

Public Hearing
CRC Study of the Feasibility and Advisability of the Use of Terminal Groins
Thursday, October 29, 2009

A presentation was given by Paul Tschirky of Moffatt and Nichol prior to the public hearing.

Paul Tschirky stated this study comes from House Bill 709. The Bill specified six items that should be considered in this study. Three public hearings are required during this study. The final report and CRC recommendations are due to the General Assembly and the Environmental Review Commission on April 1, 2010. The contract study team to look at data gathering and information of the feasibility of terminal groins is made up of Moffatt and Nichol. Dial Cordy and Associates will handle the environmental aspects. Dr. Duncan Fitzgerald from Boston University will help with the coastal geology and Dr. Chris Dumas of UNCW will look at the economic aspect. The scope of work consists of eight tasks which follow along with the six items identified in HB709. The study team will look at the information and the CRC and CRAC will provide guidance to the team. The CRC will be responsible for any policy conclusions and recommendations that are supplied to the ERC and General Assembly. The Science Panel has been involved in the scoping and will be involved in the peer review of the documents. The team will provide the Science Panel with memos describing methodologies and analysis for their review and comment. The team met with the Science Panel on September 29 and five sites were chosen. There are four public hearings currently scheduled. The Division of Coastal Management's website will contain the terminal groin presentations, meeting summaries, and public comments. In his role as Executive Secretary of the CRC, Jim Gregson is the e-mail contact for any comments. The draft report is due at the beginning of February and the final report is due to the CRC on March 1, 2010 so they can give their input to the Legislature by April 1. The team is ending the first phase of data collection mode. The team will finalize the data collection, meet with the Science Panel to discuss the data collection and methodology, and the next CRC meeting and public hearing will be in Raleigh on January 13.

The following public comments were received:

Andy Sayre stated he represents the Village Council of Bald Head Island. In preparation for the nourishment project we had some survey information that we would like to share with the CRC. As you know, in the springtime, we had the dredging of the Wilmington Harbor Channel with the sand dredge going over to Caswell Beach and not on Bald Head Island. From May 2009 to September 2009, actually less than five months we lost 700,000 cubic yards of sand. For the eleventh month period of November 2009 to September 2009 we lost 1,050,000 cubic yards of sand. Our historical loss is 300,000 cubic yards of sand per year. We are in a critical situation. In anticipation of what we projected to be a much less serious situation, knowing that the dredged material would not be put on our beaches in this cycle, the Village recently sold general obligation bonds of \$15,000,000.00 to be paid off over six years. This money plus more from general revenue will fund a private sand placement project which has been five years in the planning. This completely privately funded project will deposit about 1,500,000 cubic yards of sand on our beaches. In other words we are barely keeping up and it has become obvious that the present strategy for shoreline stabilization along this federal navigation channel is ineffective and unsustainable. One of our goals is to have the channel moved westward to diminish this impact. However, it is our firm belief that a robust terminal groin or groin field is essential in order for us to manage the unnatural erosion caused by the channel.

Marty Cooke of the Brunswick County Commission stated there are many people who are very passionate on both sides of this issue, but not only do I serve as a county commissioner I have a business at Ocean Isle Beach and have seen through the years the realities of beach renourishment and erosion. I believe that terminal groins from what I have seen based on reports that were presented to this board in June as well as other research that we have seen from other terminal groins up and down the coast that they show to be a stable and establishment of a permanent structure that will allow us to have stability with respect to our beaches. We see this with respect to the evidence that was presented in June regarding the Pea Island Oregon Inlet bridge. We know the state of North Carolina had to find a viable and effective means to be able to stabilize the bridge structure. We also see it at Fort Macon with respect to the stability of that area and to present a way of preserving that historic fort. We see the same thing with respect to the aspects of our area beaches and we feel like it would do a variety of things. The beaches are not just beaches they are towns. The inlets aren't just inlets, they are highways. We have a stability issue whereas we would like to be able to retain the tax base and infrastructure and we would like to see this board look past the mischaracterization that we see in the media as it being presented as jetties. We would like to see the agendas by some individuals and organizations to go past that and look at scientific studies. We would like for this to be brought forth so this board can look at this as a viable means as an option to the situations that we see throughout North Carolina.

Frank Iler, N.C. House of Representatives District 17, stated District 17 includes about ninety percent of Brunswick County including all of the coastal area of Brunswick County. We almost had an opportunity to vote on a Bill that would authorize this Commission to permit terminal groins this year. The next opportunity will be in May after the report from the CRC. What we have been hearing is there is a need for another tool for the CRC in the toolbox to stabilize inlets, protect turtle habitat, protect property, etc. As you know I represent Brunswick County of which there are citizens and officials who are very interested in this subject. As far as the study we are discussing today, I appreciate the extra hearing being scheduled in Wilmington February 17. I hope there will be at least two things considered. One would be an exercise of smart planning to consider all viable alternatives as opposed to the continued expense of dredging and other temporary solutions. Number two would be that the study be driven by facts, by the science and not by personal or group agendas. As a member of the House of Representatives I am pretty frustrated that the Bill authorizing the tool for the CRC, not the study, to have terminal groins as an option passed the Senate with about eighty percent of the vote. It was held up in a House Committee by agendas based on bad science. It has been endorsed by the Senate President Pro-Tem Marc Basnight; I believe he recently transmitted a letter to the CRC Chairman. He has been in support of it and it has been very bipartisan in nature as far as the House is concerned as well as the Senate. What we are asking for is for the people's representatives in the House to be given a chance to vote on the issue. We would like to debate just like the Senate did and if it passes the House it would be another tool in the toolbox for this group to permit or decide not to permit. If not this then what? If not now then when?

