



REGULAR MEETING MINUTES

Thursday, June 24, 2021, 2:00 PM

Commission Members Present

Steve Smith, Chair
Mike Benson, Vice Chair
Teresa Batts
Ed Broadhurst
Larry Combs
Tom Leonard
Connie Pletl
Mark Price
David Ward
Hiram Williams

Associates Present

Kerri Allen, NC Coastal Federation
Kyle Breuer, Town Manager, Surf City
Christine Burke, TB Asst. Manager
Carrie Furroy, Surf City Intern
John Gunter, TB Commissioner
Stephanie Hobbs, Surf City Clerk
Chance Lambeth, Legis. Aid for Rep Rouzer
Kathleen Riely, NCBIWA
Mike Rose, Town Manager, Topsail Beach
Connie Wilson, TISPC Advocate
Kathy Zagzebski, Karen Beasley Sea Turtle
Rescue and Rehabilitation Center
India Mackinson, Recording Clerk

I. Call to Order & Greetings

Chairman Smith called the meeting to order at 2:01 pm.

II. Public Comments

III. Approval of Agenda

Vice Chairman Benson made a motion to approve the agenda. [redacted] seconded the motion, and it was carried.

IV. Approval of Minutes for May 27, 2021

[redacted] made a motion to approve the minutes. [redacted] seconded the motion, and it was carried.

V. **Consultant & Partners Reviews**

A. **Ward and Smith Attorneys** – See report

B. **Connie Wilson Consulting** – See report

Chairman Smith said a legislative update was sent out. Ms. Wilson said the N.C. Senate and House will send out budget bills within next few weeks. It seems that the Shallow Draft Inlet Fund will not be drained and used for other purposes. Ms. Wilson also reported that things are going well on the appropriations side. There may be a reprieve in an upcoming bill that could supersede local tree ordinances. The dredging bid bill will be heard in the N.C. Senate agriculture committee next week. Ms. Wilson also talked to Rep. Sheppard and Rep. Lazzara about an appropriation for the federal project, and they put in \$5 million request. Alderman Leonard asked about the status of the HB44 terminal groin definition bill, which had not moved since February. Ms. Wilson confirmed it was dead.

C. **North Carolina Coastal Federation** –

Ms. Allen reported they are hosting a microplastics forum on human health and seafood, a rising issue in coastal waters. She also introduced her two interns. Ms. Allen noted the upcoming 2021 Pelican Awards on August 7th, for which Topsail Beach will be recognized as a beach community that has taken steps to improve both the beach and soundside environment.

D. **North Carolina Beach, Inlet and Waterway Association** –

Ms. Riely mentioned that her daughter has developed microplastics app in Hawaii. Ms. Riely also reported that NCBIWA redid the website, which was a lot of work but worth doing. There is an advocacy link available on there, and they are also going to continue sending legislative updates on Fridays. On the 16th, the Audubon Society sent a letter about CBRA to the U.S. Department of the Interior and suggested those impacted should read it. The next conference is going to be on November 4-5 at the Coastline Convention Center in downtown Wilmington.

E. **United States Army Corp of Engineering (USACE)**

Mr. Breuer reported the comments sent by Pam Castens, which stated they are working on the first contract. They are also still waiting on final information from the project partners and working on an EA for year-round sand placement. Overall, no big updates. The PPA has not been signed yet.

F. Karen Beasley Sea Turtle Rescue and Rehabilitation Center

Ms. Zagzebski thanked the TISPC for the invitation to come. She reported that they are open through advance purchase online for tours. They have 30 sea turtles at present. Mr. Combs asked about the building across from the center. Ms. Zagzebski confirmed it is summer intern house. She noted that the interns donate 40+ hours a week and are from all over, such as Ohio and California. She also reported that they are currently not announcing sea turtle releases due to Covid-19, but they are working with the towns and hope to do a more public process in the future. Councilwoman Batts asked where turtles can be released. Ms. Zagzebski replied that they usually release here because they migrate all along the East Coast. Though, if they got one from Texas, they probably would arrange for release there, because it's a different population in the Gulf of Mexico.

VI. Old Business

A. House Bill 737 — Dredging Contracts

Chairman Smith said this bill is moving through quite easily. All indications are that the law will change so that only two bids will be required rather than three.

B. House Bill 44 – Clarify Terminal Groin Definition

Chairman Smith reported this bill is dead and did not make it through committee.

C. House Bill 372 – Restores Funding/State Conservation

Chairman Smith said this bill would restore funding for several projects and seems to be moving easily through the Senate now.

