



COMPREHENSIVE PLAN AMENDMENT STAFF REPORT AMENDMENT ROUND 24-B

BCC ADOPTION REPORT, AUGUST 28, 2024

I. General Data

Project Name: Port of Palm Beach Master Plan Update
Element: Transportation Element & Coastal Management Element
Project Manager: David Wiloch, Senior Planner
Staff Recommendation: Staff recommends *approval* based on the findings and conclusions presented in this report.

II. Item Summary

Summary: This proposed amendment would revise the Transportation and Coastal Management Elements of the Comprehensive Plan to incorporate by reference Appendix A, which contains the Port of Palm Beach Goals, Objectives and Policies, Figure 55, the Initial Master Plan Map (Improvements 2023-2027), and Figure 57, Key Master Plan Improvement Projects Timing and Budgetary Cost (Capital Improvement Program) of the Port of Palm Beach Master Plan, which were adopted by the Port of Palm Beach Commission on September 8, 2023.

Assessment: This amendment will incorporate by reference the Goals, Objectives, and Policies, Future Improvements Map and the Capital Improvements Program of Port of Palm Beach's Master Plan, as adopted September 8, 2023 into the County's Comprehensive Plan. There were no inconsistencies identified with policies in the Comprehensive Plan, and no changes to the Unified Land Development Code are anticipated.

III. Hearing History

Local Planning Agency: *Approval*, motion by Dagmar Brahs, seconded by Penny Pompei, passed in an 6 to 0 vote at the April 12, 2024 Planning Commission public hearing. Varisa Lall Dass abstained from this item. There was minimal discussion and no public comment.

Board of County Commissioners Transmittal Public Hearing: *Transmit*, motion by Vice Mayor Marino, seconded by Commissioner Barnett, passed in a 7 to 0 vote at the May 1, 2024 public hearing. There was minimal Board discussion. Three members of the public, including a representative of the Loxahatchee Group of the Sierra Club, spoke citing environmental concerns, Port worker safety, and possible conflicts with whales in the Port area. A letter was submitted for the record and is included in Exhibit 3.

State Review Agencies: The State Land Planning Agency reviewed this amendment under Round 24-03ESR and issued a letter dated June 7, 2024 stating that the Agency had no comment on the proposed amendment. The Florida Department of Transportation (FDOT) identified a copying error which was resolved in Exhibit 2 as stated below.

Changes Subsequent to Transmittal: Page E-5 in Exhibit 2 was updated to include the full text of policies for Objective 1.8 in the Port of Palm Beach Master Plan which were inadvertently omitted when copying the document into the report.

Board of County Commissioners Adoption Public Hearing:

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IV. Intent

The intent of this amendment is to incorporate by reference the most recent updates to the Port of Palm Beach Master Plan, adopted by the Port Commission on September 8, 2023, into the Coastal Management Element and the Transportation Element of the County's Comprehensive Plan, as provided in Exhibit 2.

V. Background

This proposed amendment would revise the Transportation (TE) and Coastal Management (CME) Elements to incorporate by reference Appendix A, which contains the Port of Palm Beach Goals, Objectives and Policies, Figure 55, the Initial Master Plan Map (Improvements 2023-2027), and Figure 57, Key Master Plan Improvement Projects Timing and Budgetary Cost (Capital Improvement Program) of the Port of Palm Beach Master Plan, which were adopted by the Port of Palm Beach Commission on September 8, 2023.

Justification. Section 163.3178(2)(k) of the Florida Statutes require that each deepwater port prepare a strategic plan or comprehensive master plan, and that "the appropriate local government" include the port plan in the Coastal Management Element of the local government's Comprehensive Plan. If both the County and a municipality have responsibility for the area in which the deepwater port lies, the appropriate local government is the County. This is the case with the Port of Palm Beach, which lies in both the City of Riviera Beach and Unincorporated Palm Beach County.

The Port's Master Plan has been incorporated by reference in the County's Comprehensive Plan since its adoption in 1989, with updates adopted in 1997, 2005, 2009, 2013 and 2017 in Amendment Rounds 97-1, 05-2, 09-1, 13-1 and 17-D. This proposed amendment would incorporate adopted portions of the Port's Master Plan, including:

- Appendix A, which contains Port of Palm Beach Goals, Objectives and Policies;
- Figure 55, the Initial Master Plan Map (Improvements 2028-2033); and
- Figure 57, Key Master Plan Improvement Projects Timing and Budgetary Cost (Capital Improvement Program).

These are incorporated by reference in Goal 4 of the Coastal Management Element of the County's Plan. In addition, the County's ongoing coordination with the Port is referenced in both the Transportation Element (TE) and the Intergovernmental Coordination Element (ICE).

Per section 311.14(2)(e) of the Florida Statutes, "To the extent feasible, the port strategic plan must be consistent with the local comprehensive plans of the units of local government in which the port is located." When Port of Palm Beach Master Plan updates are proposed, the County's Planning Division coordinates a review by County departments, to ensure that the proposed changes are not inconsistent with the goals, objectives and policies of the County's Comprehensive Plan. The County coordinates with the Port regarding any inconsistencies, and also provides comments and suggestions for items not related to Plan consistency. No inconsistencies with the County's Comprehensive Plan were identified.

VI. Data and Analysis

This section provides background information regarding the proposed amendment, and consistency of the proposed changes with the Comprehensive Plan.

A. Proposed Text Amendment

This amendment proposes to update references to the Port of Palm Beach Master Plan located in the Coastal Management and Transportation Elements of the County's Comprehensive Plan. The updated references will reflect the recent revisions to the Goals, Objectives, and Policies, Future Improvements Map, and Capital Improvements Program of the Port of Palm Beach's Master Plan, recently adopted by the Port of Palm Beach Commission.

B. Background and Supporting Information

In 2022-2023 Port staff began a comprehensive evaluation and update to the Master Plan. Port staff have indicated that the recently adopted Port Master Plan modifies the goals, objectives, and policies to adapt them to the Port's current expectations. The new Master Plan addresses port planning and operations, as well as transportation, dredging, environmental resources, and Peanut Island. According to Port staff, the new Master Plan is primarily intended to allow the Port to continue to obtain funds and grants for any needed improvements.

The Master Plan indicates that the neighboring local governments of Palm Beach County, Palm Beach Shores, Palm Beach, Riviera Beach, Mangonia Park, Belle Glade, South Bay and West Palm Beach, were notified of the Master plan update. In addition, the Treasure Coast Regional Planning Council, Palm Beach Transportation Planning Agency, Palm Beach Civic Association, Army Corps of Engineers, Palm Beach Schools and Florida Power and Light were also notified. All were provided the opportunity to review and comment on the new Port Master Plan, and the Port staff met with the local governments and agencies that wished to comment. Letters received from interested parties are provided in Exhibit 3.

C. Consistency with the Comprehensive Plan

Several provisions in the Coastal Management Element (CME) of the Comprehensive Plan are applicable to this amendment, and are listed below:

- 1. CME Policy 4.1-a:** The County shall coordinate with the Port of Palm Beach and other governmental entities to plan for and to resolve problems and outstanding issues related to transportation, development and land use, emergency management and natural resources management, including the bypassing of sand at the Lake Worth Inlet. The Intergovernmental Coordination Element shall provide the basis for resolution of disputes related to the incorporation of the Port of Palm Beach Master Plan into this Comprehensive Plan, and to resolve several environmental observations and inconsistencies between the Comprehensive Plan and the Port Master Plan, as identified in the Support Documents.

Staff Analysis: The Port provided the draft revisions to the County for review and comment prior to finalization and adoption, allowing for the identification and resolution of issues. None were identified in the County's review.

2. **CME Policy 4.1-b:** The County shall promote and help ensure the orderly development and use of the Port of Palm Beach through the intergovernmental coordination processes identified in the Intergovernmental Coordination Element and environmental review activities of the Department of Environmental Resources Management.

Staff Analysis: In addition to the Port's direct coordination with neighboring local governments regarding the Master Plan updates, the County distributed notice of this amendment through the Intergovernmental Plan Amendment Review Committee process. No inquiries were received from any local governments. All County departments were invited to review the proposed changes, and the Department of Environmental Resources Management, the Parks and Recreation Department, and the Engineering Departments were specifically requested to review the proposed changes. As noted above, no issues of inconsistency with the County's Comprehensive Plan were identified.

3. **CME Policy 4.1-c:** The County shall review future amendments to the Port's Master Plan for consistency with the County's Comprehensive Plan, and will initiate action to amend the Comprehensive Plan to reflect County-approved Master Plan revisions. As required by section 163.3178(5), Florida Statutes, the appropriate dispute resolution process provided under section 186.509, Florida Statutes must be used to reconcile inconsistencies between the Port's Master Plan and the County's Comprehensive Plan.

Staff Analysis: As noted above, this review was conducted and no inconsistencies were identified.

