

**Coastal Resources Commission Grants Variance to the Village
July 29, 2011**

The Coastal Resources Commission, or CRC, establishes policies for the N.C. Coastal Management Program and adopts implementing rules for both CAMA and the N.C. Dredge and Fill Act under the auspices of the N.C. Division of Coastal Management (DCM) within the Department of Environment & Natural Resources (NCDENR). One of the many tasks of this Governor appointed body is to review variance requests of petitioners submitted as a result of the initial permit request being denied by DCM staff.

As having been reported most recently, the Village has been working to mitigate the erosion problems at “the point”, the convergence of west & south beach as a result of the accelerated erosion. This erosion has increased significantly from the 8’ average annual erosion rate determined by DCM with approximately 10’ per week over episodic periods within the past several months (BHIC Monitoring Data Reports). This erosion has left us with an exposed groin for which we have already extended an additional +/-70 feet back to the eroded frontal dune. As recommended by our Coastal Engineer, Erik Olsen, the addition of a sandbag revetment (or sandbag wall) was recommended in addition to the groin extension to protect the groin and ultimately keep the groin field from failing. The flanking of the 1st groin, if not remedied, will continue down the field like a “zipper effect”.

Unfortunately, DCM policy prohibits the placement of sandbags, otherwise known as temporary erosion control structures, unless the escarpment (or cliff created) is located within 20’ feet of a structure, which is defined as a residential structure, public infrastructure that includes road(s), water/sewer line(s), power, or septic tank(s). The current policy is not intended to promote the protection of primary frontal dunes that are vital for storm protection as well as habitat for a number of threatened or endangered species including sea turtles.

As a result, the Village’s initial request to modify our existing groin field permit to add the sandbag revetment was denied by DCM staff as the revetment proposed would be located further seaward than the required 20’ feet. Therefore we had to petition the CRC to get a variance. A special meeting of the CRC was called by the Chairman and held this morning so that our request could be heard and acted upon. Variances are considered quasi-judicial hearings and therefore we were represented by our legal Counsel Charles Baldwin and Thomas Varnum. Mr. Baldwin, assisted by Mr. Varnum, did an excellent job of presenting our case before the commission such that the Commission granted our approval of our request on all four variance factors.

Once the Village receives the variance from DCM staff and the Corps General Permit we will execute the plan. Essentially the sandbag revetment will extend 350’ feet from groin# 16 to the west (towards the channel) and have a base width of 40’ feet and maximum height of 12’ feet. The revetment will abut to the landward exposed end of the groin#16 extension.

At a time when we are not receiving much positive news in dealing with issues related to the beach, today was a good day! A special thanks of appreciation to our legal team (Charles Baldwin & Thomas Varnum) for their outstanding performance this morning, support of all of the island entities including the BHA, BHI Club, BHI Limited, and BHI Conservancy, island stakeholders, Mayor & Council, and Village Staff for their efforts.