
To: NTB Board of Aldermen

Subject: BISAC February Monthly Meeting Report

From: Mike Benson, Chair

Date: February 21, 2023

Manager's Update. Manager Derian, *ex officio*, updated the committee on the status of the shoreline projects.

- **Phase 5 project:** ST Wooten continues work with the Phase 5 truck haul project. At EOD on February 16th they have placed approximately 135,972 CY's of sand. The project will continue to April 30, 2023. Any remaining work will be completed in November and December of 2023. The project in total consists of hauling and placing approximately 636,000 CY's of sand along 18,500 feet of shoreline from the Surf City boarder to around 3686 Island Drive. The beach access at 2nd Ave. was opened this month to help facilitate the project with more trucks coming on-line at the end of the month with another contractor.
- **Coastal Storm Damage Mitigation Fund Grant:** The contract has been fully executed with the state. We have received the permit. I have prepared and submitted a one-year contract extension to the state in advance since we know our project will start next November. I am currently waiting on that acceptance.
- **County BA#4 Dune Project:** I worked with Onslow County to remove the lattice work in preparation for the contractor to start work. I received final documentation needed from ATM for final cost estimate with proposed scope of work deemed acceptable by the state. I presented this to the County Manager on Friday. I was told by the state to hold on moving forward with the project because of gravel and sand that was scraped into the dune by the County post Ian. I provided the plan along with the additional costs to the County Manager.
- **ICW Crossing – Channel to Jacksonville Disposal Area:** The USACE project officially wrapped up last week. I received notice late Thursday afternoon that they started to pump black material that was no longer beach compatible sand, so they had to stop. They made it to Building #6 at the Reef.
- **Phase 1 Project:** The Board of Alderman at their February meeting, approved to move forward with the FEMA project that will add 15,000 CY's of sand along Phase 1 along with an additional 30,000 CY's of sand. We cannot start this project until USACE completes the dredge project. We have a very limited time to execute this project and I have been working in advance on logistics with our engineer and management at the Reef to obtain approval for the contractor to access. I received communication from the Reef on Monday that their board of directors would like the contractor to use the southern option for truck access to the beach. This plan is being reviewed by the contractor this week and I am waiting on an estimated mobilization date. The environmental window for Phase 1 closes on April 1st. We have to provide the latest beach survey data and project fill layout to the Division of Coastal Mgt who enforce CAMA regulations prior to the work beginning as well. We cannot request an extension until the project starts and then we are set to immediately request an extension.

Committee organization. Discussion was continued on the election of a chair and vice chair. Mr. Larry Strother was unanimously elected to serve as BISAC Chair for 2023-2024. Further discussion concluded with a consensus to leave the vice chair position open pending outcome of the revised guidelines now being considered by the Board.

Action item. The Board of Alderman should accept the recommendation of the BISAC committee and appoint Mr. Larry Strother as chair for 2023-2024.

TISPC at-large recommendation. *Background:* The TISPC charter recommends that the three representatives for each Topsail Island town should consist of one elected official, the chair of the beach committee and one at-large member. Since North Topsail Beach has not had a beach committee for some time, the board has always appointed two elected officials plus an at-large citizen representative to the TISPC. Now that NTB has BISAC, the committee recommends that the Board appoint Mr. Larry Strother as the third representative for the town. Currently, we have Alderman Fontana and Alderman Benson representing the town, so this appointment would fill out our full town representation.

Action item. Appoint Mr. Larry Strother as the third town representative to TISPC.

Overview 30-yr Engineered Beach and Inlet Management Plan. Mr. Chris Gibson, our coastal engineer advisor, gave an overview of a typical 30 yr BIMP that the state Division of Coastal Management (DCM) requests that each coastal community produce. He used the example of the 30-yr plan for the Town of Topsail Beach to talk through the organization and need for a BIMP. Permitting is one important component of a BIMP, so that town-wide, the process to permit an individual project falls under the BIMP that has already been accepted by DCM thus streamlining the permitting process with DCM.

As several miles of shoreline in NTB are within Map Unit L06 of the CBRS system, Mr. Gibson gave our committee a copy of the legislation passed by Congress on October 18, 1982, to illustrate some of the public misconceptions of what can and what cannot be done within a CBRA zone and the exemptions that apply. The CBRA rules prevent use of federal dollars in establishing a 'new' federal project for shoreline protection, but the law does not prevent non-federal money from being used to support re-nourishment of beaches where forces of nature have eroded beach and dune sand from the pre-existing condition over time. Nor does the legislation prevent FEMA from beach restoration work after a federal disaster has been declared. Another important 'take home message' from his presentation was the incremental process of nourishing the entire beach in a town like NTB with 11 miles of shoreline. As an example, he cited Topsail Beach's effort that now exceeds what a federal beach project would look like and was accomplished at a fraction of the cost to Topsail Beach. He warned, however, that the process has taken over 10 years.

Action item. The Board should approve BISAC moving forward with the initial stages of a 30 yr engineered Beach and Inlet Management Plan (BIMP) unless otherwise advised by council.

NC Shallow Draft Fund & CBRA Sand Borrowing. The Biden administration has interpreted the CBRA sand borrowing rule differently from previous administrations that allowed sand from a CBRA area to be placed on a non-CBRA beach. There was concern among the committee that this federal rule would preclude use of NC Shallow Draft Funds for sections of non-CBRA shoreline. Chris Gibson explained this as a misconception; shallow draft funds at a 3 state: 1 local match can be used to maintain the New River Inlet and provide sand for shoreline protection.

Public comment. Mr. Jeff Meyers questioned whether the full 45,000 cubic yards of sand now permitted for the Topsail Reef shoreline would be placed.

- He was advised that this volume would be placed with a portion of the sand coming from the Corps dredge disposal work, the FEMA Hurricane Dorian project, and the state allocation already approved by the Board of Aldermen.

--The next BISAC meeting is Tuesday, March 28 at 10:30 in Town Hall--