D. ULDC Implications

This proposed amendment will not result in subsequent changes to the Unified Land Development Code.

E. Department Review

County departments were invited to review the proposed changes, and the Department of Environmental Resources Management, the Parks and Recreation Department, the County Archeologist, and the Engineering Departments were specifically requested to review the proposed changes. As noted above, no issues of inconsistency with the County's Comprehensive Plan were identified.

VII. Public and Municipal Review

Intergovernmental Plan Amendment Review Committee (IPARC): Notification was sent to the County's Intergovernmental Plan Amendment Review Committee (IPARC), a clearing-house for plan amendments on March 22, 2024. At the time of the printing of this report, no calls or written requests for information or objections to the amendment had been received.

Other Notice and Comments: Correspondence received throughout the amendment process are provided in Exhibit 3.

VIII. Staff Assessments and Conclusions

This amendment will incorporate by reference Appendix A, which contains the Port of Palm Beach Goals, Objectives and Policies, Figure 55, the Initial Master Plan Map (Improvements 0-5 years) and Figure 57, Key Master Plan Improvement Projects Timing and Budgetary Cost (Capital Improvement Program) of the Port of Palm Beach's Master Plan, as adopted on September 8, 2023 into the County's Comprehensive Plan. There were no inconsistencies identified with policies in the Comprehensive Plan.

Staff recommends **approval** of this amendment.

Attachments

Exhibit 1 – Proposed changes in strike out and underline format	E - 1
Exhibit 2 – Port of Palm Beach Master Plan Documents - As Adopted September 8, 2023	E - 2
Exhibit 3 – Correspondence	E- 14

Exhibit 1

A. Transportation Element, Port of Palm Beach Master Plan Update

REVISIONS: To revise the date and references of the Port of Palm Beach Master Plan to reflect the latest revisions. The revisions shown with the added text underlined, and the deleted text ~~struck-out~~.

REVISED OBJECTIVE 1.8 Port of Palm Beach

Palm Beach County has incorporated Section A, Requirements and Compliance Goals, Objectives and Policies, 2017-2022 Future Improvements the 0-5 years Initial Master Plan Map, and 2017-2022 the 2024-2043 Capital Improvement Program of the Port of Palm Beach Master Plan adopted ~~April 20, 2017~~ adopted September 8, 2023 into the Coastal Management Element of its Comprehensive Plan. The County shall continuously seek to achieve consistency and coordination between the Goals, Objectives and Policies of the Port Master Plan and this Comprehensive Plan.

B. Coastal Management Element, Port of Palm Beach Master Plan Update

REVISIONS: To revise the date and references of the Port of Palm Beach Master Plan to reflect the latest revisions. The revisions shown with the added text underlined, and the deleted text ~~struck-out~~.

GOAL 4: PORT OF PALM BEACH

REVISED OBJECTIVE 4.1 Port of Palm Beach

Palm Beach County hereby incorporates Section A, Requirements and Compliance Goals, Objectives and Policies, 2017-2022 Future Improvements the 0-5 years Initial Master Plan Map, and 2017-2022 the 2024-2043 Capital Improvement Program of Port of Palm Beach Master Plan adopted ~~April 20, 2017~~ adopted September 8, 2023 into this Element of its Comprehensive Plan. The County shall continuously seek to achieve consistency and coordination between the Goals, Objectives and Policies of the Port Master Plan and this Comprehensive Plan. Palm Beach County shall monitor the implementation of the master plan and adopt any future modification or update to the plan.

Exhibit 2 – Port of Palm Beach Master Plan

As Adopted on September 8, 2023

Appendix A

1. Requirements and Compliance

1.1.1. Goals, Objectives, and Policies

The POPB has established the following goals, objectives, and policies to guide development and management of port facilities, as required under Chapter 163, Florida Statute. Per the requirements of Chapter 163.3178 for ports located in more than one jurisdiction, these goals, objectives, and policies are adopted in the Palm Beach County Coastal Management Element and, together with the adopted Capital Plan and the Port's Future Improvements Map, form the Port's growth management strategy for the next five-, ten-, and twenty- year (2027, 2032, and 2042) planning periods.

1.1.1.1. Goal 1: Port Expansion and Regional Economic Development

The POPB will provide the region's intermodal link to waterborne commerce through operation, maintenance, and expansion of its deep-water port facilities and continued support of inland intermodal logistics centers, including furtherance of general, container, bulk, ro-ro cargo and passenger services, with the goal of facilitating trade, creating and sustaining jobs, providing economic benefits, supporting key industries, and assisting Port tenants in an atmosphere of respect for adjacent communities and sensitive natural resources.

Objective 1.1: Port Facility Expansion

The Port will maintain and expand its facilities as required to fulfill intermodal transportation needs, including purchase and lease of new properties for the movement of people and goods, storage and manufacturing, facilitation of trade, and the improvement of existing and new properties to maintain and expand cargo and passenger throughput. The Port will remain in compliance with applicable laws, regulations, ordinances, and contractual agreements with neighboring municipalities with regard to any limits on the Port's future expansion.

Policy 1.1.1 Land Acquisition and Leasing Program

The Port will give priority consideration in its land acquisition and leasing program to properties identified in, and consistent with, this Master Plan and found to be reasonable and economically feasible in meeting demonstrated Port needs.

Policy 1.1.2 Facility Use Diversification

The Port will promote diversification in the use of its facilities to assure its economic stability.

Objective 1.2: Prioritization of Water-Dependent Uses

As a deep-water port, the POPB is a water-dependent facility with immediate intermodal access to deep water and to upland modes of transportation. Port uses will be priority uses along the waterfront and will take precedence over other land uses that are not port-related and which have a limited relationship to the water, or which conflict with port uses due to public safety or security issues.

Policy 1.2.1 Water-Dependent Facilities

The Port has established the following land use priorities:

- Port facilities as defined by Section 315.02(6) Florida Statutes,
- Other water-dependent facilities.

Policy 1.2.2 Non-Water-Dependent Facilities

Uses which are not port-related or water-dependent are not priority uses for the waterfront area in the port vicinity.

Objective 1.3: Coordination of Expansion Plans

The Port will achieve its future development program in a manner which minimizes potential adverse impacts to adjacent communities, including the City of Riviera Beach, the City of West Palm Beach, the Town of Palm Beach, Palm Beach Shores, and Palm Beach County.

Policy 1.3.1 Community Outreach

The Port will identify major stakeholders potentially impacted by new proposed projects, including Palm Beach County, the City of Riviera Beach, the City of West Palm Beach, the Town of Palm Beach, Palm Beach Shores, and as appropriate engage these communities in a dialogue about the project, its impacts, and potential project modifications or impact mitigation during the planning stages of the project. The Port will not consider impact mitigation that is not demonstrably related to the project; further, the Port will consider the costs and benefits of any identified mitigation measures in overall project feasibility.

Policy 1.3.2 Sensitivity to Off-Site Environments

The Port will endeavor to implement improvements to landscaping, screening and entrance signage for existing Port perimeter areas, subject to available funding sources. As the Port considers new development and redevelopment of facilities, it will ensure that buildings are located to reflect off-site relationships, properly designed site improvements are installed, and aesthetic compatibility with surrounding properties is considered. A high priority will be given to protecting the living environment of residential neighborhoods abutting Port properties. In the City of Riviera Beach, screening and landscaping will be given the highest priority along the President Barack Obama Highway corridor.

Policy 1.3.3 Support of City of Riviera Beach's Community Redevelopment Area Initiatives

The Port recognizes the Community Redevelopment Area (CRA) in the City of Riviera Beach, which includes the portions of the Port located within the City. The Port will strive to support CRA planning efforts, strategies and development that are consistent with the operation of a thriving Port integrated with a vibrant neighborhood and business district. Coordination will be achieved through regular dialogue with the City of Riviera Beach and the CRA.

Policy 1.3.4 Exchange of Master Plan Information with Adjacent Municipalities

Through the Master Plan and amendments, the Port will provide relevant Master Plan sections to adjacent municipalities and coordinate with these municipalities to accommodate necessary future land use map and policy changes consistent with the Port Commission-approved Master Plan.

Objective 1.4: Port Facilities

The Port will improve existing facilities and maintain new facilities to ensure that the Port has the security, capacity and operational efficiency needed to accommodate future growth in cargo and passenger services.

Policy 1.4.1 Future Project Types

The Port will construct as well as support third-party funded improvements, including but not limited to, berthing areas, cargo yards, rail and truck routes, gates, terminals, warehouses, utility infrastructures, and inland intermodal logistics centers necessary to accommodate more efficient use of land and a diverse customer base for future growth. Future types of projects are expected to include the following:

Expansion – Port boundary expansions up to 11th Street in the City of Riviera Beach and Port facility expansion projects, such as cargo storage/cargo laydown, passenger terminal, parking garages and supporting passenger venues/facilities.

