

**VILLAGE SHORELINE PROTECTION COMMITTEE**  
**Minutes from May 4, 2011 Meeting**

Committee Members in Attendance: Joe Brawner, Tom Hayden, Anne Kane, Ray Webb, Brooke Williams, and John Jelinek

Village Council Liaisons in Attendance: Mayor Sayre and Gene Douglas

Village Staff in Attendance: Chris McCall

Others in Attendance: Suzanne Dorsey BHIC and Joyce Fulton BHI Ltd.

**1. Call to Order/ Review of Agenda / Approval of Minutes**

- Chair Williams opened the meeting at 9:00 and presented the agenda which was unanimously approved as written.
- The minutes for the VSPC meeting of April 6, 2011 were unanimously approved on a motion from Hayden, seconded by Kane.
- John Jelinek was welcomed by Chairman Williams and sworn in by Village Clerk.

**2. Shoreline Protection Manager Report: Chris McCall**

**Wilmington Harbor Navigational Channel Hydrographic Surveying** – Corps Project Manager Bob Keistler reported last week that they should be getting started on the next round of survey work of the channel to identify the shoaling pattern and conditions of the channel for the hydrographic survey.

**VBHI Monitoring Report #9 (May 2010 – Jun 2011)** – Mckim & Creed surveyors will be conducting surveying operations of the beach profile for Erik's monitoring report.

**Sediment Sampling** – samples retrieved from Reach 3 of the outer ocean bar of the Bald Head Shoal Reaches came back as non-compatible material. As such Erik recommends that while the effort was worthy that we not request the Wilmington District to alter the limits of what maintenance material goes onto the beach.

**BIMP – Relevance to VBHI** – Beach & Inlet Management Plan is the State's effort to look at the long term sustainability of its beaches and inlets along the coast. Of critical importance in this effort is emphasis being placed on alternative funding methods that are sustainable in providing crucial funding for beach nourishment projects. As the federal budget continues to be lacking in providing adequate funding for nourishment projects and looking to put the need back on the states it has been identified as extremely important. How this impacts BHI in the near future is probably not great but in the long term it may prove to be very important if we are included in the 50-Year Brunswick Beach Plan where we could benefit from a true beach nourishment project, one that is not part of the Corps O&M of the channel that we've up to this point solely relied upon for relief.

Also of importance to the VBHI is among a number of conclusions, a detailed sediment budget formulated for the Cape Fear River Inlet. According to Erik, results suggests that channel losses from Bald Head Island and Oak Island follow a ratio closer to 7.8 to 1.

**Terminal Groin Legislation** – Senate Bill 110 is now in conference committee following the Senate rejecting the changes the House made to the bill in committee, the main issue being that the House is trying to regulate the total number of terminal groins that could be permitted to three (2 for public & 1 for private). The Senate has appointed their conference appointees which include:

- Senator Harry Brown, Chair
- Senator Jean Preston
- Senator Thom Goolsby
- Senator Bill Rabon
- Senator Stan White

House conference appointees have not been appointed as of this report.

**Wilmington Harbor Stakeholders Meeting** – The Corps is holding their annual meeting on Monday the 9<sup>th</sup> at 1:00 p.m. at Pearsall Church in the Activity Building. The purpose of the meeting is to talk about current channel conditions within the Cape Fear River, and discuss plans for maintenance dredging for FY12. At current funding levels (President’s budget), the Corps state that they are going to have be creative to meet the requirements for this navigation project. We will have the following attending the meeting; Mayor Sayre, Chris, Gene, John Fisher, and Joe. As Calvin reported having attended a number of these meetings in the past that it’s more of a formality of process and that we may not have much input so we’ll see. Other organizations planning to attend include the River Pilots, State Ports Authority, USCG, and neighboring municipalities i.e. OI/CB.

**SMP Revaluation & MR#8 Final Meeting Update** – Corps officials continue to say that they will be planning to schedule this meeting but not providing any tentative dates that this may occur. Their reasoning they have stated in the past was due to resources being allocated towards the Corps vs. VBHI lawsuit.

**DCM CAMA Setbacks Update** – The Division of Coastal Management has been in the process of working on updating their coastal erosion rates. These rates are used to determine the applicable setback required for proposed development (new & renovation), that being the distance landward from the First Line of Stable Vegetation (FLSV) or in some cases where there has been a large-scale beach fill project, the distance from the “Static Line”. The VBHI does have a “static line” which was surveyed by DCM just prior to the 2007 Corps O&M project. This update process undertaken by DCM typically happens approximately every 5 years but this can be impacted by budgetary constraints. The Village has received the draft report that identifies the process as well as a draft map that depicts the changes in erosion rates from the current map to the proposed setback. Staff will be analyzing the updates looking for areas of concern. DCM Staff will be giving the CRC a presentation on their efforts to date at the CRC

meeting on Thursday which the Mayor & I will be attending. We will update the Council and committee on outcomes of that presentation.

