

Shore Protection Manager

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## CARTERET COUNTY BEACH COMMISSION MEETING

Minutes

Pine Knoll Shores Town Hall

August 26, 2002, 2 pm

### **Acronyms:**

AB – Atlantic Beach

EI – Emerald Isle

IB – Indian Beach

NCDCM – N.C. Division of Coastal Management

NCDWR – N.C. Division of Water Resources

PKS – Pine Knoll Shores

USACE – United State Army Corps of Engineers

SPO – Shore Protection Office

WRDA – Water Resources Development Act

### **Attendance.**

Commission chair Buck Fugate, vice-chair Frank Rush, Commission Members William Donnelly, Bob Gallo, Jack Goldstein, Doug Harris, George Herrmann, Pat McElraft, Capt. Jim Willis III, secretary Greg Rudolph, and the general public. Members Doug Brady and Dr. John Wells were absent.

- (1) **Call to Order.** – Chairman Fugate proceeded to call the meeting to order.
- (2 & 3) **Approval of Minutes.** – Member Donnelly motioned that the minutes for the July 22<sup>nd</sup> regular Beach Commission meeting be approved as presented. The motion was seconded by member Gallo and approved. Member Goldstein motioned that the minutes for the August 5<sup>th</sup> interim Beach Commission also be approved as presented. The motion was seconded by member Donnelly and approved.
- (4) **Bogue Banks High-Resolution Beach and Nearshore Monitoring: Project Update.** – Chairman Fugate introduced Christopher Freeman, the project scientist for the Bogue Banks Beach Monitoring Project and an employee of the University of North Carolina's Institute of Marine Sciences. Mr. Freeman discussed the data acquisition method, data processing techniques, and provided a project update and schedule. Mr. Freeman reviewed how the base stations for the project were calibrated and what degree of error was established for the surveys. Mr. Freeman also discussed how the data is obtained and analyzed using a three phased approach: (1) integrate the Bogue Banks surveys with historical data obtained by the USACE and private consultants, (2) develop multi-dimensional cartography (mapping), and (3) communication of the results with the Beach Commission and conferences. In conclusion, Mr. Freeman displayed some

of the data obtained from the May 2002 survey and outlined the schedule for the remaining portion of the contract.

(5) **Beach Restoration Projects.**

**A. Bogue Banks Shore Protection and Section 933 Projects Update.** – Secretary Rudolph noted that the USACE has recently been focusing their efforts on the Brandt Island/Section 933 Project. There have been some delays on the USACE's part, and the scheduled meeting with the non-federal sponsors has been pushed back until the end of September. The chairman and secretary also attended the monthly USACE Project Delivery Team meeting on August 6<sup>th</sup> and before hand met with the Deputy District Engineer, Eugene Tickner. Secretary Rudolph noted that the minutes for the Project Delivery Team meeting were enclosed in the agenda packet. The issue of access and parking has been of great concern to both the Section 933 and Shore Protection Projects, and to this effect, the secretary and chairman discussed this issue at length with Mr. Tickner. Mr. Tickner requested a map with all of the current access/parking points and suggestions of additional areas that the municipalities would be willing to provide in order to meet USACE regulations. The SPO has prepared and delivered the map and an accompanying plan to the USACE. The plan was also attached to the agenda packet. Secretary Rudolph noted that he delivered the map and plan to the USACE on Friday (August 23<sup>rd</sup>) and discussed the issues. The USACE seemed impressed with the plan but how the acceptance of the plan translates into a level of federal participation is unknown at this time. Chairman Fugate disclosed that the access plan was not developed to commit any municipality to specific areas of access or parking spaces.

Secretary Rudolph noted that in regards to Shore Protection Project funding, the USACE has requested \$100,000 to account for the congressional appropriation shortfall of last year. The Commission was directed to a correspondence written to John Morris requesting matching funds. In this, correspondence, an up to date funding summary was included. The secretary noted that the USACE has done a commendable job in transferring funds, thereby keeping the Shore Protection Project on schedule. In regards to State funding, the secretary also noted that based on his conversation with John Sutherland at the NCDWR, fund matching for the Shore Protection Project appears favorable. The reason for this is that the largest and smallest projects seem to receive the most scrutiny. The Shore Protection Project is ranked 10<sup>th</sup> out of twenty-three and thus appears safe from any monetary cuts. On the congressional level, the secretary noted that both the Senate and House are in recess and reiterated that preliminary reports indicate that the recommendations for the Shore Protection Project from the House and Senate are \$300,000 and \$450,000 out of the \$603,000, respectively. The suggested funding at this point for the Section 933 project is \$0 and \$300,000 out of \$300,000 from the House and Senate, respectively. These numbers still need to be included in final reports for the House and Senate, and also survive joint committee all before October 1<sup>st</sup>.

