

Draft

NC Coastal Resources Advisory Council
Hilton Greenville
Greenville, NC
June 15, 2005
Meeting Summary

Attendance

| | |
|----------------------------|--------------------------------|
| Robert Shupe (Chair) | Ruth Leggett (for Lee Padrick) |
| Bill Morrison (Vice-Chair) | Angie Manning |
| Gordon Cashin | Wayne Mobley |
| Carlton Davenport | Spencer Rogers |
| Webb Fuller | Dara Royal |
| Renee Gledhill-Early | Harry Simmons |
| Al Hodge | Lester Simpson |
| Jimmy Johnson | Ginger Webster |

Council Call to Order

Bob Shupe called the meeting to order at 3:00pm with 16 members in attendance. The Council approved the April meeting minutes without amendment. Mr. Shupe welcomed Al Hodge as the new CRAC member from the Division of Water Quality. Mr. Hodge replaces the late Jim Mulligan.

CRAC Membership: Appointments & Participation

CRC Chairman Courtney Hackney led a discussion on his hopes for CRC-CRAC interaction. Chairman Hackney stated that there is much untapped potential that exists for cooperation between the bodies, and charged the Council and the Commission with improving upon and expanding their collaboration. The Chairman noted that this is a critical time with new Commissioners and Advisory Council members coming on board and with CHPP implementation underway. Dr. Hackney stated that coastal resources are worth many millions of dollars to local governments (e.g. value of inlets), and although some local governments may have viewed the CRC/CRAC negatively in the past we must secure their buy-in for effective coastal management. Dr. Hackney pointed out that although CAMA does not require it, the CRC and CRAC have cooperated in standing and ad hoc committees since the coastal management program began, and that the CRAC's active participation is essential. Dr. Hackney expressed his disappointment with the recent attendance rate for CRAC members, stating that key constituents have not been adequately represented and some local governments are even unaware that they have a representative on the CRAC. Dr. Hackney said that he will be looking for ways to revitalize the communications link between the CRC/CRAC and local governments.

Webb Fuller noted that the CRC and CRAC used to meet separately, and in bad budget times the state would only reimburse expenses for six CRAC members. Mr. Fuller said that there is no legislative mandate for the CRAC to be present at CRC meetings, and it has only happened at the CRC's invitation. Mr. Fuller declared that the ability to attend has been very beneficial to the appointing bodies. Mr. Fuller said that he is bothered that the I&S and P&SI committee meetings are split; P&SI is unable to do any of the program policy and planning, and I&S has become very technical and focused on specific rule language. Mr. Fuller would like to see more time available for general discussion, reflection and planning.

Dr. Hackney responded that the bodies have been operating in response mode, but that the CHPP will force a return to more policy and planning discussion. Dr. Hackney would like to see the CRAC driving the policy questions and issues, and charged Bob Shupe to get the CRAC more active in soliciting issues from local governments.

Draft

Webb Fuller stated that the CRC/CRAC set up is a model for state/local partnership, and not as antagonistic as some local governments believe. Dr. Hackney added that some of antagonism goes away when local governments get the opportunity to look at the big picture/long term, and see the need to work together. Dr. Hackney said that there is strong support from Secretary Ross to get the state/local partnership working well.

Bob Shupe asked about the nature of the relationship between the coastal program and the legislature. Dr. Hackney responded that there are times when they are ecstatic about us and times when they are not, and that the program has more support in the legislature that we often think it does. Charles Jones added that the support is often issue driven, but that the legislature is generally supportive. Dr. Hackney commented that the program could use more budgetary support, and that support generally increases as the local/state partnership improves.

Dr. Hackney said that it is the CRC's responsibility to share their knowledge within their areas of expertise, and the CRAC's job is to tell the CRC how it's rules affect local governments—even if they are contentious. Certain points of view and expertise are conspicuously absent when some CRAC members are absent. Dr. Hackney encouraged the CRAC to keep on doing what they are doing, and to think of a better mechanism to bring policy questions from local governments to the CRC.

Bill Morrison remarked that there was a recent 7-6 split among the state's congressional delegation with regards to beach nourishment, and asked the Chairman how the CRAC could help. Dr. Hackney responded that the "anti tax" lobby is strong so there needs to be more education and outreach on the subject of beach nourishment, especially among inland residents, and that the CRAC and DCM are the best bodies to do it. Dr. Hackney said that it might be more effective to focus on the costs/benefits than on threatened or endangered species.

Dr. Hackney said that the CRC anticipated funding problems for dredging and nourishment, but that local governments seem to have been caught off guard and we can do a lot more education with local governments. Dr. Hackney said that he is unsure of the best ways to reach legislators and members of the public who live outside the coastal zone.

