

Shore Protection Manager

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CARTERET COUNTY BEACH COMMISSION MEETING

Minutes

Pine Knoll Shores Town Hall

September 27, 2004, 2 pm

Acronyms:

AB – Atlantic Beach

AIWW – Atlantic Intracoastal Waterway

EI – Emerald Isle

USACE – United States Army Corps of Engineers

WRDA – Water Resources Development Act

Attendance.

Commission chair Buck Fugate, Vice-chair William Donnelly, Commission Members Jack Goldstein, Ted Lindblad, Pat McElraft, Art Schools, Jim Willis III, secretary Greg Rudolph, and the general public. Members Doug Brady, Joan Lamson, Joe Stroud, and Dr. John Wells were absent.

- (1) **Call to Order.** – Chairman Fugate welcomed Commission members to the meeting and proceeded to call the meeting to order.
- (2) **Approval of Minutes (Regular Beach Commission Meeting – August 23, 2004).** – Chairman Fugate asked the Commission if there were any corrections, additions, or comments regarding the August 23rd meeting minutes. Member Willis mentioned that the observational buoy reference in Item No. 7 (Other Business) should read that the buoy is to be positioned along Cape Lookout shoals at the dividing line separating Raleigh and Onslow Bays. The draft minutes referenced Raleigh Bay only. There were no further comments from the Commission and Member Goldstein subsequently motioned that the minutes for the August 23rd regular Beach Commission meeting be approved with the noted change. The motion was seconded by vice-chair Donnelly and unanimously approved.
- (3) **Occupancy Tax and “Beach Fund” Update.** – Secretary Rudolph reported that as mentioned at last month’s Beach Commission meeting, the occupancy tax revenue for July 2004 broke the \$1.0 million mark for the first time ever in a monthly reporting period. The July 2004 collection was over \$1.1 million, which constitutes a 21.5% increase if compared to the July 2003 collection. Member Goldstein noted that although this is positive news, it is important to keep in mind that there were 5 weekends in July 2004 compared to four weekends in July 2003. Condominiums collect funds in advance whereby hotels collect funds once a client leaves. However, this is a minor discrepancy. Member Schools added that June was up by approximately by ~10%, July was up by ~21%, and preliminary numbers from August indicate that the collections could be down by ~6%. This might be attributable to tropical storms and hurricanes, however averaged over time, occupancy tax revenues are up compared to 2003. Member Goldstein noted that the four week vs. five week

window in August may have attributed to the August figure. Chairman Fugate added that weather has huge impact on the occupancy tax because even the hotel occupancy rate is usually dependent upon the weekend business and even marginal weather can limit weekend occupancy at hotels.

- (4) **Beach Restoration Projects.** – Secretary Rudolph initiated the discussion by mentioning that Congress returned from their month-long recess with three and a half weeks to complete legislative initiatives for Fiscal Year 2005 that begins on October 1, 2004. Most notably, the Energy & Water Development appropriations bill that could possibly contain the Federal funds necessary to construct the Section 933 Project and continue the Feasibility Study, and potential 2004 WRDA bill were all possible items for Congress to reconcile this month. Secretary Rudolph emphasized that FY 2005 started this upcoming Friday (October 1st) and this is becoming problematic. The Section 933 appropriation (\$4.0 million) will likely have to be secured in a continuing resolution or omnibus bill. However, if Congress elects not to hold a lame duck session after the November 2004 elections, then a final omnibus package may not be completed until March 2005, which is too late to construct the Section 933 Project this upcoming winter. This means that the continuing resolution option is becoming more important. Most likely, the first continuing resolution will be very short with the subsequent continuing resolutions probably containing a significant amount of adds.

Chairman Fugate asked what effect, if any, will the hurricanes have to the appropriation process. Secretary Rudolph responded that there will likely be a supplemental appropriation bill to provide relief for Florida communities. Member McElraft continued the discussion regarding the Section 933 Project by asking what would happen if Section 933 Project funding is not secured. Secretary Rudolph replied that all the sand stored in Brandt Island and maintenance material from the inner harbor will be placed on AB and Ft. Macon. Bean Stuyvesant plans to use their dredge the *Meridian* for the actual pump-out and subcontract the maintenance dredging in the inner harbor. Member McElraft asked how long will it take to complete the work. Secretary Rudolph answered that the project will encompass the entire environmental window allowed for the project (November 1, 2004 – April 30, 2005). Member Willis noted that Ft. Macon was critically eroded and could use sand. Moreover, the entrance channel should have a considerable amount of shoal material that needs to be dredged considering that the spit west of the terminal jetty has expanded greatly. There are several recurved prograding relict ponds that have formed as the sand has migrated toward Shackleford Banks.