**“Grass Roots Effort” Letter from BHI Stakeholders** – In an effort to build congressional member support for our efforts we have identified all primary residences of BHI property owners and the district they reside in. The idea will be to send them a letter identifying the issue and requesting their respective members support by signing a letter of support and mailing it back to the Village. Once all of the letters are returned/compiled we will forward them to A&S who will then make appointments with each member to visit and deliver the letters. A&S has recommended not to start this process until we know what the “ask” is for the other members of Congress.

**DELFT3D Presentation Scheduling** - At this time we have not set a tentative date for when Erik will give a presentation on the modeling efforts. We do know that our intent is to have him give his presentation in conjunction with his need for a site visit to inspect the Harbor Timber Groins Renovation Project but again we just don’t know the exact timing this may occur. Once we have executed contracts and have signed agreements on the project we should begin to narrow down a date. Erik has said that this presentation would require the need for several of his technical staff members to come up with him to give the presentation.

**BHI Conservancy Transect Readings** – Dr. Dorsey provided an update to the Committee regarding on-going efforts of the Conservancy to monitor back dune habitat and tie that in with Olsen’s beach profile monitoring for a comprehensive shoreline monitoring report.

**FY12 Shoreline Protection Proposed Budget** – The following are some highlights of the proposed budget that will be presented by Calvin to the Village Council at a Special Meeting on Friday morning (May 6<sup>th</sup>) at the Bald Head Association Center starting at 9:00 a.m.:

- Engineering Services: \$20,000 for liaison to Corps including design guidance assuming O&M is funded for Smith Island & Bald Head Shoal Ranges 1 & 2 for FY12.
- Monitoring Services: \$192,500 includes funding for beach profile monitoring report #10 and associated survey work, engineered beach project post-dredge monitoring.
- Legal Services: \$564,000 including George’s litigation, Charles coastal regulation matters, and Erik related legal fees.
- Lobbying: \$150,000 including A&S and MW’s (\$90,000 & \$60,000).

Total budget proposed totals \$1,064,807.00 and does not include the emergency Bald Head Creek dredging project. If Council approves to move forward with this project the funding will be paid out of Accommodations Taxes that are transferred to the Beach Fund and remaining balance paid out of the General Fund.

**Funding: Federal & State** – The state budget continues to include \$250k in matching funds for the initial phase of the Wilmington Harbor Improvement Project Feasibility Study. The Mayor

has been in touch with our state lobbyist to continue to lobby for these funds to stay in the budget. We have updated our federal lobbyist in letting them know the state continues to budget for this making the need even more critical that it be included in the President's budget. Should it go unfunded there is concern that the state may reallocate this money for some other purpose.

Rick prepared and sent a draft letter from the delegation down to the Army Corps asking the Army Corps to include funding for our project in their work plan for FY 2011. I followed up with an e-mail to staff aids providing them with the GIS analysis and photos of the groins.

**Harbor Maintenance Trust Fund & Congressman McIntyre's 7<sup>th</sup> District Coastal Compact**  
Congressman McIntyre highlighted at the Coastal Luncheon last month his new 7<sup>th</sup> District Coastal Communities Compact which focuses on three areas of improvement to southeastern NC including Ports. As part of this initiative he has signed on as a co-sponsor in support of a house bill introduced that would require the Harbor Maintenance Trust Fund to expend the funds that are paid into each year. It has been reported that there is a surplus of \$5.6 billion in this trust fund. These are monies received from taxes paid on incoming shipping/container vessels entering U.S. ports.

**BHI Creek Dredging Project** – With the recent analysis of “the point” using the recent aerials showing the extreme loss of sediment, Erik's recommendation is that serious consideration should be given to initiating the creek dredging project.

### **3. Emerging Issues**

**Section 905(b) Analysis – Wilmington Harbor Navigation Improvements** – Chairman Williams opened the floor for Committee member thoughts on their review of the report that was recently approved by the South Atlantic District. Ultimately the group felt that there were some major concerns with the report as drafted in that significant language was included about the NCIT and that the study was setting up for the expansion.

**4. Public Comment** – None.

**5. Closed Session** – At 10:30 a.m., on a motion from Hayden and seconded from Kane, the Committee went into “closed session” pursuant to NC General Statutes 143-318, 11(a)(1), (3), and (5), Village of BHI vs. USACOE.

**6. Open Session** – At 11:05 a.m., the Committee reconvened in “open session”.

**7. Adjournment** – The meeting was adjourned at 11:10 a.m. on a motion by Hayden, seconded by Kane, unanimously approved.