D. House Bill 500 – Disaster Relief & Mitigation

Chairman Smith said this bill made it through the House and is in the Senate now. Some senators think there's too much money right now, but it appears it'll be a separate bill from the budget.

E. House Bill 121 – EQIP Funding /Dredging Cost Share

Chairman Smith said this bill is taking money from Shallow Draft Inlet Fund and giving to the state ferry system for dredging, but he thinks it'll get modified and only affect northern counties. However, there are concerns on where the money

is going. The Shallow Draft Inlet Fund is sitting on \$40 million and people want to use that money, even though \$30 million is already committed.

F. House Bill 496 – Property Owners Rights/Tree Ordinances

Chairman Smith reported that this bill is going through several rewrites and allows clear cutting even over town ordinances, which includes maritime forests. There is confusion and concern, but it has some backers, so we need to watch it closely. Mr. Williams asked the purpose for this bill. Chairman Smith said they need it for affordable housing and allows for clear cutting. Topsail Beach and several other communities have objected to it. Chairman Smith said they are not against affordable housing, just against losing environmental controls.

G. Virtual Meeting with Federal Offices

Alderman Leonard reported that NTB talked about CBRA and the federal project, but from a CBRA relief perspective, it was discouraging. A bill likely would not pass with the current chamber make up, and there is no support from the Audubon Society, which is the big obstacle. Chris Gibson is connected to a senator in Delaware who may be able to give us some assistance. Alderman Leonard also said they expressed their appreciation for their support on federal project. Mr. Broadhurst said there was not much hope some of these items would go forward. Alderman Leonard said there are some great people working for us in those offices, but not all of them. Chairman Smith said they recognize what is going on but there is not much hope in D.C. The Audubon Society would probably stop access to CBRA sand, which is getting more attention than before, which is concerning. Mr. Combs asked if people realize the environmental positives. Chairman Smith said that Mr. Gibson has that information, and they will try to form partnerships with northern counties. Mr. Ward noted that other towns in the U.S. have been using sand in CBRA areas and getting away with it. Chairman Smith said he had talked to them, and they have all been stopped except one community. Alderman Leonard suggested using the language from Mr. Gibson’s presentation to educate others on the issue. Mr. Lambeth offered to come and talk to the TISPC in the near future. Alderman Leonard thanked Mike McIntyre and Stephanie Missert for their help with the meetings.

H. CRC Meeting June 16

Chairman Smith reported that the CRC is moving forward with language for floating structures for raising oysters. They also probably will not change the proposed IHA boundaries and will move forward with it. Topsail Beach was also

granted a variance for beach mats, and the CRC is moving forward with legislation for public entities to not have to ask for a variance for those.

VII. Town's Local Projects/Direction –

A. North Topsail Beach

Vice Chairman Benson said the Board passed the 2021-22 budget this past week with a 1 cent increase in general tax. He said the most significant thing is they established a capital improvements fund for a public safety building and to prepare for the high cost of replacing fire engines. They are also still working on MSDs with a meeting tomorrow on that process while continuing to gain new information from financial advisors. There are also two turtle nests near the north end.

B. Surf City – Kyle Breuer

Mr. Breuer reported that a Rep. Rouzer meeting with FEMA went well, so they got a check in the mail yesterday. The consultant for the Resilient Coastal Communities Program is being held up by the state, but they are compiling background data on the towns so they can hit the ground running. They also received the final report on the South Shore Storm Water Project, which recommended 9 sites to address flooding issue. They also identified a site for the tidal gauge, which will be installed near Soundside Park.

C. Topsail Beach – Mike Rose

[What Mr. Rose said was inaudible, I think because he was not near a microphone] Mr. Combs said the sea oats planted last August near his house has increased the height of the dune by 2 feet, underscoring the significance of sea oat plantings for all nourishment projects. Chairman Smith thanked Surf City for all the water off the road lately. Mr. Breuer replied that the town is in a maintenance agreement with DOT with a lot of effort going into it. He said that DOT has been a tremendous partner, and they see substantial improvement in the future.

VIII. New Items

A. “Waters of the United States” (WOTUS). - recent announcement to revise the rule.

Chairman Smith said the rule changed about 5 years ago where it was all encompassing. Then there was a step back which kept controls but not to the point where farmers and



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communities couldn't manage it themselves. There's a movement to bring that back, which will have a lot of impact on the mainland properties. We need to follow this change. Mr. Breuer said this has significant impact on how Surf City disposes treated effluent, which is a major challenge in a coastal community. He implored everyone to look at this closely.

IX. Meetings & Conferences

X. Public/Commission Comments

XI. Next Meeting – August 26, 2021 - WebEx

XII. Adjournment