Secretary Rudolph guided the Beach Commission to the agenda packet where a graphic depiction of the Cape Lookout Estuarine Shoreline Beach Nourishment Project was located. The Federal Navigation Project in this area has not been maintained (dredged) since the 1980s or even 1970s. The beach nourishment material, as currently planned, will be obtained from the authorized channel alignment and placed along a ~1,700 foot reach of shoreline near the ferry landing and Cape Lookout Lighthouse. The old coal burning house was destroyed by Hurricane *Isabel* and the estuarine waters are approximately 75 feet from the Lighthouse keeper's quarters. Although the borrow source is the channel, only the exact quantity of sand necessary for beach nourishment will be obtained from the channel. Thus if 100,000 cubic yards are necessary to actually maintain the channel for navigation purposes, but only 60,000 cubic yards is required for beach nourishment, then the balance of 40,000 cubic yards will be left in the channel. Secretary Rudolph also noted that the USACE is serving as a contractor for the National Park Service and is preparing the Environmental Assessment for the Project. The National Park Service will have the option to retain

the USACE again for construction administration or retain a firm in the private sector. The Environmental Assessment should be completed in six months. Also, it is interesting to consider the shore protection efforts undertaken at various sites of historic significance. Fort Fisher was protected by boulders, Cape Hatteras Lighthouse was relocated, Fort Macon has employed all types of shore protection measures throughout time, and the Cape Lookout is pursuing a nourishment option. Member McElraft and vice-chair Donnelly both commented that beach nourishment is an option for non-developed areas despite comments in newspapers stating otherwise, and the projects at these sites of historic significance are evidence of this. Secretary Rudolph noted that Masonboro Island also receives beach nourishment on a regular basis as part of the Wrightsville Beach Shore Protection Project where maintenance material is dredged from Masonboro Inlet and transferred to both Wrightsville Beach and Masonboro Island.

Secretary Rudolph mentioned that the "good news" story of the past month concerned the Bogue Inlet Channel Realignment Project. The State and Federal permits were secured in the past two weeks and Secretary Rudolph referred to member Schools for an update. Member Schools added that the bid packages for dredging/pumping will be issued this Wednesday (September 29, 2004) and opened on October 25, 2004. Member McElraft asked why there is so much concern by the boating community regarding maintenance dredging at Bogue Inlet when the inlet should be realigned this upcoming winter. Secretary Rudolph replied that the concern lies between the AIWW and Bogue Inlet and the shallow depths across this navigation thoroughfare. For instance, boaters are concerned that a fishing tournament could be in jeopardy if boats are unable to get in and out of Bogue Inlet. Secretary Rudolph added that a little outreach to this group could be mutually beneficial because we have some of the same issues such as the lack of recreational benefits considered in benefit to cost ratio calculations, lack of funding, and the need for regional sand management (coalescing navigation with beach nourishment). The USACE has also been recently authorized to use a sidecast dredge along the whole connecting channel reach, where before a pipeline dredge was required near the area where the AIWW and connecting channel merges. The pipeline portion required a subcontractor, which is not necessary now if a sidecast dredge is used.

Member Willis asked if the proposed channel location has been moved further east. Secretary Rudolph replied "no" and was followed by a second question by member Willis asking how long the proposed dike will take to be installed. Secretary Rudolph answered that the sand dike will be constructed last as the pipeline dredge enters from the ocean, pumps sand to the beach, and constructs the dike last. This will inhibit flow in the present-day channel while also diverting flow in/out of the newly formed channel. The dike will remain in place and will also be constructed above mean high water. Also, new sand bags have been placed at the Pointe in the past several days as a new episode of sandbag failure has occurred. Member McElraft expressed her appreciation to the USACE for their Project Development Team approach that helped EI secure the permits in a timely fashion.

- (5) **Other Business.** – Secretary Rudolph provided a copy of a new Coastal Habitat Protection Plan Pamphlet to the Beach Commission that was printed by utilizing funds borne by the National Oceanic and Atmospheric Administration.

Chairman Fugate referenced a notice from John Woodley (Assistant Secretary of the Army –Civil Works) previously circulated to the Beach Commission. Last month a letter was drafted to

Secretary Woodley asking if the Feasibility Study for the Bogue Banks Shore Protection Project would reject any plans contained in the document calling for periodic beach nourishment, consistent to the President's proposal issued earlier in the year. Chairman Fugate continued that communities that have a Project Cooperation Agreement and are scheduled for renourishment have been informed that this responsibility is now a 100% non-Federal cost. There was no guidance delineating whether this would affect Feasibility studies and was the purpose for the Beach Commission's letter. A second underpinning of the letter was to evaluate if the Beach Commission should participate in a class action lawsuit against the Federal Government regarding the President's renourishment policy, especially considering that a large portion of the \$3.0 million Feasibility Study examines periodic renourishment. Secretary Woodley did indicate that renourishment plans would not be approved for Feasibility Studies including renourishment plans. The Beach Commission was asked to join the class action suite quickly and Chairman Fugate disclosed that the timing of the lawsuit and the Beach Commission's circumstance at this juncture in project development does not warrant participation. Chairman Fugate added that the Beach Commission could potentially be pursuing a separate legal strategy with the Olsen Associates study of Beaufort Inlet. Member McElraft agreed with this approach and vice-chair Donnelly reiterated that the Beach Commission should focus their efforts with the Olsen Associates study that the Beach Commission is funding.

Chairman Fugate subsequently asked Secretary Rudolph for a status of the Feasibility Study. The secretary replied that the USACE has funds available to keep working on the study and that the Feasibility Report should be completed in Spring 2005.

- (6) **October 2004 Meeting Date (October 25, 2004 – proposed)**. – It was agreed upon that the next Beach Commission meeting would be held on October 25th at 2:00 pm.
- (7) **Adjourn**. – Chairman Fugate asked for any additional comments. No further comments were forthcoming from the Commission and the meeting was adjourned.