Redevelopment - Redevelopment and improvements to slips and berthing areas, such as widening of Slip 2 and offshore lay berth,

Redevelopment and Enhancement - Property and land improvements general, bulk, containerized, and ro-ro cargo facility improvements.

Rail – Expansion of on-dock rail yard working track and storage track and associated switching improvements to increase the throughput capacity of the rail yard.

Passenger facility improvements - Including parking garages.

Federal - Harbor and channel and turning basin improvements.

Transportation - Improvements related to on- and off-port transportation and intermodal projects.

Projects at the Port's waterfront complex are shown on the Initial, Interim, and Future Improvements Maps.

Policy 1.4.2 Foreign Trade Zone

The Port will support the maintenance and expansion of Foreign Trade Zone 135.

Policy 1.4.3 Cruise Passenger Terminals

The Port will continue to maintain the competitiveness of its cruise passenger terminal facilities in its niche market.

Objective 1.5: Strategic Initiatives

Policy 1.5.1 Marketing Program

The Port will continue to undertake an effective marketing program which supports the economic development programs of the region.

Policy 1.5.2 Cutting-Edge Technology and Services

The Port will endeavor to incorporate developments in maritime shipping technology and business trends into its strategic planning practices and its on-going operations so that the Port continues to provide efficient and competitive maritime services.

Objective 1.6: Efficiency

The Port will encourage increased productivity and efficiency of existing land areas, and the production of port-related jobs and economic impact through assessment programs of existing tenants and by ensuring that new agreements require factors such as throughput minimums which discourage payment of guarantees in lieu of active port use.

Policy 1.6.1 Long-Term Tenant Agreements

To prevent underutilization of land, the Port will continue to review its long-term agreements with existing tenants to determine if these agreements are offering the Port and the region substantial and sustained benefits through the growth of revenue, throughput, and job creation. Future agreements under this policy will consider past performances and will have a positive impact on future agreements.

Policy 1.6.2 New Customer Agreements

Prior to entering into new customer agreements, the Port will ensure that the agreements are offering the Port and region substantial and sustained benefits through revenue, throughput, and job creation.

Objective 1.7: Harbor Improvements

The Port will address navigational constraints, including channel width, depth, and configuration, which impact existing and future shipping, either as maintenance events or as authorized expansion activities.

Policy 1.7.1 United States Army Corps of Engineers Feasibility Studies

Previously completed studies by the United States Army Corps of Engineers (USACE) have identified navigational and berthing constraints at the Port and suggested the desirability of potential improvements to allow the Port to serve the fleet of ships likely to call at the Port in the future. The Port will address future shipping and navigation constraints through financial participation with the USACE in continuing studies to assess benefits and measure cost impacts associated with each potential improvement, and to determine if there is long-term federal and local interest in constructing the future improvements. Port participation has included coordination with the USACE on avoidance and minimization of impacts (including secondary and cumulative impacts) to wetlands, water quality, wildlife habitat, living marine resources, and beach and dune systems and assistance with coordination of impact assessment and mitigation with regulatory agencies and affected parties, as identified through the study process.

Policy 1.7.2 Environmental Mitigation on Federal Harbor Project

Through its role as a local sponsor for the federal harbor project, the Port will emphasize the construction of environmental mitigation projects which are consistent with the Palm Beach County Lake Worth Lagoon Management Plan.

Policy 1.7.3 Channel Expansion and Improvements

The Port will initiate preemptive channel and turning basin surveys to be proactive in their coordination with the COE dredge maintenance program. The Port will participate in channel expansions and improvements identified in any continuing studies if and when approved by the Port Commission. Channel and turning basin will continue to be maintained by COE to comply with current navigational safety standards. POPB will continue to coordinate with the COE on channel and turning basin maintenance to identify problem spots.

Policy 1.7.4 Interagency Meetings Relative to Harbor Improvements

The Port will continue to participate in interagency meetings with the United States Army Corps of Engineers, and, as issues dictate, with Palm Beach County, the Town of Palm Beach, Palm Beach Shores, the City of Riviera Beach and/or other affected governments, agencies, or parties to discuss dredged material management, Lake Worth Lagoon enhancement, and potential Port expansion issues.

Objective 1.8: Dredged Material Management

The Port will continue to participate in a collaborative effort among affected parties to ensure that preventative maintenance measures are developed and that priorities for placement of dredged materials are established that favor beach placement of material in conjunction with the Palm Beach County dredge material management plan.

Policy 1.8.1 Placement of Beach-Compatible Sand

The Port will continue to request the United States Army Corps of Engineers to prioritize placement of dry beach-compatible sand onto Town of Palm Beach beaches, in collaboration with the Port, the Town of Palm Beach, and Palm Beach County.

Policy 1.8.2 Sand Management Improvement Projects

The Port will support projects which reduce the need for maintenance dredging and improve sand management at the inlet.

Policy 1.8.3 Use of Peanut Island for Disposal Material

The Port will maintain long-term spoil disposal management options on Peanut Island through its continued ownership of the southern portion of the island and will continue to utilize the USACE's established dredged material management site on the south half of Peanut Island in order to diversify material management options available during emergency or regular maintenance dredging events.

The Port will seek alternate uses of this site for receiving and placing materials from non-Port related projects where applicable and appropriate for the Port, including coordination with the Florida Inland Navigation District (F.I.N.D.).

1.1.1.2. Goal 2: Environmental Stewardship

Objective 2.1: Environmental Protection

The Port shall undertake construction and operation activities in a manner which protects the marine environment and associated wildlife habitat by avoiding impacts whenever possible and, when avoidance is not possible, by minimizing impacts and providing appropriate environmental mitigation.

Policy 2.1.1 Turbidity Control

The Port will see that best management practices will be utilized for turbidity control during construction, as necessary, to ensure compliance with water quality standards administered by the Florida Department of Environmental Protection and will analyze sediments along wharfs and in slips prior to maintenance dredging, expansion, or redevelopment activity to ensure that potential contaminants are identified and managed properly to minimize waterborne suspension turbidity.

Policy 2.1.2 Impact Minimization and Mitigation

The Port will see that environmental studies identifying protected habitat are conducted as appropriate during the planning stage of projects. Impacts to resources (such as corals, seagrasses, etc.) will be avoided if possible; if avoidance is not possible, impacts will be minimized, and appropriate mitigation options will be provided. Mitigation will be consistent with the Lake Worth Lagoon Management Plan, as applicable. The Port will utilize construction methods and materials that minimize adverse environmental impacts for all development projects.

Policy 2.1.3 Monitoring and Sampling Programs

The Port will see that monitoring and sampling programs are accomplished in compliance with environmental permit conditions for Port development and maintenance activities.

Policy 2.1.4 Minimization of Lighting Impacts on Sea Turtles

The Port will continue to cooperate with Palm Beach County's Department of Environmental Resources Management and other appropriate agencies regarding methods to minimize lighting impacts on sea turtles. As the Port implements new lighting projects, this lighting will be consistent with the Port's operational, safety and security obligations. The Port will install cut-off fixtures on any new high-mast lighting installed and phase the modification of existing lights to have cut-off fixtures/shielding or to be replaced with more direct LED fixtures and pole systems. Future lighting projects will include implementation of a sea turtle lighting plan and provide the plan for review and comments to PBC ERM and other appropriate agencies.

Policy 2.1.5 Adherence to Permit Conditions

The Port will adhere to environmental permit conditions and mitigation requirements in its development and operational activities.

Objective 2.2: Protection of Beaches

The Port will cooperate with federal, state, and local government agencies in multi-jurisdictional programs for proper use and conservation of coastal resources to reduce the impacts of inlet stabilizing

structures on beaches and dunes as well as to protect and restore impacted beaches and dunes south of the inlet.

Policy 2.2.1 Sand Transfer

The Port endorses effective maintenance practices and improvements to the inlet and sand transfer plant to transfer sand efficiently and protect adjacent beach areas.

Policy 2.2.2 Beach Renourishment

The Port will endeavor to support the use of suitable dredged materials for beach renourishment purposes to the extent feasible. If dredge material is not suitable for beach renourishment, consideration will be made for suitability and feasibility for placement within Lake Worth Lagoon consistent with the Lake Worth Lagoon Management Plan.

Objective 2.3: Water Quality

The Port will manage its facilities, operations, and existing and future development, in a manner which maintains or improves the water quality of Lake Worth Lagoon.

Policy 2.3.1 Surface Runoff Treatment

The Port will maintain or improve surface runoff treatment facilities, as identified and scheduled in its Master Drainage Plan, to meet or exceed evolving water quality standards applicable to the Port.

Policy 2.3.2 Stormwater Runoff Management

The Port will manage stormwater runoff originating on Port facilities and closely monitor tenants' compliance with required standards for treatment of stormwater runoff into Port basins.

