



REGULAR MEETING MINUTES

Thursday, February 27, 2020, 2:00 PM

Topsail Beach Town Hall

820 So. Anderson Blvd, Topsail Beach, NC 28445

Commission Members Present:

Steve Smith, Chairman
Mike Benson, Vice Chairman
Susan Meyer
Teresa Batts
Richard Peters
David Ward
Larry Combs
Hiram Williams
Jerry Patton

Public Officials Present:

Kerrie Allen, NC Coastal Federation
Dan Tuman, Mayor, North Topsail Beach
Tom Leonard, Alderman, North Topsail Beach
Jerry Heid, Alderman, North Topsail Beach
Kyle Breuer, Town Manager, Surf City
Stephanie Hobbs, Town Clerk, Surf City
India Mackinson, Recording Clerk

1) Call to Order & Greetings

Vice Chairman Benson called the meeting to order at 2:02 p.m.

2) Public comments

There were no public comments made.

3) Approval of Agenda

Alderman Peters made a motion to approve the agenda. Councilwoman Batts seconded the motion, and it was carried.

4) Approval of Minutes for Jan. 23, 2020

Alderman Peters made a motion to approve the agenda. Mr. Patton seconded the motion, and it was carried.

5) Consultant & Partners Reviews

a. Poyner Spruill Attorneys –

Vice Chairman Benson said that President Trump's fiscal year budgets for the Army of Corps of Engineers sees some of the steepest cuts, which is not good for us on the coast. Chairman Smith said that administratively, US Fish and Wildlife changed the rule to allow CBRA sand use, but legally another administration could make a new ruling, which is why we're seeking a legislative rule. Some people see it as sand mining and destroying habitats, so we have to work with those people to show them it's good for everyone. Vice Chairman Benson reported that on the North Topsail Beach CBRA mapping issue, Mike McIntyre is recommending working through legislative committees because it's the most

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effective method for negotiating with the US Department of Interior and Congress. Work has previously been focused on the state Audubon Society, but nationally the focus should stick with legislative committees and not the National Audubon Society. Chairman Smith also said on the Topsail Beach FEMA flood map issue that a request was made for TB to be re-looked at. The map changes made 5 years ago addressed only half of flood map areas.

b. Connie Wilson Consulting –

Chairman Smith said that Ms. Wilson is preparing for the next session by talking with state legislatures. She is also assisting in inviting legislatures to Topsail Island on March 19th.

c. North Carolina Coastal Federation

Ms. Allen reported that 55 tons of marine debris has been removed from behind Topsail Island. Chairman Smith asked about the new proclamation signed by Beaufort. Ms. Allen said the Town of Beaufort was the first town to adopt a resolution supporting a statewide collective marine debris action plan, which the NC Coastal Federation has been working on for 10 years. She will be coming back to TI with action items on that action plan.

d. United States Army Corp of Engineering (USACE)

Vice Chairman Benson said that the meeting tomorrow was canceled because the Corps was having trouble determining survey lines. Chairman Smith said the long-term MOA for shallow draft inlet dredging quarterly meeting occurred a week ago. The dredging will be coming down to North Topsail Beach this month with another cycle planned for next year. There is only one dredge available in the state, so schedules are changing considering. There may be a plan to bid out to private companies. Chairman Smith emphasized that the issue of easements is important to the Corps at the moments. With \$18.5 million in the NCDEQ budget for beach maintenance, rules will be published in March. A project can be funded up to \$2.5 million from the Coastal Storm Damage Mitigation Fund. Vice Chairman Benson remarked that it will be competitive. The TISPC has advocated for these funds for the past 4 or 5 years.

6) Old Business

a. CRC Meeting Review – Jerry Patton, Chris Gibson & Michael Moore

Mr. Patton said the CRC reviewed the rules for oceanfront decks and gazebos. These rules are currently ambiguous. Mr. Patton also reported that the Inlet Hazard Area comment period was extended and kicked back to the CRAC in terms of language, especially grandfathering and inlet setback rules. He said Holden Beach especially had a lot of issues. Chairman Smith said the commission and towns have sent letters about the IHA to the CRC, but doesn't expect a clear resolution until six months from now. Vice Chair Benson said that in North Topsail Beach, a significant inlet dune system was washed away and said that it should be able to be rebuilt. NTB

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also had several comments at the public IHA hearing. Several proposed IHAs have a “toe” where the sand erosion rate is no different in Ocean Erodible Areas, which we pointed out in our comments. NTB put out an online petition to support the town’s comments made at the public hearing, which 175 people signed. He thanked India Mackinson for setting that up. Mr. Patton said there was also discussion at the CRC meeting around the development line and static line for the IHAs. There was also discussion on marine fisheries and shell fish leases, for which applications have skyrocketed. Chairman Smith said he is aware of four leases near Topsail Beach and remarked that communities need to understand the rules for shell fish leases and floating structure, which are not small structures. Mr. Patton said that those structures are mostly used in remote areas.

b. Surf City Beach Access Structures – see minutes from town meeting

Chairman Smith said he thinks people misunderstand the rules, which state there cannot be stairs going into wet sand. Councilwoman Batts reported that Jason Dail was discussing these rules last week and said that proposals for temporary structures to get up and down the dune escarpment needed to be submitted. Chairman Smith advised to step back and realize that rumors started at every level and that the CRC and CAMA will be coming down to look at and understand the access structures here. Mr. Patton believed that new people did not understand the situation. Mr. Williams reported that the NC Building Code Council received a proposal for a new definition of piers. The Council is rewriting the code, which will be a 9-month process, but to keep an eye on changes.

