



Cover Memorandum/Staff Report

File #: 25-815

Agenda Date: 7/8/2025

Item #: 6.G.

TO: Mayor and Commissioners
FROM: Missie Barletto, Public Works Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: July 8, 2025

RIGHT OF ENTRY AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE UNITED STATES ARMY CORPS OF ENGINEERS (USACE)

Recommended Action:

Motion to approve Right of Entry Agreement between the City of Delray Beach and the USACE.

Background:

The Delray Beach Shore Protection Program consists of the design, permitting, construction, and monitoring of approximately 2.6 miles of shoreline. The primary focus of the program is to provide for the protection and enhancement of the beach and coastal resources in accordance with State and Federal permit conditions. The City of Delray Beach (City) holds a Joint Coastal Permit (JCP), Permit No.0303553-001-JC, with the Florida Department of Environmental Protection (FDEP) and the United States Army Corp of Engineers (USACE) for sand nourishment of the beachfront with offshore borrow areas.

In anticipation of the upcoming storm repair project, scheduled for Winter 2025 / 2026 (after the 2025 sea turtle nesting season ends October 31, 2025, and before the 2026 sea turtle nesting season starts March 1, 2026), the USACE requires legal access to the beach. The northern access point, located at the northern entry point to the municipal beach, is owned by the City therefore a Right of Entry Agreement between the City and the USACE is required during the storm repair project.

City Attorney Review:

Approved as to form and legal sufficiency.