opinion will address the potential “take” of these species, the Coalition does not believe that DEP can properly evaluate this project for endangered and threatened species impacts until after the public hearing and comment period has ended, and the potential direct, indirect and cumulative impacts on critical habitat for these protected coral species can be identified and addressed.

This beach clearly holds some of the most valuable coastal and ocean natural resources for Floridians and tourists. This area has an extremely high recreational and aesthetic value that helps provide economic returns vital to the local community. After reviewing the draft permit and project scope it is not evident that these resources are being properly balanced with protection of upland development. It may be more prudent due to the number of stakeholders involved for the project permit to only include dune restoration via trucked “clean” sand beginning at the first building south of the Lake Worth Pier. Such a change in the project scope would not only provide beach and upland protection and

greatly decrease the cost on the state and taxpayers, but it would allow all stakeholders adequate time to initiate a long-term review and evaluation.

We believe DEP has the tools and authority to fully and objectively evaluate this project beyond what it has drafted thus far. We look forward to being a partner with DEP in creating a more sustainable coastal and ocean future for all Floridians. Thank you for the opportunity to provide these comments.

Sincerely,

Gary Appelson – Caribbean Conservation Corp.
Sarah Chasis, J.D. – Natural Resources Defense Council
Ericka D’Avanzo – Surfrider Foundation
Jerry Karnas – Environmental Defense
Paul Johnson – Reef Relief
Joe Murphy - Gulf Restoration Network
David White, J.D. – The Ocean Conservancy

cc: Governor Charlie Crist
U.S. Congressman Ron Klein
Senator Jeff Atwater
Col. Paul Grosskruger, Commander ACOE Jacksonville District
Ken Haddad, Florida Fish and Wildlife Conservation Commission
USFWS
NMFS
Palm Beach ERM
Distribution