



REGULAR MEETING MINUTES

Thursday, October 27th, 2022, 2:00 PM
North Topsail Beach, NC

Commission Members Present

Steve Smith, Chair
Mike Benson, Vice Chair
Larry Combs
Teresa Batts
Ed Broadhurst
Fred Fontana
Hiram Williams

Associates Present

Doug Shipley, Topsail Beach Town Manager
Christina Burke, Topsail Beach Asst. Manager
Kyle Breuer, Surf City Town Manager
Alice Derian, North Topsail Beach Town Manager
Kathy Zagzebski, Karen Beasley Turtle Hospital

Virtual

Connie Wilson, TISPC State Advocate
Mike McIntyre, TISPC Federal Advocate

Guests

David Andrews, Pender County, Manager
Deborah Coltrane, NTB BISAC
John Gunter, TB Councilman
John Gardner, NTB BISAC
Tom Leonard, NTB Alderman
Jade Litcher, TB BIS
Tom Staker, TB BIS

I. Call to Order & Greetings

Chairman Smith called the meeting at order at 2:00 p.m.

II. Public Comments

No public comments were made.

III. Approval of Agenda

Mr. Ed Broadhurst made a motion to approve the agenda. Mr. Larry Combs seconded the motion, and it was carried.

IV. Consultant & Partners Reviews

- a. **Federal Legislation Activities.** Fmr. Congressman Mike McIntyre informed us that Congress passed a continuing resolution to keep federal agencies funded through Dec. 16, 2022. The Biden Administration released more than 20 federal agencies annual reports that detail how their agency is addressing climate risks and



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vulnerabilities. The U.S. Supreme Court heard oral arguments for *Sackett v. EPA*, which can dramatically reduce the number of wetlands and other waters currently protected under the Clean Water Act (CWA). “Currently, the Biden Administration is considering finalizing their proposed rule reinstating the 1986 CWA rule and guidance (adjusted for past Supreme Court rulings) as the benchmark for EPA and the Army Corps of Engineers to use in determining their jurisdiction over WOTUS under the CWA.” “Earlier this month, FEMA released a new resource to help economic development and hazard mitigation planners achieve mutually beneficial outcomes.” Congressman McIntyre continues to keep the larger CBRA Topsail Island Map Unit L06 before our congressional delegation. Senator Burr’s staff continues to monitor the technical correction to Map Unit L06 for the Barton Bay area as it works its way through congressional committee. The CBRA sand borrowing issue continues to be discussed in Congress with the idea that the feds would cover the excess cost of using sand from borrow sites that are not considered to be the least cost method of disposal. This issue impacts both Topsail Beach and North Topsail Beach.

- b. **NC State Legislation Activities.** Connie Wilson reported that the main focus of the legislators now is the re-election campaign. She did note that the Golden LEAF Flood Mitigation and Recovery Program is still awarding \$250K grants for new construction or repair of stormwater infrastructure damaged or destroyed by flooding. She is trying to get Senator Jackson to visit Topsail.
- c. **North Carolina Coastal Federation.** Kerri Allen became ill at the last moment and was not able to report. However as an aside, the Coastal Federation did support construction of a living shoreline of the Oyster Reef type erosion control system in both Surf City and N. Topsail Beach this fall.
- d. **North Carolina Beach, Inlet and Waterway Association.** Kathleen Riely, executive director, noted the upcoming Biways conference in Wilmington November 3rd and 4th. She noted there has been good pre-registration and that a wide range of program topics will be covered by government and non-government representatives.
- e. **Turtle Hospital.** Kathy Zagzebski, director, reported that the last turtle nest on the island had hatched. Overall around 100+ nests were laid with 79 of them in the newly-restored dune system of N. Topsail Beach. A public noticed released of a turtle patient drew a very large crowd as the rehabilitated turtle returned to the ocean. The hospital is closed for the season and undergoing renovations.

V. Old Business & Updates

- a. **Website Support & Maintenance.** Mike Benson and Kyle Breuer reported that the turnover of the TISPC.org website to Surf City went smoothly. Mike continues to populate the site with updates.