c. Topsail Island Legislator Tour – Island Storm Damage Reduction Projects

i. Message – see attachment

Chairman Smith said that over 100 representatives and officials working in coastal resiliency were invited. As of yesterday, 35 accepted. For senior legislatures, we will have to wait and see how their schedules work out. Chairman Smith also said that the purpose of the tour is to gain more support and show how legislation is working and how future legislation could work. The tour will take them to all three towns and the Topsail Beach dredge project so they can see and understand our issues. The tour is also an opportunity to thank the legislatures for all they have done. Chairman Smith asked for guides from each community. Shuttle busses will transport guests across the island. At the end of the tour, town managers and mayors will wrap up with short speeches. Tables will be set up for longer talks. The day will run from 10 a.m. to 3 p.m. Chairman Smith reminded those attending to wear appropriate clothing to go out to the dredge.

ii. Agenda – see attachment.

iii. Tour Recap – ask that town managers & mayors provide feedback

d. Washington Trip – March 2020

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- i. Team – Steve Smith, Mike Rose, Chris Gibson, Dan Tuman, Jerry Heid, Tom Leonard, Bryan Chadwick, Teresa Batts and Stephanie Hobbs

Chairman Smith said the delegation was planning to see legislative assistants if not senators and will talk to House committees. They probably will not see US Fish and Wildlife, the Office of Management and Budget or the Army Corps of Engineers. They will see FEMA. Stephanie Missert and Mike McIntyre are working on talking points, such as the CBRA mapping and sand issues, and will get those to the commission before going.

Meetings Schedule

1. Both Senators or Key Assistants
2. Both Representatives or Key Assistants
3. House Committee Staffers on specific issues
4. Fish & Wildlife – We are asking Tillis & Rouzer offices if this will help or to continue to allow their efforts to proceed – focus is to obtain Map Changes that NTB has shown should not have been included in CBRA.
5. USACE – not at this time – it is felt the questions we have are better dealt with at the Wilmington office – there are issues like: payment terms, sand source, maintenance cycle, defining beach design vs. what was planned 10 years ago and easements.
6. FEMA – There is a visit planned – Flood Map Issues & Island working with single representative and that process was successful with Florence & Dorian.
7. Office of Budget & Management – no visit is planned at this time

7) Town's Local Projects/Direction – Please include projects dates

- a. North Topsail Beach – Bryan Chadwick

Vice Chairman Benson said the Mr. Chadwick had to attend a funeral and could not be there. He reported that the truck haul project was going very well and over half way done. The \$1.66 million extension had been delayed, but he is glad it is going up to Phase 4. The ICW dredging project with the Army Corps of Engineers will now take place in mid-March. He also reported they are still trying to find a contractor for the town park and that town hall will be restored to its original condition. For town hall, hopefully the bid package will go out soon and begin in six months. India Mackinson has also created a map tool to allow people to put in their address and show the shoreline management plan projects planned for their address. Vice Chairman Benson thanked Ms. Mackinson for helping the public understand what's going on with the beach. Alderman Leonard added that the dredging window is getting close to piping plover and clamming season. He brought up this concern at the MOA meeting, but the Corps keeps shifting the start date. Mayor Tuman added that the truck haul for Hurricane Florence will be a similar claim as the Hurricane Matthew project.



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b. Surf City – Kyle Breuer

Mr. Breuer said that beach access is a big issue. The 6th St. access will be closed for truck haul's access point. He said he was disappointed that the Army Corps of Engineers meeting for tomorrow was cancelled. In the meantime, the spreadsheet listing developed and undeveloped property has been completed, which is a big milestone. He is looking forward to the real estate meeting soon. The town will also sponsor a hurricane preparedness meeting on April 19th. He reported no updates on the private project.

c. Topsail Beach – Mike Rose

Mr. Patton reported that a soundside project with the NC Coastal Federation has been kicked off. The project will help minimize soundside flooding and groundwater issues. He also reported the dredge is here and is hours from pumping sand. The 2nd dredge will come in mid-March to work on the south side of the island. Eventually the two dredges will meet.

8) New Items

a. NCBIWA – Spring Conference (Apr. 20 & 21)

Vice Chairman Benson said that the NCBIWA conference will be in Emerald Isle.

b. Accomplishments

He also worked with Mr. Combs on a list of 2019 accomplishments and opened discussion on this list. Mr. Combs said he thought it was a highly successful year for the commission. Chairman Smith reported his new position on the Board of Directors for NCBIWA and challenged them to take a firmer stance on some issues to increase the organization's effectiveness. He said that as an island, we have gained insight and understanding of the complexity of these issues. We may want to consider an island coordinator to manage and look for ways to do this in all three communities. Chris Gibson has been helping, but this deserves some thought and discussion from each town. Vice Chairman Benson replied that Mr. Chadwick had proposed a shoreline protection officer, so there is support for it from the northern end of the island.

9) Next Meeting – 2 PM, Thursday, April 2, 2020, Surf City Welcome Center

Chairman Smith said the next meeting will be in April due to the DC visit. Mr. Ward requested that at the FEMA meeting in DC, the delegation reiterates that the towns need money upfront in a disaster and cannot wait three or four years for it.

10) Adjournment