Objective 2.4: Manatee Protection

The Port will continue to assist in the protection of manatees in the Port vicinity relating to Port operations, construction, or expansion, pursuant to active U.S. Fish and Wildlife Service requirements and other authorities having jurisdiction.

Policy 2.4.1 Manatee Protection Plan Process

The Port will participate in the Manatee Protection Plan process, as led by Palm Beach County. As part of this participation, the Port will determine how best to support education and information systems for Port users and protect manatees from berthing impacts.

Policy 2.4.2 Manatee Protection Guidelines

The Port will take necessary measures to ensure that construction activities do not threaten the safety and well-being of manatees, including at a minimum implementing standard manatee protection guidelines.

Policy 2.4.3 Manatee-Friendly Fenders

The Port will continue to improve all berths so that they have manatee-friendly fenders by maintaining the existing fender system or the rehabilitation efforts and by installing appropriate fenders at unimproved areas, as part of reconstruction.

Policy 2.4.4 Manatee Protection Consensus-Building

The Port will continue to participate in and lead the consensus-building process with regulatory agencies and Florida Power & Light, Palm Beach County, the City of Riviera Beach, the City of West Palm Beach, the Town of Palm Beach, and Palm Beach Shores, prior to expansion of dredging or replacement of waterfront structures into waters adjacent to FP&L and to the south of the Port's current boundaries.

1.1.1.3. Goal 3: Safety and Security

Objective 3.1: Material Handling and Clean-up

The Port will encourage the proper handling and storage of hazardous materials and ensure that clean-up procedures are in place to address unintentional spills.

Policy 3.1.1 Clean-up Procedures

The Port will operate its facilities in accordance with the provisions of MARPOL 73/78 and the United States Coast Guard's early action clean-up procedures in order to prevent the discharge of oil into the water and will promptly clean up accidental spills.

Policy 3.1.2 Spill Response Coordination

The Port will continue to ensure that there is a coordinated response with all regulatory jurisdictions having authority, including the City of Riviera Beach, if applicable to significant oil spills at the POPB.

Policy 3.1.3 Public Access

The Port shall control public access and water-oriented recreation activities within the Port. Public access to the immediate wharf area shall be prohibited to ensure public safety and security.

Objective 3.2: Hazardous Materials

The Port will prohibit the improper storage, handling, transporting and disposal of hazardous materials.

Policy 3.2.1 Compliance with Federal and State Requirements

The Port will comply with mandated federal and state security requirements.

Policy 3.2.2 Hazardous Material Inspection Program

The Port will continue to assign a Safety Officer to administer its ongoing program for periodic inspection of hazardous material-handling and storage facilities, including underground tanks, to ensure compliance with applicable federal and state regulations as well as accepted safe practices and to inspect and review Port and tenant hazardous materials and plans. The Safety Officer will regularly meet and coordinate with the USCG and Florida Department of Environmental Protection regarding hazardous materials issues and potential compliance problem areas. The Safety Officer will also maintain emergency evacuation plans and coordinate with the USCG and the City of Riviera Beach Fire Department regarding plan implementation.

Policy 3.2.3 Regulatory and Management Tools

The Port will adopt and maintain appropriate regulatory and management tools to mitigate the threat to human life and to control development/ and redevelopment projects to protect residential neighborhoods and the coastal environment, and to consider cumulative impacts.

Policy 3.2.4 Tenant Requirements

The Port will require tenants to develop and maintain approved plans to assure compliance with Port safety standards for storage, handling, transporting, and disposal of hazardous materials.

Objective 3.3 Natural Hazard Mitigation

The Port shall adopt and implement measures to mitigate hazards.

Policy 3.3.1 Exposure Reduction Measures

The Port shall adopt, maintain, and implement tariffs, regulations, and programs, including building codes, floodplain regulations, beach and dune protection, stormwater management, sanitary sewer, and land use, to reduce the exposure of human life and public and private property to natural hazards.

Policy 3.3.2 Hazard Mitigation Reports

The Port shall consider and, where appropriate, incorporate the recommendations of the hazard mitigation annex of the local peacetime emergency plan and applicable existing interagency hazard mitigation reports.

Objective 3.4: Hurricane Plan and Post-Disaster Redevelopment

The Port will coordinate hurricane planning and evacuation needs with federal and local agencies and will provide for post-disaster recovery redevelopment in the event of a catastrophic event.

Policy 3.4.1 Annual Updating of Hurricane Plan

The Port will maintain and annually update its hurricane plan, in coordination with the United States Coast Guard, regarding hurricane preparedness, procedures, and evacuation policies. The Port will work with tenants to ensure each tenant complies with the requirements of the hurricane plan.

Policy 3.4.2 Post-Disaster Activities

In the event of damage or disaster, the Port will repair, redevelop, and improve its facilities. The Port will ensure that all new development meets or exceeds applicable coastal construction standards. Further, redevelopment will focus on restoration of maritime activities as a priority redevelopment activity.

1.1.1.4. Goal 4: Intergovernmental Coordination

Objective 4.1: Regional Intermodal Improvements

The Port will coordinate with State and regional agencies for intermodal improvements that impact the Port's good movement activities.

Policy 4.1.1 Upgrading of Intermodal Facilities

The Port will collaborate with the upgrading of intermodal facilities, in accordance with or as an enhancement of the Five-Year Transportation Plan and Long-Range Transportation Plan of the Palm Beach County Metropolitan Planning Organization, the Florida Department of Transportation, and the City of Riviera Beach.

Policy 4.1.2 Transportation Feasibility Studies

The Port will support and cooperate in the feasibility studies of the following specific transportation improvements, as well as other improvements identified by the Port Commission as being consistent with this Master Plan:

Improve switching facilities between CSX Railroad and FEC Railroad near the Port.

Improve SR 710 connection to I-95.

Blue Heron Boulevard and US 1 intersection improvements.

45th Street and US 1 intersection improvements.

US 1 and Port Annex intersection improvements.

Atlantic Commerce Corridor improvement projects associated with the Port of Palm Beach:

Development of inland intermodal logistics centers in western Palm Beach County communities or counties adjoining Lake Okeechobee and counties adjacent to these counties.

Redevelopment initiated by the City of Riviera Beach/CRA in its Marina District and in the surrounding Port neighborhoods.

Improve connectivity to the Marina District.

Policy 4.1.3 Inland Intermodal Logistics Centers.

The Port will continue to cooperate with Palm Beach County (and/or adjacent counties as appropriate), the Florida Department of Transportation, the Florida Department of Environmental Protection, the South Florida Water Management District where applicable, and the FEC and CSX Railroads in the current study and future development of inland intermodal logistics centers.

Objective 4.2: Integration with Transit

The Port will improve transit options for Port and Port-related employees in the short and long term.

Policy 4.2.1 Transit Coordinator

The Port will continue to assign transit coordination responsibilities to an existing employee. The Port's Transit Coordinator will meet with South Florida Commuter Services and/or similar organizations to assess existing services and determine if additional services, through Palm Tran or others, would be appropriate, and also to determine a method for better education of Port and Port-related employees about transit options. The Port will continue coordination efforts throughout the planning period.

Policy 4.2.2 Tri-Rail Station and Other Regional Transit Projects

The Port will participate in discussions with Palm Beach County and the South Florida Regional Transportation Authority regarding the proposed Tri-Rail station in the City of Riviera Beach as well other regional transit projects with relevance to the Port or Port- related employees.

Objective 4.3: Catalyst for Economic Growth and Development

The Port will be a catalyst for the economic growth and development of Palm Beach County and the State of Florida.

Policy 4.3.1 Jurisdictional Standards Compliance

The Port will be subject to the standards of entities (including but not limited to Palm Beach County, the City of Riviera Beach, and the Town of Palm Beach) having the boundaries of the Port property.

Policy 4.3.2 Infrastructure Adequacy for Demand

The Port will endeavor, to the extent required by law, to maintain procedures to coordinate with other agencies that are providing services to the Port to ensure that infrastructure will be available coincident with the demands created by development or redevelopment.

Policy 4.3.3 Coordination of Planning Activities

The Port will endeavor to coordinate planning activities with other governmental agencies including:

Coordination with existing resource protection plans such as resource planning and management plans, including the Lake Worth Lagoon Management Plan, aquatic preserve management plans, and estuarine sanctuary plans.

Resolution of any inconsistencies between the local government comprehensive plan (Palm Beach County) and the Port of Palm Beach Master Plan through the dispute resolution process, as provided under Section 186.509, F.S where appropriate.

Coordination with other local governments to ensure adequate sites for water- dependent uses, prevent estuarine pollution, control surface water runoff, protect living marine resources, and reduce exposure to natural hazards.

