



TISPC members include the Towns of Topsail Beach, Surf City, and North Topsail Beach, as well as Pender and Onslow Counties in North Carolina. TISPC's mission is to support and promote plans and programs that protect the lives and property of Topsail Island residents.

2024 FEDERAL PRIORITIES

Secure Passage of H.R. 2437 to Amend the Boundaries of John H. Chafee Coastal Barrier Resources System Unit L06 in North Topsail Beach

Support Completion of the Surf City Coastal Storm Risk Management Project General Reevaluation Report So the Project Can Proceed to Construction

Obtain Legislative or Administrative Change Allowing the Borrowing of Sand from Within the Coastal Barrier Resources System for Use Outside the System

Improve Island-Wide Coordination in Disaster Recovery

Utilize Sand from Corps AIWW Disposal Area for Beach Renourishment

Maintain Funding for New Topsail Inlet and Connecting Channels Navigation Dredging

Secure Passage of H.R. 2437 to Amend the Boundaries of John H. Chafee Coastal Barrier Resources System Unit L06 in North Topsail Beach

»» TISPC strongly supports the passage of H.R. 2437, which amends the boundaries of the Coastal Barrier Resources System (CBRS) Unit L06 to exclude from the CBRS those areas of North Topsail Beach serviced by a full complement of infrastructure before 1982. H.R. 2437 was introduced in the U.S. House of Representatives by Representative Greg Murphy and is co-sponsored by Representative David Rouzer.

H.R. 2437 was the subject of a hearing held by the House Natural Resources Committee Subcommittee on Water, Wildlife, and Fisheries on September 28, 2023, at which TISPC Member and North Topsail Beach Alderman Tom Leonard testified. The full House Natural Resources Committee later approved H.R. 2437 on November 15, 2023.

»» TISPC also strongly supports the passage of legislation that approves CBRS mapping changes to CBRS Unit L06 proposed by the U.S. Fish and Wildlife Service on August 12, 2021. The proposed change to CBRS Unit L06 would remove approximately 2.5 acres from the CBRS, comprising four lots within Barton Bay Yacht Club, which includes two structures along Barton Bay Drive and New River Inlet Road and a portion of one lot to the south of New River Inlet Road. Members of Congress have introduced legislation in the House (H.R. 5490) and Senate (S. 2958) that includes this mapping change. Both bills have been approved by their respective committees and are awaiting action on the House and Senate floors. The revised maps will only take effect if adopted by Congress through legislation.

Support Completion of the Surf City Coastal Storm Risk Management Project General Reevaluation Report So the Project Can Proceed to Construction

»» The U.S. Army Corps of Engineers Wilmington District is currently conducting a General Reevaluation Report (GRR) analysis for the Surf City Coastal Storm Risk Management Project. A GRR was necessary to adjust the project's scope after the Town of North Topsail Beach withdrew from the project in 2021.

The GRR is expected to take another year to complete.

»» The Corps is now anticipating construction of the project to begin at the end of calendar year 2025. Initial construction is expected to take approximately 13 months. The initial construction of the project will be the largest on the east coast, placing 6 million cubic yards of sand over a six-mile stretch of beach.

»» Before the project can move to construction, the GRR must be approved by the Chief of Engineers and, subsequently, the Assistant Secretary of the Army for Civil Works, whose approval will move the project back to construction status. These approvals are expected to take place in 2025.

Obtain Legislative or Administrative Change Allowing the Borrowing of Sand from Within the Coastal Barrier Resources System for Use Outside the System

»» TISPC supports a legislative or administrative change that would allow entities to borrow sand from within the CBRS for beach renourishment projects outside the CBRS.

From 1994 to 2019, it was the U.S. Department of the Interior's (DOI) policy that Section 6(a)(6)(G) of the Coastal Barrier Resources Act of 1982 (CBRA) applied only to nonstructural projects for stabilizing shoreline within the CBRS, not nonstructural projects to stabilize shoreline outside the CBRS. In November 2019, DOI Secretary David Bernhardt announced that DOI's Office of the Solicitor had revisited this interpretation of the CBRA and determined that the exception provided in Section 6 of the CBRA for nonstructural shoreline stabilization projects is not limited to just shoreline stabilization projects occurring within the CBRS. However, on July 18, 2021, the Biden administration reversed the Trump administration's 2019 interpretation allowing entities to borrow sand within the CBRS for use outside the CBRS.

It is important to note that the 2019 interpretation is consistent with how the DOI originally interpreted and implemented Section 6(a)(6)(G) of the CBRA before 1994. The Government Accountability Office (GAO), in a February 2021 report regarding CBRA required consultation and mapping activities (GAO-21-258), noted that "Prior to the 1994 opinion...FWS had concurred during a consultation on a Corps project that sand taken from a CBRS unit could be used to renourish a beach outside of the CBRS under the 16 U.S.C. 3505(a)(6)(G) exception, according to Corps documents"(GAO-21-258, page 22).