Debbie Smith, Mayor of Ocean Isle Beach, stated there are emotions on both sides of this issue. We are faced with a unique opportunity right now to look at the science and to study situations where there have been terminal groins in place for short periods of time and for long periods of time. I hope we will all keep an open mind that we will do what is the best for the coast of North Carolina. You know I am a proponent and think a terminal groin will be a useful tool. But, if this study proves that it is not, then I am not in favor of doing what is not the best for our coast. Let's just all keep an open mind and know that we do the right thing. There was much discussion this morning about exactly what a

terminal groin is and you have all seen pictures, but I would challenge you that while you are on this island today to drive north five or six miles and walk out on the beach and see what the actual effect is of a terminal groin on the public strand and what it can do to protect what it is designed to protect.

Win Batten, Mayor Town of Warsaw, stated I don't know if I am for groins or not because I don't really know how they work. I have seen Fort Macon and I have visited some other places and they seem to be working fine in certain locations. I don't know how they might work in our location. I am from the Town of Warsaw but I also own property on North Topsail Beach. I am concerned more about that situation. I think that any approach that we take to this is going to have to be somewhat site specific. I think that if you look at a particular inlet or a particular area there are different economic factors that are involved and different uses involved and if you don't get down to site specifics I don't know how you can equate those economic issues into it. For example, the group that I am associated with spent over \$353,000.00 this past year hauling sand in to put in front of our buildings and that is certainly an economic factor that we have to be concerned about. I think that we need to be able to look at things and say that this inlet or that inlet or that area of the beach deserves protection more or less than some other area does. Site specific may be something that we need to consider. The other thing is that I hope that we will get input that will tell us if this is the way to go or is it not the way to go. If it is the way to go then let's start doing something with it and if it isn't the way to go then let's figure out some other way. Today we have heard from the engineering firm that is doing the study, but we have not heard from any other components of the study committee. I hope that we will have input from them so that we can understand what their factors and issues are in the use of groins.

Charles Baldwin of Rountree Losee and Baldwin representing the Village of Bald Head Island stated he wanted to reiterate some of the concerns that you have heard that we study this issue properly and that if it is appropriate in certain locations that this be considered another tool in the toolbox. Obviously the Island is very concerned about what it does next. We have spent all of our money to put sand on our beach and now what? We are hoping that this study might be an opportunity to look more specifically at Bald Head, but understand after the presentation today the limitations of what this study can and cannot achieve. I commend the Commission for the thought that has been put into this and the process that has been put in place and look forward to seeing results. The Village sent a letter to that effect to Mr. Gregson on September 24. I also have a letter dated October 26 from Bald Head Island resident, Mr. Joe Garner and I will submit that to Mr. Gregson.

Todd Miller, North Carolina Coastal Federation, stated he would like to endorse some of the comments that have been made by several people here today that right now the most important thing is that we have a thorough study and evaluation of the feasibility of these proposed structures. The critical issue at this stage in the CRC's deliberations in carrying out this study is to make sure that the process has been well thought through and that everyone will have confidence in the outcome of the study. I want to congratulate Bob and other members of the Commission who have put a lot of effort into making sure that the process is visible. As this goes forward, the work that has gone into thinking about how to structure this so that all views get heard and that the analysis is credible is very important. In that vein I would encourage as quickly as possible to focus on the calendar that you will be following and specifically meeting dates as you have a lot of really busy people involved in this with the science panel and other parties and scheduling meetings at the last minute is unfair in terms of getting the full participation that is needed. I would encourage members of the Commission to attend the science panel meetings to hear the discussion that goes on. The science panel as it is comprised has broad representation and interest in the meetings that have been held so far on this study. The more you can take in of the discussions the better equipped you will be to make policy recommendations when you

get the report. It was interesting to me that when we really got down to where is there experience with terminal groins that we found through the work of the science panel that there are actually very few places with any relevance to North Carolina's situation. The five sites that were selected were really stretching it in terms of experience and how these five case studies are carried out and how thorough they are will really be some of the best information in terms of what groins do and what the experiences have been. There is a lot of emphasis being placed on the peer review that will occur. There is one area that the science panel is very weak in being able to do the peer review and that is the economic analysis. As most if not all of the members have a natural science or engineering background and the panel does not have any economists. This should be circulated out more broadly and I know you will do this through public comment. In my opinion so far this has been the least talked through element in terms of what will be done with the limited resources that have been provided for the economics and making sure that it is relevant to the decisions that have to be made. In closing I would just state that the science and the economics will be important in the final policy making, but when you receive this information you will need to look at your permitting authorities and how you have to make decisions because the expectation to the public is that you are going to be able to make correct decisions on these proposals if you are given the authority to do it on a consistent basis to protect the public trust beach. The level of certainty that comes out of this information is going to be pretty important in terms of whether or not the CRC is in a position based on the Coastal Area Management Act to make good permit decisions.

Harry Simmons, Town of Caswell Beach, stated I have been to and seen four of the five terminal groins that are in the study collection and there is a lot that can be learned for North Carolina by those sites. I was at John's Pass about two weeks ago from the boat side and from the land side of the terminal groin and it is a marvelous structure. The one that is in Amelia Island, which is the one that I haven't seen, on paper seems to be a fabulous opportunity for North Carolina to consider something like it. A leaky terminal groin if you will. I encourage you as did Todd to seek all the input that you can possibly get in the time that you have to do it in and good luck.

Don Martin, Mayor North Topsail Beach, stated our inlet is very unique in that we could probably use this terminal groin on our beach to stop beach erosion. To the north is Camp Lejeune and it will not affect Camp Lejeune a bit. But to the right is our beach and it has beach erosion very badly so we hope that you will take this into consideration and do the best you can.

Public Hearing was closed at 6:07 p.m.