**B. Morehead City Harbor Sand Management Strategies.** – Chairman Fugate proceeded to discuss the Section 111 rebuttal efforts and disclosed that the USACE has submitted an official response to PKS regarding their displeasure with the findings contained in the Section 111 report dated June 2001. The chairman further noted that any mitigation via Section 111 authority is very unlikely. Member Harris noted that in a draft Section 111 report, a mitigation plan was proposed with a 65/35 federal/non-federal cost share. Member Harris asked if this was not the same cost share for the Shore Protection Project. Chairman Fugate replied that this was the case and the

USACE likely put in a 65/35 cost share to limit their losses. Member Harris also asked that if there was a mitigative stance taken by the USACE, would Congress be obligated to appropriate funds. And would access and parking requirements therefore be necessary. Chairman Fugate replied that Congress would likely have to appropriate funds in this case and access/parking requirements would be lifted.

Chairman Fugate noted that the SPO also received a letter from the NCDCM regarding the USACE's status in replying the NCDCM's dredging consistency letter dated August 24, 2001. It appears that personnel changes at the USACE has delayed the their response. On positive note, it still appears that this issue is of a concern at the State level and new language proposed in State Senate Bill 1115 attempts to address this issue. The bill has not been passed to date. However, it still helps the State, and Bogue Banks for that matter, to make a case against the least cost disposal policy.

The chairman introduced the topic of the Sand Management Plan, WRDA 2002 language for discussion. As a review, the bill language that was approved by the Beach Commission over the objections of AB was submitted to Congress for introduction into the WRDA legislative process. Based on subsequent conversations with staff members of Senator Helms and Congressman Jones, it is apparent that the Beach Commission will have to come together and agree on modified language. If a consensus is not agreed upon, then it would be in the best interest to pull the language from Congress altogether. To this effect, Tom Jarrett has been solicited to develop several options that would likely be acceptable to all parties. AB has modified these options into a comprehensive version. Based on a conversation between the chairman and Mr. Jarrett, specifying specific quantities in the language is not recommended, but if this has to be the case, then 200 cubic yards per linear feet (cy/ft) would be acceptable to try to account for placing too much sand on AB. This version presented by AB was read to the Commission by chairman Fugate. Member McElraft asked if this language would preclude any Section 933 activities. Chairman Fugate replied that this should not be the case. Member Donnelly made a motion that the language as presented be adopted. The motion was seconded by member Willis.

Member Herrmann noted that he was not against the language but asked if it was necessary to specify a volume of sand in the language. Member Donnelly agreed with member Herrmann and also noted that the legislation should be broad. Member Willis responded to members Donnelly and Herrmann that it is necessary to pin down the USACE as much as possible. Member Gallo asked what the reference to cubic yards would ultimately mean to the language, regardless whether this portion of the language was deleted or remained. Member Herrmann asked if this would create a problem with the legislation being that specific. Member Harris noted that he attempted to develop a less specific number or range with the help of Secretary Rudolph but was unsuccessful. Based on this, AB felt comfortable with the 200 cy/ft number that Mr. Jarrett provided. Vice-chair Rush explained that he agreed with member Herrmann's concerns that the prescribed beach fill number included in the language is too specific. The language could limit any placement of Brandt Island material further westward than AB because the USACE would be obligated to place 200 cy/ft on AB. Member Herrmann noted that this could also harm AB's beach restoration efforts because if 300 cy/ft was required for AB, the USACE would be limited to only placing 200 cy/ft, thereby resulting in a 100 cy/ft shortfall.

