U.S. ARMY CORPS OF ENGINEERS

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

33 CFR 325. The proponent agency is CECW-CO-R.

OMB APPROVAL NO. 0710-0003
EXPIRES: 28 FEBRUARY 2013

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME
First - Shannon Middle - Last - Phillips
Company - Town of Sunset Beach
E-mail Address - sphillips@sunsetbeachnc.gov

8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required)
First - Robert Middle - Last - Neal
Company - Moffatt & Nichol
E-mail Address - Rneal@moffattnichol.com

6. APPLICANT'S ADDRESS:
Address- 700 Sunset Boulevard, North
City - Sunset Beach State - NC Zip - 28468 Country - USA

9. AGENT'S ADDRESS:
Address- 238 Princess Street
City - Wilmington State - NC Zip - 28401 Country - USA

7. APPLICANT'S PHONE NOs. w/AREA CODE
a. Residence b. Business 864.219.8810 c. Fax 910.579.1840

10. AGENTS PHONE NOs. w/AREA CODE
a. Residence b. Business 910.218.7082 c. Fax 919.781.4869

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Moffatt & Nichol to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT 2019-09-12 DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
Town of Sunset Beach Navigation Project - Maintenance Dredging of S. Jinks Creek, the Bay Area, and the Feeder Channel

13. NAME OF WATERBODY, IF KNOWN (if applicable)
Jinks Creek

14. PROJECT STREET ADDRESS (if applicable)
Address North Shore Drive
City - Sunset Beach State- NC Zip- 28468

15. LOCATION OF PROJECT
Latitude: °N 33.875298 Longitude: °W 78.492896

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)
State Tax Parcel ID Municipality Town of Sunset Beach
Section - Township - Range -

17. DIRECTIONS TO THE SITE

Hwy US-17 South to NC-904 E in Shallotte. (Approx 28.5 miles)
Then take NC-904 East for approx. 3.6 miles
Turn Right on Sunset Blvd. and travel for approx. 2.1 miles across causeway.
Turn left on E. North Shore Drive for approx. 1,000 ft.
Turn left on Riverside Drive and travel to terminus (approx. 2,000 ft.)

18. Nature of Activity (Description of project, include all features)

Maintenance dredging of South Jinks Creek, the Bay Area, and the Feeder Channel systems. An estimated 40,500 cubic yards (CY) of beach compatible material will be dredged from S. Jinks Creek, and an additional 48,600 CY of non-compatible material will be removed from the Feeder Channel system and Bay Area. The beach compatible material will be hydraulically placed in the nearshore along approximately 2,000-ft of shoreline between 3rd Street and 13th Street on Sunset Beach. The beach material will be placed within an approximate 200-ft wide template over the 2,000-ft long placement area in water depths ranging from -9-ft MLW to -13-ft MLW. The non-compatible substrate will be mechanically dredged and placed at a permitted upland landfill facility.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The primary purpose and need for this project is to provide the Town of Sunset Beach with a long-term management solution for maintaining navigation access throughout the east end of Sunset Beach. The project seeks to enhance and protect navigation access to residents and guests to waterways on the east side of Sunset Beach, near Tubbs Inlet. The maintenance dredging project will provide a long-term management solution to restore navigation access in South Jinks Creek, the Bay Area, and the Feeder Channel system. Restoring the navigation depths will provide sustainable recreational boating opportunities to visitors and residents of Sunset Beach while also helping to safeguard the small rental businesses and property values at risk within the project area. The maintenance dredging project will also provide a management tool for future land development through the establishment of a pier head alignment.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Beneficial reuse of beach compatible sand along the nearshore of Sunset Beach. (Approx. 40,500 CY)
Material will be hydraulically dredged and piped to nearshore placement area between 3rd Street and 13th Street on Sunset Beach.
Remaining 48,600 CY will be mechanically dredged by bucket-to-barge system and trucked to an upland placement site.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
Beach compatible, 40,500 CY	Silt & fine material (48,600 CY)	none

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres 9.2 AC below MHW (nearshore material placement)
or
Linear Feet 2,000 lf

23. Description of Avoidance, Minimization, and Compensation (see instructions)

Maintaining buffers from coastal marsh and avoiding channel areas with potential high concentrations of shellfish habitat.
Restricting dredging operations to between Nov 16 & March 31;
Coordinating with NCWRC for beach pipeline placement;
Abiding by USFWS guidelines for avoiding West Indian manatee;
Following NOAA recommendations for avoiding sea turtle and smalltooth sawfish potential impacts;

24. Is Any Portion of the Work Already Complete? ☐ Yes ☒ No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- see attached

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
NC DWR	401 Water Quality	2002-0158v2	April 12, 2019	August 1, 2019	
NC DMF	Dredge and Fill	June 21 Memo	April 12, 2019	July, 19, 2019	
NC DCM	CAMA Permit	79-19 - Amended	April 12, 2019	March 3, 2020	

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT — DATE: 2020-08-18

SIGNATURE OF AGENT — DATE: 2020-08-18

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.