Town of Hertford Shore Protection

Advisory Council member Carlton Davenport gave an update on the Town of Hertford's Shoreline protection demonstration project. The town has finished constructing and is now evaluating the performance of several different types of erosion control structures. Over 800 feet of shoreline have been engineered with a combination of stone sills, timber sills, biologs, natural logs, and natural vegetation. Site preparation included grading a vertical bluff to a 3:1 slope, covering the soil with coconut matting, and seeding it. A 300-foot riparian buffer was planted with sunflowers and natural vegetation. The site also features a 150-foot by 7-foot pier, a 20-acre wetland/detention pond that discharges to the swamp, and a nature trail. Results so far indicate that of the different structures constructed, rock sills have performed best to control erosion, followed by timber sills. Biologs have so far been the least effective method. Mr. Davenport reported that the timber sills reduce the wave energy by about 25%, and that the stone sills cause refraction but have started to produce some accretion.

CAMA & USACE Permitting for Nourishment and Dredging Projects

DCM's Jim Gregson and the Army Corps' Henry Wicker went through some of the issues involved in permitting nourishment and dredging projects, with an emphasis on shallow draft inlets. Mr. Wicker said that the Corps does not maintain inlets in a static location, rather they identify the deepest waters and generally follow that alignment. The Corps typically dredges shallow draft inlets about four times per year, at a cost of about \$1 million per inlet, per year. Spencer Rogers asked if local governments could hire the Corps for dredging projects, and Mr. Wicker explained that in the absence of federal funding, local governments can contract directly with the Corps for these types of projects. Mr. Wicker added that although private contractors can get permits to do dredging and nourishment work, it will be generally simpler and faster to

Draft

contract with the Corps. Mr. Wicker said that, for example, the sidecast dredge *FRY* would cost about \$13,000 per day, and would take approximately 20 days to complete a project. Since the Corps would not have the same permitting delays as private contractors, work could begin sooner and may cost less. Mr. Wicker was asked why there is a different process if a private contractor was proposing to use the Corps' protocols. Mr. Wicker responded that the Corps has a general permit for private contractors to dredge, but that there would be compliance and monitoring concerns in making sure that the protocols were precisely followed. The Corps will review such proposals on a case-by-case basis, and a decision will be made in the Wilmington district office. Carlton Davenport asked how the Corps would respond to dredge a channel deeper than the Corps normally would. Mr. Wicker said that such requests would be reviewed for specific conditions and a permit would have to be issued before work could begin. Spencer Rogers remarked that the Mr. Wicker and the Corps could not guarantee a permit would be issued based upon verbal, hypothetical applications, but would need to review a written application. Mr. Rogers asked whether the Corps has a general permit that is available to private contractors. Mr. Wicker said that they do, but that it has never been used for dredging projects. Mr. Wicker reiterated that local governments can use private contractors for dredging, but it is most efficient to use the Corps since they have the experience, expertise, equipment, interagency authorizations, etc.

Jim Gregson said that DCM gets applications from local governments for dredging approval, and must consider NCEPA requirements, the Dredge and Fill law, and the CAMA permit process. Mr. Gregson explained that NCEPA is triggered under certain conditions, although most CAMA permit activities are exempt. Doug Huggett said that large nourishment projects require NCEPA review. There had been some effort to make all nourishment subject to NCEPA, but this was found to be too restrictive. Mr. Huggett stated that local governments are bound to the letter of the Dredge and Fill law, but that federal agencies are not. Mr. Huggett also noted that CAMA review could begin concurrently with NCEPA review. Renee Gledhill-Early asked if the reviews begin concurrently, how do local governments get guidance on their applications to be able to make modifications? Mr. Huggett responded that local governments have criticized DCM for doing CAMA reviews after the NCEPA review, and that while concurrent review is a logical flaw it is based on compromise with local governments in the hope of a faster process. Al Hodge added that the process could be quicker because it gives local review agencies a head start in reviewing applications. Jim Gregson then gave a report on some of the ongoing projects in the state.

Harry Simmons announced that the Senate Energy and Water Appropriations subcommittee had just recommended substantial funding for the state's shallow-draft inlets and for the AIWW. One attendee remarked that dredging and nourishment are federal responsibilities that have been shunted onto local governments.

Coastal & Estuarine Land Conservation Program

Tancred Miller spoke about the Coastal and Estuarine Land Conservation Program, (CELCP). CELCP is a federal program that may potentially have funds available for states to acquire for coastal land conservation. The state needs to have an approved plan for land acquisition, and DCM is in the process of drafting that plan. Several CRAC members expressed strong interest in the potential for an additional source of land conservation funding.

Travel Reimbursements

Stephanie Bodine reviewed administrative issues related to travel reimbursements, stressing the importance of attendees signing the attendance roster to confirm their attendance and the need to be accurate with paperwork.

Adjourn

With no further business the Advisory Council adjourned at 4:50pm.