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- b. **NC-RCCP Topsail Island.** Kyle Breuer and Christina Burke reported that the program moves forward with a Phase 3 grant of \$135,000 dollars for engineering design of stormwater management in the three island towns.
 - c. **BEACH CLEAN Project.** Chairman Smith noted that the program moves forward in the following three areas:
 - i. Ocean Friendly Establishment - <https://www.oceanfriendlyest.com/>
 - ii. NC Leave No Trace - <https://www.visitnc.com/outdoornc>
 - iii. Posters
 - d. **Non encapsulated dock floats ordinance adoption by Pender & Onslow Counties.** Chairman Smith noted that now that we have ordinances for all three island towns, we need to get both counties to pass an ordinance.
 - e. **Development of Derelict Marine Vessels Ordinance for Towns & Counties.** Chairman Smith suggested that each town and our two counties should work to develop a derelict marine vessel ordinance that would discourage skippers from abandoning ship in our jurisdiction.
 - f. **Blue Flag Programs.** There was some discussion on this program and the recognition it brings to a community. However, some of the criteria used in Europe for the program does not match well for Topsail Island. For instance, the need to have lifeguards as well as the ban of pets on the beach among others. The Commission decided not to recommend pursuit of this recognition by the three towns.
 - g. **Island wide control of Vitex – invasive shrub dune systems.** A workshop was held in Topsail Beach earlier in October with representatives from the three towns. A representative from the state invasive plant program in Raleigh was present to explain the issue and some possible control methods for this invasive shrub that can dominate a dune system yet offer little protection to the dune structure since the plant has a tap root unlike the fibrous root systems of dune grasses like sea oats.
 - h. **Grants and other opportunities with resilience programs.** Discussion centered around approaches to success with these programs as well as the limitation of many of them that would exclude beach towns like ours on Topsail from qualifying.
 - i. **NC DOT Regional Board Meeting.** Chairman Smith pronounced this meeting a success for the island as it allowed the commissioners to see island issues in person.
 - j. **Murphy/Rouzer WATERS Conference.** Several representatives from Topsail Island attended this conference in Wilmington. It was a high-level meeting with administrators from several state agencies as well as representatives from non-government organizations concerned with riverine flooding across river basins in the state particularly eastern NC. The panel discussions were particularly effective in establishing this dialogue.



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VI. Town's Local Projects/Direction

- a. **North Topsail Beach.** Manager Alice Derian reported on the FEMA projects that would restart once turtle season ended. She noted that a Coastal Storm Damage Mitigation grant had been awarded to the town. Sea oats planting on restored dunes was complete. She mentioned that a Corps maintenance project in the ICW crossing and Channel to Jackson would use the beach in the Phase1 area as a disposal site for dredged materials. She described a living shoreline funded by the NC Coastal Federation that was completed in Richard Peters Town Park with the Oyster Catcher system.
- b. **Surf City.** Manager Kyle Breuer noted the living shoreline was completed in Soundside Park with a grant from the NC Coastal Federation. He said their federal project economic re-evaluation study by the Corps recommended proceeding with the Surf City portion of the federal project.
- c. **Topsail Beach.** Manager Doug Shipley reported

VI. New Items

- a. **Clean Water Conference** - Watershed Restoration Plan. Chairman Smith mentioned this meeting coming up in Beaufort next month.
- b. **Meetings & Conferences**
 - a. NCBIWA Fall Conference – Nov. 3 & 4 – Wilmington, The Terraces on Sir Tyler
 - b. CRC Meeting – Nov. 16 & 17 – Beaufort Hotel, 2440 Lennoxville Road, Beaufort

VII. Public/ Commission Comments

- a. Teresa Batts suggested that the Commission consider meeting bi-monthly in an effort to minimize the number of meetings we attend each month and streamline efficacy of the Commission.
- b. Chairman Smith asked Mike Benson and Larry Combs to work on accomplishments for 2022 and goals for 2023.

VIII. Next Meeting

- a. December 8, 2022 – Topsail Beach Town Hall

IX. Adjournment

- a. Hiram Williams made the motion to adjourn. Teresa Batts seconded it and it passed unanimously.

-----End of Minutes -----