Policy 4.3.4 Responsibility for Intergovernmental Coordination

The Port's Commission or their Designee shall be responsible for ensuring the effective governmental coordination of matters within the Port and shall coordinate with staff-level personnel from Palm Beach County and each municipality within the county, as appropriate to discuss matters of mutual concern.

1.1.1.5. Goal 5: Financial Program

Objective 5.1: Financial Planning

The Port will schedule and prioritize necessary studies, improvements, acquisitions, and leases in its capital improvement plan to ensure that adequate revenue sources exist to support studies, improvements, and expansions. The Master Plan provides recommended plan projects that identifies 5, 10, and 20 year needs.

Policy 5.1.1 Capital Improvement Plan

The Port will adopt annually a balanced annual budget which includes a five-year capital improvement plan.

Policy 5.1.2 Annual Capital Improvement Plan Update

The Port will maintain a five-year capital improvement plan (CIP), update the CIP each year by dropping the first year and adding a sixth year with new or rescheduled projects, and submit the updated CIP to the local government annually.

Objective 5.2: Funding

Policy 5.2.1 Inclusion of Funding Sources in Capital Improvement Plan

The Port will include funding sources in its capital improvement plan for required infrastructure to support funded development and redevelopment.

Policy 5.2.2 Efforts to Secure Grants and Share Expenses

The Port will continue its efforts to secure grants and/or share expenses with other governmental agencies, Port tenants, and/or other third-party entities in developing the Port.

FIGURE 55. INITIAL MASTER PLAN



Exhibit 3 Correspondence



City of Riviera Beach, Florida
City Administration –
1481 15th Street
Riviera Beach, FL 33404
Web: www.rivierabch.com
Office: (561-812-6597)
Email: jevans@rivierabeach.org

December 11, 2023

Via Email: dwiloch@pbcgov.org

David Wiloch, Senior Site Planner
Palm Beach County
Planning Division, Second Floor
2300 North Jog Road
West Palm Beach, Florida 33411

Subject: Port of Palm Beach – Master Plan Project

Dear Mr Wiloch:

As you are aware, the City of Riviera Beach was tasked with reviewing and commenting on the Port of Palm Beach's Master Plan, hereinafter referred to as "Plan". Accordingly, both City and Community Redevelopment Agency (CRA) staff went through the Plan and developed comments that were pertinent to the future growth of the City, as well as relative current conditions, with specific emphasis on the overall health and well-being of the City. As well, City and CRA staff even created opportunities wherein residents were enlisted to participate in this review process in an effort to attain a wealth of perspectives and concerns throughout our community.

Subsequently, City and CRA staff met with representatives of the Port regarding our concerns. At that time, the Port indicated that it prefers to work collaboratively with the City to complete a new Interlocal Agreement between the City and the Port, instead of modifying the draft Master Plan. It is the City's belief that completion of an Interlocal Agreement may alleviate the respective concerns, however this process has yet to be completed.

To this end, I am pleased to share the attached email communications between the City and the Port of Palm Beach. More specifically, the attachments delineate the City's concerns as well as the Port's responses.

"The Best Waterfront City in Which to Live, Work And Play."





Port of Palm Beach – Master Plan Project

December 11, 2023

Page 2

Thereby, we are hopeful that this information is helpful and satisfies any requests that are still outstanding and needed from the City surrounding this particular Project. Nevertheless, please don't hesitate to contact Mr. Scott Evans at sevans@rivierabeach.org/(561)844-3408 or Mr. Clarence Sirmons at csirmons@rivierabeach.org/(561) 845-4060 should you have any questions or require additional information.

Sincerely,



Jonathan Evans, MPA, MBA, ICMA-CM
City Manager/CRA Executive Director

cc: Michael Meekins, Executive Director, Port of Palm Beach
Scott Evans, Director of Planning and Development, CRA
Clarence Sirmons, Director of Development Services

"The Best Waterfront City in Which to Live, Work And Play."



McCray, Tanya

From: mmeekins@portofpalmbeach.com <PlanPortofPalmBeach@PublicInput.com>
Sent: Wednesday, August 2, 2023 1:51 PM
To: Evans, Jonathan
Cc: Maxfield, Sara; Evans, Scott; Jacobs, Deirdre; Wynn, Dawn; McBride, Elizabeth; Elected_Officials_DG
Subject: Re: Collaboration for Improved Compatibility of Port of Palm Beach Campus with the City of Riviera Beach - DO NOT REPLY ALL

Good afternoon City Manager Jonathan Evans,

We appreciate your feedback on our master plan. Our consultant Moffatt and Nichol and port staff are carefully reviewing all comments and suggestions submitted through the project website. Please know, as the Port of Palm Beach continues to grow, fostering strong relationships with the surrounding communities remains at the core of our mission. We look forward to working with you and your staff.

Best Regards,

Executive Director Michael Meekins

--Original Message--

As the City Manager of Riviera Beach, I am reaching out to address some significant concerns raised by our residents regarding the Port of Palm Beach campus and its impact on our community.

We fully recognize the pivotal role that the Port of Palm Beach plays as a major employment center for Palm Beach County, contributing significantly to the region's economic growth. However, we have been consistently receiving complaints from our residents regarding certain issues that affect their quality of life and the overall compatibility of the port and the city.

First and foremost, noise, visual blight from shipping containers, and the boundary wall have become sources of distress for our residents. While we understand the necessity of these facilities for port operations, we believe that there are opportunities to address these concerns and enhance the aesthetics of the port area to better align with the surrounding community.

Of particular concern is the significant number of trains transporting freight through our neighborhood due to the volume of cargo coming into the port. We feel that there is a need for investments in infrastructure to accommodate additional railcars for stacking. The current operations seem to have overlooked the impact on our community, and we seek solutions that prioritize the well-being of our residents. Loud horns being blown at 3 AM, and intersections in our community being obstructed during morning rush hour traffic and in the evening has actually resulted in public safety assets being delayed to responding to critical calls for service.

Our primary goal is to foster a more positive partnership and relationship with our neighbor, the Port of Palm Beach, while ensuring the best interests of both our residents and visitors. It is vital that we work together to

McCray, Tanya

From: Evans, Scott <sevans@rbcr.com>
Sent: Thursday, July 27, 2023 2:29 PM
To: planportofpalmbeach@publicinput.com
Subject: Draft Port of Palm Beach Master Plan

Good Afternoon, I have reviewed the Port of Palm Beach Master Plan and have provided my comments below as today is the last day for receipt of public comments. I believe the best way to proceed is for the Port and City staff to meet to discuss our concerns followed by a future joint meeting of our elected officials. Since today is the deadline my comments are below.

Comments:

The draft Master Plan has some potential conflicts with the City of Riviera Beach Comprehensive Plan & the Community Redevelopment Plan. Amendments to these related plans will need to be requested and discussed.

The expansion of the port's northern boundary is a proposal that will need to be further discussed between the City and the Port. This will impact the nearby residential neighborhoods. The City and the Riviera Beach CRA are in the process of investing in these neighborhoods to add new affordable housing and related community improvements. The existing northern boundary of the port has no landscaping, and presents a visual blight to the adjacent neighborhood. The Boundary of the port should include a decorative wall and a heavily landscaped buffer with some public open space and a few passive park amenities.

Future traffic patterns that don't impact the neighborhood, and limiting the types of uses allowed adjacent to the Riviera Beach neighborhoods are important issues within the planned expansion area.

The Future Land Use and Zoning Maps will require applications for amendment which will need to be discussed between the two agencies.

Environmental Stewardship is important, how does the new plan improve environmental conditions within the port? What are the plans related to the unrestricted piling of scrap metal adjacent to the waters edge?

The Port is a significant economic generator for the region and its efforts towards improvements are important to the City of Riviera Beach and Palm Beach County. Further discussions on the above comments are needed to work out a renewed and strengthened partnership. Examples of such partnerships contributing to community amenities:

Rotterdam-Futureland: <https://www.portofrotterdam.com/en/to-do-port/futureland>

Which is a history museum, cultural center and tourist attraction with port tours, technology, art and science exhibits, highlighting how the Port of Rotterdam benefits the community through innovation and environmental stewardship.

The Marina Village Project and the some of elements of the ports future enhancements are excellent opportunities to collectively work together on parking and providing amenities to attract more visitors to the area.

Sincerely,

Scott Evans, AICP

David Wiloch

From: GERALD M. WARD <wardgm@gate.net>
Sent: Wednesday, August 23, 2023 5:01 PM
To: David Wiloch
Cc: Khurshid Mohyuddin; Maria Bello
Subject: Fw: Power Point Presentation - Port of Palm Beach District Final Draft Strategic Master Plan - Fulfillment of Public Records Request
Attachments: Commission Meeting August 17 2023 (I-3 Presentation).pdf

This Message Is From an External Sender

This message came from outside your organization.

