

Southern Shores Shoreline Protection Project

Southern Shores, NC

Interagency Meeting Minutes

January 31, 2017

The initial interagency scoping meeting for the proposed Southern Shores Protection Project was held at the Department of Environmental Quality in Washington, NC on August January 31, 2017 at 2pm. Attendees included representatives from Federal and State resource agencies including the US Army Corps of Engineers (USACE), US Fish and Wildlife Service (USFWS), National Marine Fisheries (NMFS), Bureau of Ocean Energy Management (BOEM), North Carolina Division of Marine Fisheries (DMF), North Carolina Division of Water Resources (DWR), North Carolina Division of Coastal Management (DCM), and the North Carolina Wildlife Resources Commission (WRC). Representatives from the Town of Southern Shores, Dare County, and CB&I were also in attendance. The meeting's primary objective was to bring agency representatives together to present the project scope and develop an agreed upon permitting approach and the necessary environmental documentation.

Ken Willson (CB&I) opened the meeting by thanking Lyn Hardison (DEQ) for helping to organize and schedule this meeting so rapidly. Ken explained that the Town of Southern Shores is in the early stages of assessing long term needs with regards to erosion mitigation and storm damage reduction. Ken then provided a description of the state of the Southern Shores oceanfront shoreline and how portions have experienced erosion over the recent months. In consideration of this erosion, the Town is now seeking permits and authorizations to perform a relatively small beach nourishment operation at the southern portion of the Town. Ken went on to provide additional context and explained the fact that that dredges will be mobilized this summer to perform nourishment work at three other Dare County towns: Kill Devil Hills, Kitty Hawk, and Duck. Due to the possibility for significant cost savings, the Town is hoping that all necessary permits and authorizations would be in-hand by the end of May such that this proposed project can be constructed in tandem with the three other Dare County projects.

Following Ken's introductions, Brad Rosov (CB&I) gave a brief presentation describing the details of the proposed project. After showing several slides depicting the current condition of the oceanfront shoreline in the area where the proposed project will be implemented, Brad provided a project location map that included the location of the proposed offshore borrow areas, the fill limits for the three permitted projects, and the proposed Southern Shores project. The projects at the Town of Duck, Kill Devil Hills, and Kitty Hawk will span a total of 8.31 miles and include the placement of 3,785,000 cubic yards (cy) of material. In comparison, the proposed project at Southern Shores will include beach placement along an additional 1,500 feet, with an estimated increase in fill of approximately 80,000 cy. This fill would be placed at the Kitty Hawk/Southern Shores border and extent northward. The Kitty Hawk project, as permitted, currently includes placement of a 1,000 foot taper section extending from the Kitty Hawk/Southern Shores border.

Brad explained that the borrow area used for this project, known as Borrow Area A, is located in the Outer Continental Shelf (OCS) waters within BOEM's jurisdiction. This borrow area, along

with Borrow Area C (which is located further north), is part of the BOEM lease obtained by Dare County for the projects at Duck, Kill Devil Hills, and Kitty Hawk. The existing BOEM lease allows for a total of 4,825,000 cy of material to be extracted from the two borrow areas. The dredging contractor, Great Lakes Dredge and Docks, anticipates utilizing two hopper dredges for the Dare County projects this summer including the Liberty Island and the Ellis Island.

Following the overview of the proposed project, Brad asked Doug Huggett (DCM) to discuss the appropriate permitting approach the Town should undertake with the State. Doug suggested that a new permit (rather than modifying the Kitty Hawk permit) would make the most sense. He also raised a concern that the project narrative, which was provided to meeting participants prior to the meeting, did not include mention of the fact that the DCM had requested that the Town collect additional sediment samples along one transect within the project limits. Ken confirmed that the Town is poised to collect these samples along one additional profile as soon as possible and has included this task in its contract with CB&I. Doug also stated that the Town would not be required to perform an additional survey of clasts >3" within the proposed fill placement area.

Bobby Outten (Dare County) asked Doug if issuing a new permit (rather than modifying the Kitty Hawk permit to include this 2,500 foot fill) would present an issue with the dredging contractor. Doug felt that from a permitting standpoint, the new permit approach would simply be better for the State from a record keeping perspective and the issue with the dredging contractor would be a contracting issue only.

Other State division representatives were then asked if they had any concerns, comments, or suggestions. Shane Staples (DCM-Fisheries) stated that the comments he provided for the permit applications from the three other towns are relevant for this proposed project as well and, therefore, similar comments would be submitted. Maria Dunn (WRC) echoed Shane's comment and said that Wildlife Resources Commission would provide similar comments as well. Anthony Scarbraugh (DWR) mentioned that no additional concerns were raised and that the 401 Water Quality Certificate would be issued in accordance with the Department of Army permit.

Following comments from State personnel, Brad asked Josh Pelletier (USACE) to discuss the permitting approach from the federal level. Josh stated that the best approach would be to modify Kitty Hawk's Department of Army permit such that it included the proposed action by Southern Shores. In doing so, he would require a project narrative which should include all of the relevant details of the proposed project from the applicant. Josh would then use this narrative to determine if any new impacts would be anticipated. He stated that he would share the document with both USFWS and NMFS Habitat Conservation Division for their review as well. Kathy Matthews (USFWS) stated that she intends to modify the Batch Biological Opinion that was drafted for the three other Dare County projects such that it includes the proposed Southern Shores project. Ken Riley (NMFS Habitat Conservation Division) stated that he has some concerns with the project in terms of possible sturgeon impacts. He stated that depending on the details of the project, there could be a possibility that he would recommend additional conservation measures including adherence to an environmental dredge window. Jennifer Bacatari (BOEM) stated that she does not feel that the project, as described, would warrant any changes to the NEPA documents and, accordingly, would not reinstate consultation with other federal agencies. Brad mentioned that due to the over-dredge factor, the total volume removed

from the borrow areas may now exceed the terms of the lease. Paul Knorr (BOEM) responded by stating that the lease would be modified to reflect the new dredged amount and would include the Town of Southern Shores to the lease as well.

Doug Huggett reiterated that the State’s permit application processing time would be expedited as much as possible but added that it would be a challenge to have the CAMA Major Permit issued by the end of May, as requested. Brad stated that CB&I would work directly with Lyn Mathis (DCM) to compile and submit the material needed for the permitting package within approximately three weeks, however, it was noted that not all of the additional sediment data may not be fully evaluated by that time.

After asking the meeting participants if they had any remaining questions, concerns, or comments, Brad thanked the group for their participation and again reiterated the appreciation to everyone for convening as soon as we did following the submittal of our meeting request to Lyn Hardison.

The meeting adjourned at 2:40pm

List of Attendees

Name	Agency	Phone	Email
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*Participated via conference call