»» TISPC also supports the passage of H.R. 524, which would allow federal funds to be used to borrow sand from certain inlet borrow sites within the CBRS for beach renourishment projects outside the CBRS.

However, only federal coastal storm risk management projects that have used an inlet borrow source for at least the last 15 years qualify for the exemption, but many other projects are impacted by the recent reinterpretation of Section 6(a)(6)(G) of the CBRA by the Biden administration. For example, the Town of Topsail Beach is prohibited from borrowing sand from New Topsail Inlet, which is in the CBRS, for beach renourishment projects located outside the CBRS that use FEMA funding.

Due to the north-to-south littoral drift pattern in the area, the sand in New Topsail Inlet is sand that migrated into the Inlet from Topsail Island beaches, making it an ideal sand source for beach renourishment. Topsail Beach uses New Topsail Inlet as a sand source for beach renourishment projects that use state and local funds. In addition to providing improved navigation and storm protection, Topsail Beach's yearly studies even show that these renourishment projects have resulted in environmental benefits for the area, including increased diversity of plants and animals. However, despite there being no identifiable environmental concerns with using sand from the Inlet, due to CBRA restrictions, New Topsail Inlet cannot be used for projects involving federal funds. Instead, sand must be sourced from offshore sites, making federal renourishment projects more expensive for both the federal government and Topsail Beach.

Improve Island-Wide Coordination in Disaster Recovery

- »» TISPC aims to work collaboratively with FEMA to improve island-wide coordination in disaster recovery.

Each Town receives much needed and appreciated assistance from FEMA. However, there needs to be more coordination between the different FEMA teams serving the Island, which makes the community-wide recovery effort difficult. After a storm event, the primary goal of all three towns on Topsail Island is to work with FEMA to secure and deploy recovery assistance as soon as possible to protect life, property, and economic interests. After experiencing several disasters in just the last decade, Topsail Island knows that it needs a more streamlined recovery effort.

TISPC would like to work with FEMA to explore the idea of establishing a single, coordinated disaster recovery FEMA representative who works collaboratively with all three Topsail Island Towns instead of separate representatives for each Town. Having a single FEMA point of contact for Topsail Island communities would make the recovery and reimbursement processes more efficient and synchronized.

- »» TISPC urges FEMA to adopt the latest technology, coastal engineering methods, and best practices to determine losses when making disaster recovery recommendations. Currently, FEMA relies on methods and data that are sometimes decades old. By embracing modern techniques, both sides can save critical time and resources during recovery.

»» TISPC also supports the establishment of an appeal process for homeowners who have lost their federal flood insurance coverage. There is currently no process in place that allows a homeowner to appeal the loss of their coverage.

Utilize Sand from Corps AIWW Disposal Area for Beach Renourishment

»» TISPC is interested in working collaboratively with the Army Corps of Engineers to explore the possibility of using beach-quality sand from Disposal Area (DA) 143—a Corps disposal area located in North Topsail Beach that was built to maintain the AIWW—for beach renourishment purposes.

The Corps uses DA 143 as a disposal site for AIWW and New River Inlet navigation dredging. DA 143 contains approximately 2 million cubic yards of beach-quality sand. (Testing of the spoils in DA 143 confirms the quality of the sand.) TISPC is interested in using the sand from DA 143 for beach renourishment purposes on Topsail Island beaches.

The Corps is currently studying disposal area capacity and needs for the region. Allowing a non-federal sponsor to use the sand from DA 143 for beach renourishment will create additional capacity in the disposal area for future navigation dredging needs.

Maintain Funding for New Topsail Inlet and Connecting Channels Navigation Dredging

- » TISPC supports consistent, annual O&M navigation dredging funding for New Topsail Inlet and Connecting Channels (including Topsail Creek and Howards Channel).

New Topsail Inlet is one of five federally authorized shallow draft navigation channels in North Carolina. Due to the lack of consistent funding from the federal government for New Topsail Inlet and the other federally authorized shallow draft inlets, in FY 2014, the state of North Carolina and the Corps executed a multi-year, multi-project memorandum of agreement to use state and local funds to perform additional maintenance dredging of these coastal inlets, as needed. On occasion, the federal government has provided funding to support dredging, surveys, and turbidity monitoring of these inlets, including New Topsail Inlet, which has provided needed financial relief for the local governments that must routinely invest local resources to maintain the channels.

Most recently, Congress appropriated \$520,000 to the Corps to dredge New Topsail Inlet and Connecting Channels in the FY 2022 Bipartisan Infrastructure Law Work Plan, and in FY 2024, via the Harbor Maintenance Trust Fund, the Corps budgeted \$525,000 to maintain the Inlet. As much as these additional funds are appreciated, stable annual funding for New Topsail Inlet is necessary to keep the Inlet safe and navigable for commercial fishing and charter fishing vessels, recreational vessels, U.S. Coast Guard Search and Rescue, dredging vessels, and vessels seeking safe harbor.