DAVID WILOCH, SENIOR PLANNER, PALM BEACH COUNTY
PLANNING, ZONING & BUILDING DEPARTMENT

JANET ZIMMERMAN, ASSISTANT EXECUTIVE DIRECTOR
FLORIDA INLAND NAVIGATION DISTRICT

WITH ONLY A CURSORY REVIEW OF THE ATTACHED 28 POWER POINT PAGES UTILIZED LAST THURSDAY AFTERNOON BY THE CALIFORNIA CONSULTANT IN ATTAINING PORT OF PALM BEACH DISTRICT BOARD APPROVAL OF THE SO-CALLED "FINAL DRAFT" OF A 208 PAGE DOCUMENT ISSUED IN JUNE 2023, I WOULD SUGGEST YOU NOTE THIS POWER POINT WHICH IS ATTACHED IN PDF.

PAGE 5 AND 27 HAS THE BOGUS SCHEDULE FOR THE REMAINDER OF THE COMPREHENSIVE PLAN PROCESS. AND PAGES 15-25 ARE PAGES OF "RECOMMENDATIONS" THAT I HAVE NOT SEEN BEFORE. PAGE 27 HAS IN A BOX OF LANGUAGE THAT I CONSIDER CONTRARY TO CHAPTER 163 FLORIDA STATUTES!

PLEASE INCLUDE THE 28 PAGES IN ADDITION TO MY COMMENT SUBMITTAL TO THE PORT OF PALM BEACH DISTRICT ON 27 JULY 2023 PREVIOUSLY SUBMITTED TO YOU AS THE COUNTY'S IMPLEMENTING EMPLOYEE.

GERRY

GERALD M. WARD, P.E.

P.O. BOX 10441

RIVIERA BEACH,FLORIDA 33419

561/863-1215

2203PPBDPBCPLANNINGDW

-----Forwarded Message-----

From: Jackelin Machado <jmachado@portofpalmbeach.com>

Sent: Aug 23, 2023 3:34 PM

To: wardgm@gate.net <wardgm@gate.net>

Cc: Maggie Ferro <MFerro@portofpalmbeach.com>

Subject: Power Point Presentation - Port of Palm Beach District Final Draft Strategic Master Plan - Fulfillment of Public Records Request

Good afternoon Mr. Ward,

This email serves as acknowledgment and fulfillment of your public records request.

Attached please find the presentation you requested.

PowerPoint Presentation on Port of Palm Beach District Final Draft Strategic Master Plan – Agenda Item I-3 of AUG-2023 Board Meeting)

If you have any questions concerning the fulfillment of this request, please contact me with the information below.

Best Regards,

2

Jackelin Machado, MBA, CMC

District Clerk|Senior Manager of Administration

Port of Palm Beach

One East 11th Street, Suite 600

Riviera Beach, FL 33404

Office (561)383-4139| Cell (561)319-4527| Fax (561)842-4240



Please note: The Port of Palm Beach is governed by the Public Records Act as set forth in Chapter 119, Florida Statutes. E-mails are subject to the Public Records Act and are public records subject to disclosure. All e-mails sent and received are retained as public records. If you do not want your e-mail address released in a response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

David Wiloch

From: GERALD M. WARD <wardgm@gate.net>
Sent: Thursday, July 27, 2023 10:26 PM
To: planreportofpalmbeach@publicinput.com; David Wiloch
Cc: CARL BAKER; jmachado@portofpalmbeach.com
Subject: Port of Palm Beach Strategic Master Plan THIRD DRAFT dated June 19, 2023
PUBLIC COMMENTS
Attachments: 2303PPBDMasterPlan07272023.docx; 2203PPBDMasterPlanMTG1&
2DIRECTIONS.docx

This Message Is From an External Sender

This message came from outside your organization.

COMMISSIONERS,

PORT OF PALM BEACH DISTRICT

ATTACHED IN WORD 2016 IS MY 2 PAGE LETTER OF COMMENTS DUE THIS DAY WITH ONE ATTACHMENT

AS OF TONIGHT MY SAME REPORT TO YOUR MR. WILLIAMS, THAT YOUR CALIFORNIA WEB SITE planportofpalmbeach.com [email.publicinput.com] STILL DOES NOT WORK.

GERRY WARD

GERALD M. WARD, P.E.

561/863-1215

2303PPBDMasterPlan

GERALD M. WARD, P.E.
Consulting Engineer
Coastal - Environmental
P.O. Box 10441
Riviera Beach, Florida 33419
561/863-1215
wardgm@gate.net

Office Location:
2135 Broadway, #5
Riviera Beach, Florida 33404

VIA EMAIL

27 June 2023

Commissioners planreportofpalmbeach@publicinput.com (actually a California consult.)
Port of Palm Beach District
1 East 11th Street
Riviera Beach, Florida 33404

Palm Beach County Planning Zoning & Building Department
Attn: David Wiloch, Senior Planner Planning Division DWiloch@pbcgov.org
2300 North Jog Road
West Palm Beach, Florida 33411

RE: **Port of Palm Beach Strategic Master Plan** THIRD DRAFT dated June 19, 2023
PUBLIC COMMENTS

Folk:

As a participant at all five public meetings in June 2022, October 2022 and 27 June 2023 I desire my verbal comments at each of these meetings be transcribed and incorporated in the record of this proceeding which is attempted pursuant to **311.14 and 163.3178** Florida Statutes. Full compliance with these statutes is imperative prior to any adoption even though the Port has not fully complied to date.

This third draft is 208 pages in printable font (9?) at 8 x 11 ½ paper size is with numerous errors both substantial and/or minor by a California consultant, not in Fort Lauderdale as the second numbered Page ii states. To rectify the required adoption (163.3178(2)(k) F.S.) so as to not adopt an almost 200 pages with the Port of Palm Beach District **2017 Strategic Master Plan** which technically expired as of 31 December 2022, Palm Beach County only adopted by reference similar language contained in this DRAFT as **Appendix A** (Pages 115-125 and pdf 135-145). In 2017 considerable progress was made in correcting languages, however further improvements and corrections need to be made including progress with technology and listed species. (Curiously, Palm Beach County Environmental Resources Department refused to comment on this DRAFT!)

Page 2

RE: **Port of Palm Beach Strategic Master Plan** THIRD DRAFT dated June 19, 2023
PUBLIC COMMENTS

27 June 2023

A partial note of issues I will be commenting on during Palm Beach County's Comprehensive Plan process are issues within the structure of **Appendix A:**

Objective 1.4: Port Facilities: The Port has not listed its Real Estate Expansions

Objective 1.7: Harbor Improvements: The Port continues to ignore Federal authorized U.S. Coast Guard retrofit for navigational safety of their existing (circa 1965) navigational aids.

Of important note: is the failure to address a five-page write-up of Harbor Issues submitted 1 June 2022 by Port Towing, the port's tug assist operator.

Objective 1.8: Dredged Material Management: Inadequate language is contained in the DRAFT to provide compliance with 163.3178(6) F.S./

Policy 2.1.4 Minimization of Lighting Impacts on Sea Turtles: Although in 2017 we accepted "and other appropriate agencies" in place of calling out more non-political agencies "Florida Fish and Wildlife Commission" and "U.S. Fish & Wildlife", those additions need to be made.

Objective 2.4: Manatee Protection: This is a section for revision, as progress has resulted in downlisting the species as well delisting of a seagrass species.

Policy 5.1.1 Capital Improvement Plan: and

Policy 5.1.2 Annual Capital Improvement Plan Update: Compliance with 311.14 F.S. does not stop at 5 years and particularly with a rolling year concept of anticipating a "rescheduling"!!

LASTLY, a new section relating to "enforcement against port staff and board". I find zero reference in any agenda item last years to "compliance with the 2017 Port's Master Plan". Equally profitable would be to join the Palm Beach County Inspector General system.

As an attachment I include a three-page "cheat" sheet for implementation of work issues that I provided to the Port at their first (June 2022) public meetings. Yes, the June 2023 DRAFT did indicate some of these issues were noted, if **not** addressed.

As is all Chapter 163 Florida Statute Comprehensive Plan issues, I wish to be involved and copied as to availability of documents and meetings. Most importantly my comments at the five public meetings need to be addressed. I am generally available at the letterhead addresses, if questions.

Very truly yours,

/s/Gerald M. Ward/s/

Gerald M. Ward, P.E.

2303PPBDMasterPlan07272023

Attachments – Port Towing 1 June 2022 Submittal & 3-page List of actions 31 May 2022

Cc: Carl Baker, Port Planner CBaker@portofpalmbeach.com

Jackelin Machado, PPBDistrict Clerk jmachado@portofpalmbeach.com

The Port of Palm Beach Strategic “MASTER PLAN’S” Public Engagement Period 1 is now LIVE! AS OF 23 MAY 2022:

FOR 1100 1 JUNE 2022 & 1800 2 JUNE 2022 MEETINGS W/O BACKUP OF DETAILS (EVEN BOILERPLATE STRUCTURE) OR RESULTS OF NINE MONTHS OF WORK!

