



Topsail Island Shoreline Protection Commission



March 18, 2017

Renee Cahoon,
CRC Chairwoman
N.C. DEQ Administration
1601 Mail Service Center
Raleigh, N.C. 27699-160

Subject: CRC Chairman request for feedback from users of CRC Regulations

Dear Ms. Cahoon,

The Topsail Shoreline Protection Commission (TISPC) held a workshop to review Coastal Resources Commission (CRC) regulations that impact our beaches, inlets and sounds. We offer the suggestions below to the CRC on areas that might be considered for improvement as part of the CRC normal review process.

The TISPC is chartered by the towns of North Topsail Beach, Surf City and Topsail Beach to keep their respective town boards and the county boards of Onslow and Pender informed concerning items related to our area beaches, inlets and sound.

Please consider our suggestions in your review process. Our desire is to improve and protect the quality of our beaches for the benefit of all who use them.

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TOPSAIL ISLAND SHORELINE PROTECTION COMMISSION (TISPC)

TISPC Contact Info: PO Box 2475 - 214 N New River Dr., Surf City, NC 28445 - Phone: 910-328-4131 - Fax: 910-328-1476
Chairman Contact: Steven G. Smith -- Mobile: 910-547-2677 -- Fax 910-328- 5833 -- email: SteveSmithTB@aol.com

1. **Suggested Changes to CRC and NC Regulations:** *(no order of importance)*

- a. Now that terminal groins have been approved for NC and some have been constructed, the need to get approval from 21 federal and state agencies seems excessive and delays construction of new groins since 3-4 years pass before final approval.
 - i. Terminal groins are very expensive to construct for small beach towns and are a last resort for keeping sand out of the inlet and on the beach; so once a town has made the financial commitment to construct, then the approval process should flow quicker.
 1. As an example, when Environmental Impact Studies (EIS) have been done in the last 3-4 years for the area proposed for a new terminal groin, the data from that EIS which applies to terminal groin construction should be used to shorten approval time.
- b. The CRC should modify the rule requiring adjacent property owners to be notified before issuing a CAMA permit. The current requirements are misleading and confusing to the adjacent property owners because it gives them the impression they have to approve the project. While they can comment about the project, it does not require their approval before issuance of a permit.
 - i. Is there a real need to contact the adjacent property owner given as they have no rights to approve or deny a project?
- c. The CRC rule against cantilevering a roof line into the sixty-foot (60') setback on the oceanfront should be reviewed. Cantilevers used to be allowed, but that rule was abused with excessively long cantilevers. Applying a cap on cantilever extension; for example, allowing a two foot (2') maximum cantilever extension would allow for a small encroachment but avoid the problem of excessive cantilevers into the setback zone.
- d. CRC rules as posted on the web on coastal development are difficult to navigate for the average person planning a project. A summary or step by step guide of some sort would be helpful.
- e. Some of the CRC rules are vague or not self-explanatory. The examples below are left up to interpretation; as well as to the official who makes the final call when interpretation is needed:
 1. The rule allowing the impervious surface to be covered if more than 30% then "innovative design" is submitted – what is an "innovative design?"
 2. The rule prohibiting disturbance to other dunes unless it's not practical to build. What is considered "not practical"?

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- f. The rule prohibiting placement of sand on the backside of a frontal dune seems counterproductive to beach stabilization. One would assume adding sand to the frontal dune would only increase the stability and protection the dune provides. In discussions with CAMA officials; it appears many are unclear why this rule is in effect or the history of why it was written.
- g. The rules regulating the size of sandbags and use of geotubes should be reviewed because alternatives are more effective and economical. If you are using sandbags to protect one house it would make sense to use 3'X5' sandbags, but if you are protecting a whole row of houses it would make sense to use geotubes instead of larger sandbags. Use of geotubes for the NTB north end revetment would have been the best and most cost-effective solution rather than stacks of large sandbags that can be moved out of alignment by strong ocean waves.
 - i. The issue of when large sandbags or geotubes can be removed seems to be a CRC concern but the ease of cutting the exposed fabric and removing that part of the geotube fabric above the sand surface makes aesthetics a non-issue.
- h. When a CAMA major permit is required to construct a seawall because of some form of sea grass, require that the questionable grass be transplanted to areas agreed to during the permitting process rather than on inspection of project.
- i. Allow wider, public-finger docks to conform with guidelines for providing access to persons with disabilities.

2. Suggested Changes to Proposed CRC Rule Changes:

- a. The proposed bill exempting all sediment criteria rules from Cape Lookout, Diamond and Frying Pan Shoals is a concern as it may reduce standards. We caution CRC about possible support of any kind of project with no testing as dredge materials may not be suitable for beach nourishment.
- b. The requirement of a multibeam survey of potential borrow areas should be looked at because these surveys are expensive and in some cases, are not necessary. At times the older method of coring will give better data due to the nature of the sediment profile.

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3. NC Wildlife Federation and Proposed Rule for Secondary Nursery Areas:

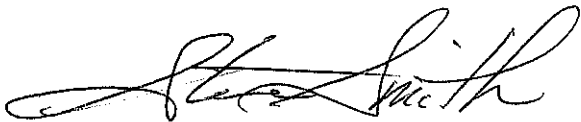
- a. The proposed regulations to reduce and restrict shrimp trawling would have a drastic effect on the NC Seafood Industry as well as shoreline protection.
 - i. The proposed regulations designating all coastal waters other than primary nursery areas, as secondary nursery areas that extend 3 miles offshore will add another layer of comments needed from the various agencies during the CAMA permitting process.
 - ii. The secondary nursery area regulation should be altered to specific areas based on fisheries biology rather than all coastal waters not in a primary nursery area.
 - iii. It was also noted that if shrimping is limited to three (3) days a week and daytime only, it will decimate the NC shrimping industry.

4. Other Issue:

- a. In some cases, the State does not have enough certified engineers available to evaluate CAMA permit requests. Possible solution would be to accept the certified seal of the private engineer who did the plan and project survey. Certified engineers must stand by their work legally and professionally so relying on the certified stamped studies and plans submitted by the applicants would save time and money for the State.

If the TISPC can be of any assistance, please contact me. We also wish you the best as Chairwoman of the CRC.

Regards,



**Steven G. Smith, Chairman
Topsail Island Shoreline Protection Commission**

cc: Michael Moore, CRAC member
Mayors: North Topsail Beach, Surf City & Topsail Beach
TISPC Members

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