Member McElraft asked what part of the Section 111 study was used to determine past practices. Member Harris replied that Mr. Jarrett used the conclusions in the Section 111 to determine what the past practices were. Member McElraft asked why couldn't the term past practices be used as stand alone language without referencing 200 cy/ft. Member Harris responded that based on AB's interactions with the USACE, AB feels that using the 200 cy/ft proposed by Mr. Jarrett would help keep the shorelines of AB healthy. Member Rush disclosed that the proposed motion may cut off options for placing Brandt Island material in PKS and IB by specifying that 200 cy/ft must be placed on AB. Member Herrmann asked if AB would have any problems if the 200 cy/ft language was omitted. Member Harris stated that the AB sand group would have to discuss this and it could present some problems. Vice-chair Rush asked if the proposed language would negatively affect the Section 933 or Shore Protection Projects. Secretary Rudolph replied that if the Sand Management legislation was passed, there would be little time to design and implement a plan before the Section 933 activities occurred in 2003-04. There could be some impacts for the Shore Protection Project. Vice-chair also questioned if the legislation would force the USACE to place all the material on AB creating too great of a beachfill. Chairman Fugate called a vote for the motion on the floor. The motioned originally passed with two objections (Rush and McElraft) and one abstention (Hermann). Subsequent to further discussion, members Hermann and McElraft changed their votes to approve the motion on the floor. These voting changes were based upon discussions that accordance must be achieved on the Beach Commission if any language was to be included in WRDA 2002. Secretary Rudolph asked if AB would be willing to prepare a letter to the congressional delegation supporting the new language. Member Harris noted that AB would likely be receptive to this request. Member Willis noted that 200 cy/ft of beachfill in AB is likely too much and should be in the order of 50 cy/ft.

**C. EI Restoration Project Update.** – Vice-chair Rush noted that bid documents for the eastern EI phase of restoration were issued on August 22<sup>nd</sup>. The bids should be received by September 17<sup>th</sup>. EI is accepting bids for the use of both cutterhead and hopper dredging techniques. The permit modification for use of a cutterhead dredge should be accepted or declined by the time the bid is awarded on October 17<sup>th</sup>. The general obligation bond sale for the project could include an interest rate as low as 3.5%. In regards to the Bogue Inlet Project, the Vice-chair, Mayor of EI, Secretary Rudolph, and Mr. Jarrett met with the USACE and NCDCM officials to discuss the Environmental Impact Statement process for the this phase of the project. The scheduling to realign the channel is extremely tight but the vice-chair is encouraged that the USACE and NCDCM are working together at this early stage of the project.

- (6) **N.C. Wildlife Resources Commission (NCWRC) Funding Extension Request and Review of the Shore Protection Office Budget.** – Secretary Rudolph disclosed that the NCWRC has submitted a contract extension request for the turtle monitor that would encompass the winter months (November – April) at a cost of \$9,000. The secretary noted that this request was denied because the County would likely feel that the NCWRC should be responsible for employing their staff, the SPO/Beach Commission would have little control of what the turtle monitor would do in this interim, and the fact that the \$9,000 proposal could compromise the occupancy tax “beach fund” budget. In relation to the beach fund, the secretary noted that the budget is looking positive based on the proceeds collected from January - June 2002. Member Herrmann asked how the negative balance at the end of fiscal year 2008-09 would be accommodated. Secretary Rudolph replied that that the SPO could ask the USACE to defer some of the payments to a later date after the construction phase has been completed. Also, the construction estimates for the Shore

Protection Project were based on 125 cy/ft at \$5 a cy for the entire island. If the least cost option remains in place and other portions of the island are not restored because of economics, then the proposed construction costs would be significantly lower.

- (7) **74<sup>th</sup> Meeting of the Coastal Engineering Research Board, Duck, North Carolina.** – Secretary Rudolph noted that the Coastal Engineering Research Board meeting is basically a think-tank type of conference that will discuss research methods. While this topic may have little bearing on coastal management policy, the participants of the conference include some key USACE personnel. The cost for the trip is estimated at \$350 and is a two day meeting. A motion to approve the proposed trip was unanimously approved. Secretary Rudolph also noted that the National Conference on Beach Technology has been scheduled for February 2003 and that the secretary and Mr. Freeman have been discussing the notion of presenting a joint paper at the conference. The secretary further questioned if there was any interest to pay for Mr. Freeman's travel costs. It was agreed that the State should be responsible for Mr. Freeman's travel costs. The Florida Shore and Beach Preservation Association's annual meeting is also being held in late September. Member Donnelly noted that he would be interested in attending the meeting since the Secretary could not attend. A motion to approve member Donnelly's travel expenses, conference registration, meals, etc. was unanimously approved.

Chairman Fugate noted that on a separate topic, a gentleman from the Barber Surf Rake company will be at the IB Town Hall on Wednesday, August 28, 12:00 noon. The initial visit was supposed to include a demonstration. However, the NCWRC has determined that no heavy equipment is allowed on the beach during turtle nesting season. The surf rake could be used to pick up and discard large shells left on the beach during the PKS/IB Joint Restoration Project.

- (8) **September 2002 Meeting Date (September 23, 2002 – proposed).** - It was agreed that the September 2002 meeting date will be the 23<sup>rd</sup>, at 2:00 pm.
- (9) **Adjourn.**