THE PORT’S MASTER PLANS HAVE A LONG HISTORY PREDATING THE STATE STATUE ESTABLISHED MANDATES OF 1975 AND MORE RECENTLY THE SPECIFICS BEGINNING IN 1985 FOR COASTAL MANAGEMENT IN 163.3178 FLORIDA STATUTES. SUCH PROVIDES SPECIFICS FOR THE PORT OF PALM BEACH’S WITHIN 163.3178 (2)(k), (3), (4), (5) & (6) FLORIDA STATUTES.

A) WHY AFTER WORKING ¾ OF A YEAR HAS NOT THE PORT PROVIDED SUCH OUTLINE??

AS ADDITIONAL INSTRUCTIONS TO THE DEVELOPERS OF THE ALLEGEDLY **2022 – 2042 MASTER PLAN:** IT SHOULD NOT BE 232 PAGES LONG AS IT NEEDS TO BE CONCISE FOR REFERENCE EACH WORKING DAY OF STAFF, THE BOARD AND THE PUBLIC. SHOOT FOR LESS THAN 100 PAGES. (TABLES & PICTURES WILL FACILITATE.) CORRECT THE PORT OWNERSHIP MAP!

GIVEN THE LACK OF PROGRESS IN THREE QUARTERS OF A YEAR, THESE FIRST PUBLIC MEETINGS **NEED TO BE REPEATED** PRIOR TO THE “FINAL” INADEQUATE ONLY TWO FURTHER DRAFT MEETINGS ALLEGED FOR THE WEEK OF 05 SEPTEMBER 2022. (ANOTHER MAJOR HOLIDAY WEEK!!)

B) ALLEGEDLY, YOU HAVE BEEN MEETING WITH THE VARIOUS INTERGOVERNMENT ENTITIES.

AT THE LEAST, THESE MEETINGS SHOULD HAVE BEEN WITH THE FOLLOWING AND A MEMORANDUM REPORT OF EACH MEETING(S):

- 1) CITY OF RIVIERA BEACH
- 2) CITY OF WEST PALM BEACH
- 3) TOWN OF PALM BEACH SHORES
- 4) TOWN OF PALM BEACH
- 5) PALM BEACH COUNTY – INCLUDING VARIOUS DEPARTMENTS INCLUDING PLANNING. RECREATION AND PARKS, ENGINEERING (TRAFFIC OPERATIONS/ROADWAYS), ENVIRONMENTAL RESOURCES MANAGEMENT AND MOST IMPORTANT OF ALL THE INLET PUMP STATION OPERATIONS.
- 6) TPA (OLD MPO)
- 7) IPARC
- 8) TCRPC
- 9) SFWMD
- 10) FIND
- 11) FDEP
- 12) FDOT
- 13) PORT’S PRIME CONTRACTOR: USACE FROM JACKSONVILLE
- 14) USDHS
- 15) USMARAD
- 16) USDOT (FHWA)
- 17) USCG

The Port of Palm Beach Strategic “MASTER PLAN’S” Public Engagement Period 1 is now LIVE! AS OF 23 MAY 2022:

FOR 1100 1 JUNE 2022 & 1800 2 JUNE 2022 MEETINGS W/O BACKUP OF DETAILS (EVEN BOILERPLATE STRUCTURE) OR RESULTS OF NINE MONTHS OF WORK!

C) PORT TENANTS AND PORT USERS YOU ALLEGE SEVERAL MEETINGS WITH SUCH! WHERE ARE REPORTS OF EACH MEETING?? THESE FOLK WILL PROVIDE MOST OF THE PROJECTS AND INFRASTRUCTURE NEEDS FOR THE **MASTER PLAN**

- 1) TROPICAL
- 2) FLORIDA SUGAR AND MOLASSES EXCHANGE
- 3) CEMEX
- 4) SOUTHEAST HAY DISTRIBUTORS (?)
- 5) GULFSTREAM LINE
- 6) TEETER BROTHERS
- 7) MONARCH
- 8) HEAVY LIFT SERVICES
- 9) STONEROCK
- 10) OZINGA CEMENT
- 11) MERCHANT’S EXPORT
- 12) CHENEY BROTHERS
- 13) SYSCO
- 14) SOMETIMES FERRY TO BAHAMAS
- 15) FPL (NOT **MANATEE LAGOON** WHICH IS JUST A PROFIT CENTER FOR FPL)
- 16) PORT TOWING
- 17) PALM BEACH HARBOR PILOTS
- 18) ADDITIONALLY:

WHAT ABOUT WEST PALM BEACH FISHING CLUB, NUMEROUS BOATYARDS AND MARINAS???

(AT LEAST TWO IN TOWN OF PALM BEACH, FOUR WITHIN WEST PALM BEACH, THREE WITHIN TOWN OF PALM BEACH SHORES AND OVER A HALF DOZEN IN RIVIERA BEACH.)

FURTHER NUMEROUS BOAT SALES OPERATIONS (& BOATYARDS) ARE DEFACTO TENANTS WITH YACHT DELIVERY SHIPS CALLING AT THE PORT FREQUENTLY. MARINE CONTRACTORS.

D) PUBLIC DESIRES AND DREAMS: WITHOUT THE ABOVE LOTS OF TENANTS AND USER’S LISTINGS THESE FIRST PUBLIC MEETINGS ARE NOT PROFITABLE FOR THIS SUBJECT.

The Port of Palm Beach Strategic “MASTER PLAN’S” Public Engagement Period 1 is now LIVE! AS OF 23 MAY 2022:

FOR 1100 1 JUNE 2022 & 1800 2 JUNE 2022 MEETINGS W/O BACKUP OF DETAILS (EVEN BOILERPLATE STRUCTURE) OR RESULTS OF NINE MONTHS OF WORK!

E) PROJECTS TO BE INCLUDED IN DRAFT (CONSULTANT PROVIDE TABLE FORM WITH BRIEF, BUT INSTRUCTIVE DESCRIPTIONS)

- 1) ENTRANCE CHANNEL, TURNING BASINS & SEDIMENTATION
- 2) MATERIAL MANAGEMENT DISPOSAL AREA AND FUTURE BERTHING
- 3) SLIP #2 WIDENING AND EXTENSION
- 4) CONTAINER YARD AUTOMATIONS
- 5) ESTABLISH TWENTY-FOUR HOUR OPERATIONS
- 6) WESTWARD OF STATE ROAD 5 WATERFRONT EXPANSION
- 7) BERTH ONE
- 8) BERTHS 17/18
- 9) FPL WATERFRONT UTILIZATION
- 10) FEDERAL PROJECT AUTHORIZATION FOR CHANNEL & TURNING BASIN EXPANSIONS
- 11) PORT RAIL IMPROVEMENTS
- 12) US1/SR5 RECONNECT TO OBAMA HWY/SR710
- 13) US EDA FUNDING PROJECTS
- 14) USCG NAVIGATIONAL AIDS SAFETY IMPROVEMENTS NOW AUTHORIZED
- 15) RESTAFFING PORT EMPLOYEES
- 16) OPEL’S OFFICE BUILDING DISESTABLISHMENT
- 17) AUTOMOBILE PARKING GARAGE WITH CITY OF RIVIERA BEACH
- 18) DEVELOP AND ADOPT INTRALOCAL AGREEMENT WITH CITY OF RIVIERA BEACH
- 19) MANDATE YEARLY FUNDING APPLICATIONS TO FPC AND FDOT & FEDERAL AGENCIES
- 20) REVISE 2018 PORT STRATEGIC PLAN
- 21) COMPLETE UNCOMPLETED 1970S RAIL YARD IMPROVEMENTS
- 22) ESTABLISH A TABLE OF 2012/2027/2022 MASTER PLAN PROJECTS NOT ACCOMPLISHED

FIRST HALD DOZEN ARE PRIORITY PROJECTS! IF 20 YEAR PLAN TIME SURVIVES.

2203PPBDMASTERPLANMTGS1&2DIRECTIONS

31 MAY 2022 – GERALD M. WARD, P.E.

Correspondence Provided at the May 1, 2024 BCC Transmittal Hearing

Admin Baker

GERALD M. WARD, P.E.
Consulting Engineer
Coastal - Environmental
P.O. Box 10441
Riviera Beach, Florida 33419
561/863-1215
wardgm@gate.net

Office Location:
2135 Broadway, #5
Riviera Beach, Florida 33404

VIA EMAIL & HAND DELIVERY

01 May 2024

Palm Beach County Commissioners
301 North Olive Avenue
West Palm Beach, Florida 33401

RE **AGENDA ITEM NO. 4.A.1** **COMPREHENSIVE PLAN HEARING**
Port of Palm Beach Strategic Master Plan UPDATE dated September 8, 2023
PUBLIC COMMENT - COMPREHENSIVE PLAN TRANSMITTAL HEARING

Commissioners:

The referenced title **COMPREHENSIVE PLAN HEARING** is besides the Budget one of the most significant actions this near highest level government in Palm Beach County accomplishes. By law Comprehensive Plan provisions should be adhered to.

As an affected person pursuant to 163.3184(1)(a) Florida Statutes and participant at all five public meetings in June 2022, October 2022, and 27 June 2023 I desire my verbal comments at each of these meetings be transcribed and incorporated in the record of this proceeding which is attempted pursuant to **311.14 and 163.3178** Florida Statutes. Full compliance with these statutes is imperative prior to any adoption even though the Port has not fully complied to date.

We appreciate the Palm Beach County Planning Staff recommending and establishing for Comprehensive Plan REQUIREMENTS AND COMPLIANCE of 163.3178(2)(k) F.S. to just the eleven pages plus two attachments of what is identified as **Appendix A** or Exhibit 2 to this agenda item. The Port's delayed and long since August 2021 through allegedly 8 September 2023 process generated some 208 pages of Plan Update text, pictures, and depictions plus some 300 plus pages of Appendices. Further we appreciate County staff including my 27 June 2023 letter with Port Towing attachment in your Planning Commission backup in addition to the City of Riviera Beach's letter of December 12, 2023, and associated Emails. Yes, the September 8, 2023, Port adopted Plan indicates some of these issues were **not** addressed.

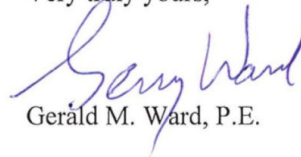
01 May 2024

Along the lines of the map attachment, potentially later Capital Improvement Program sheet and the recommendations of the City's December 12, 2023, letter, plus the resolve with a new Interlocal Agreement dictates whether this Port's Comprehensive Plan Amendment will establish good planning for the City of Riviera Beach. Most importantly, the Port is not committing to safety improvements in its Comprehensive Plan Update. We therefore suggest four new Goals and/or Objectives be considered and generated upon return:

- 1) Implement by the 100% federally funded and already authorized by the 2014 Water Resources Development Act: Aids to Navigation Safety modifications of relocation, establishment, and disestablishment of aids to navigation for the Federal Lake Worth Inlet Project by the U.S. Coast Guard as a Goal of the Port District.
- 2) In 1991 NOAA established the first **PORTS** (Physical Oceanographic Real Time System) for the three ports of Tampa Bay. Three other Florida ports now have the system, see: <https://oceanservice.noaa.gov/facts/ports.html> Lake Worth Inlet needs such equally!
- 3) During the Port's delayed and multi-year Master Plan development process the Port's then Port Towing Company and Port Captains produced a strong recommendation for Improvements to Port in-the-water operations (see my letter of 23 June 2023 in your backup). The Port of Palm Beach as a niche small port needs to look for safety improvements! Incorporate evaluation of new safety ideas in Appendix A!
- 4) Electrification and Automation of the port "container yard"! Being immediately next to FPL's most major saltwater located fossil fuel generating station in east Florida, electrification should be an easy decision! Quietness and emissions reduction are obvious.

As in all Chapter 163 Florida Statute Comprehensive Plan issues, I wish to be involved and copied as to availability of documents and meetings. I am available at letterhead addresses if there are questions. We would appreciate this letter to be included in the Board of County Commission records of action.

Very truly yours,



Geráld M. Ward, P.E.

2403PPBDMASMASTERPLAN05012024

Page 3 of 3

RE **AGENDA ITEM NO. 4.A.1** **COMPREHENSIVE PLAN HEARING**
Port of Palm Beach Strategic Master Plan UPDATE dated September 8, 2023
PUBLIC COMMENT - COMPREHENSIVE PLAN TRANSMITTAL HEARING
01 May 2024

Cc: Palm Beach County Planning Zoning & Building Department
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Admin Borum

Palm Beach County Commissioners 01 May 2024
301 North Olive Avenue
West Palm Beach, Florida 33401

RE **AGENDA ITEM NO. 4.A.1 COMPREHENSIVE PLAN HEARING**
Port of Palm Beach Strategic Master Plan UPDATE dated September 8, 2023
PUBLIC COMMENT - COMPREHENSIVE PLAN TRANSMITTAL HEARING

GOOD MORNING COMMISSIONERS: Gerald M (Gerry) Ward, 2135 Broadway in the great City of Riviera Beach, Palm Beach County. Am a Florida Professional Engineer practicing in Coastal and Environmental Engineering for over a half Century. Good to see you Administrator Baker, it has been years since you took over from Weisman!

COMPREHENSIVE PLANNING: This Item, **as with every Comprehensive Plan item**, is significant in that not only the State, but Palm Beach County made major changes in how it did business in the early 1970s by enactment of “Environmental” and “Planning” processes. Palm Beach County is unique in Florida (40x40 plus miles in land area), at least one of every element of commerce, industry and living. Its climate can freeze and be warm. I have at the entranceway to my Riviera Beach office, Palm Beach County’ before and **late 1972** adopted 36-inch square Land Use Plan maps that demonstrate that we started to exercise some control over growth and based upon just this Planning Agenda you are continuing to exercise command and control. The Port of Palm Beach is a small niche (some say nickel-dime) Port its future **and** planning need specification.

So, today’s TRANSMITTAL actions are to solicit other lower levels of government comments and actions in Tallahassee and the regions. When the Port of Palm Beach District’s latest Draft Strategic Master Plan Update comes back you will have the opportunity to consider my recommendations, modify and then take actions.

I have been involved directly with the Port of Palm Beach since December 1965 when the feds sent me down because the reports were that the Lake Worth tide range of 1.2 feet had gone up to 2 ½ feet or more than double. Remember the 1960 Federal Public Works Navigation Project with 1963-1965 construction by the Corps of Engineers deepened Lake Worth Inlet from its original 1920s twenty feet to its current 33/35 feet mean low water depths. My initiated tide observations confirmed the new mean tide range a now updated in 2010, is 2.7 feet.

We have attended each of the five “public” meetings held by Port staff and participated with written communications as your Staff has recited. I have provided a two-page letter to your Planning Commission and a similar letter to you today requesting four items that the State agencies consider as additions to Appendix A which is the guts that your staff has determined to comply with Comprehensive Plan

The port hired a notable consultant National consultant in August 2021 to accomplish an update to the last 2017 Master Plan. Unfortunately, shortly after the consultant decided to accomplish the work from Southern California and the process then consumed all of 2022 and 2023.

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Your staff initiated the Comprehensive process in February 2024 and quickly we find the Draft Plan available for your TRANSMITTAL vote.

As someone who was present 1965 & 1966 when the US Coast Guard navigational aids were first installed, then participated in the 2009-2013 development of the Feasibility Study, I want to see the Navigation Safety Study implemented by making it a listed Comprehensive Plan Goals and Objective. **My four requests:**

- 1) Implement by the 100% federally funded and already authorized by the 2014 Water Resources Development Act: Aids to Navigation Safety modifications of relocation, establishment, and disestablishment of aids to navigation for the Federal Lake Worth Inlet Project by the U.S. Coast Guard as a Goal of the Port District.
- 2) In 1991 NOAA established the first **PORTS** (Physical Oceanographic Real Time System) for the three ports of Tampa Bay. Three other Florida ports now have the system, see: <https://oceanservice.noaa.gov/facts/ports.html> Lake Worth Inlet needs such equally!
- 3) During the Port's delayed and multi-year Master Plan development process the Port's then Port Towing Company and Port Captains produced a strong recommendation for Improvements to Port in-the-water operations (see my letter of 23 June 2023 in your backup). The Port of Palm Beach as a niche small port needs to look for safety improvements! Incorporate evaluation of new safety ideas in Appendix A!
- 4) Electrification and Automation of the port "container yard"! Being immediately next to FPL's most major saltwater located generating station in east Florida, electrification should be a no-brainer! Quietness and emissions reduction are obvious.

A fifth issue is: given that the Port of Palm Beach District (Lake Worth Inlet District) had an identical charter to South Lake Worth Inlet (Boynton Inlet) in 1915 and Palm Beach County as the higher level government decided to take over South Lake Worth Inlet for economies and efficiency in the mid-1990s, maybe this Commission needs to evaluate in the coming months whether another inlet in Palm Beach County needs to be incorporated into County Government. Of the **deepwater** Ports in Florida only Canaveral is not operated by the higher-level local government. Now almost a quarter of a century later, should the County take over the Port??

Again, we recommend you vote for TRANSMITTAL of the Draft Port of Palm Beach Strategic Master Plan Update to Tallahassee's Florida Department of Commerce **and** the Comprehensive Plan reviewing agencies with the inclusion of my comments that above three issues be considered by them with their recommendations considered in your ADOPTION Hearing.

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