

TOWN OF SUNSET BEACH  
2016 SHORELINE MANAGEMENT AND PRE-DREDGE ANALYSIS  
PERMITTING

PROGRESS REPORT DATE  
APRIL 16, 2018

**Report Period:** March 01 thru March 31, 2018

The items below provide a description of key elements related to the current progress, including outstanding items and anticipated resolutions, for completing the work known as Town of Sunset Beach, 2016 Shoreline Management and Pre-Dredge Analysis, Phase 3 - Permitting.

**Acronyms:** M&N – Moffatt & Nichol  
DCM – North Carolina Division of Coastal Management  
DMF – North Carolina Division of Marine Fisheries  
NMFS – National Marine Fisheries Service  
WRC – North Carolina Wildlife Resources Commission.  
USACE – US Army Corps of Engineers (Wilmington District)

**Phase 1 – Feasibility Analysis** (100% complete)

**Items Previously Completed:** (100%)

The Town of Sunset Beach (Town) and M&N initiated a contract on February 19<sup>th</sup> to study the feasibility of conducting approximately 3.5 miles of navigation dredging within the Town limits. The work areas include Mary's Creek, Turtle Creek, Jinks Creek, the Feeder Canal and adjoining finger canals, and the Bay area. The results of the analysis were positive and the Town elected to move forward with the design and modeling of the proposed work on June 7<sup>th</sup>. The design work was authorized to begin July 1, 2016.

**Phase 2 –Design** (100% complete)

**Items Previously Completed** (100%)

M&N completed the design phase for the project in August 2017. The work included identifying a dredge alignment and determining the volume of dredge material. M&N also completed a shellfish survey for Mary's and Turtle Creeks and identified material placement locations for the compatible and non-compatible material. The design will continue to be refined as new information becomes available from the environmental studies proposed through the permitting process.

**Phase 3 –Permitting** (99.00% complete)

**Items Previously Completed:** (97.00% complete)

1.0 Project Coordination

- The Town conceptually agreed to move forward with use of the USACE material placement islands 310 or 311 at a cost of \$5.75 / cubic yard as a tipping fee. The tipping fee will be paid to the underlying property owner if the material placement islands are used.

2.0 Jinks Creek Shellfish Survey

- M&N completed a draft copy of the shellfish survey and report for distribution and review by the permitting agencies. The findings were presented to the Town at the February 20<sup>th</sup> council meeting. The report noted some type of mitigation efforts would most likely be required as part of the Jinks Creek dredging. M&N will research potential options for the Town's consideration and discussion at the next agency coordination meeting.

### 3.0 Jinks Creek Site Meeting

- The Jinks Creek site meeting was held on Friday, July 21<sup>st</sup> with representatives from DCM, DMF, NMFS, USACE, WRC, the Town, and M&N. As a follow up from the site meeting M&N provided an extrapolated expected shellfish quantity in northern Jinks Creek. The list below provides the extrapolated results. (Note the area designations refer to those shown in the figure above.)
  - i. Area 1 – 17 Clams per acre / 534 Oyster per acre.
  - ii. Area 2 – 12 Clams per acre / 712 Oyster per acre.
  - iii. Area 3 – 1 Clam per acre / 870 Oyster per acre.
- Comments received from the site visit indicate NMFS supports the project, but will require some type of mitigation / relocation efforts for the impacted oyster in northern Jinks Creek. The agencies have also indicated the full shellfish survey of Jinks Creek will be required to evaluate the potential impacts.
- Alternate comments received from DCM suggested the agencies would prefer to see 3 permit applications for this overall project covering the following areas:
  - i. Mary's & Turtle Creek.
  - ii. Feeder Canal, Finger Canals, & Bay Area.
  - iii. Jinks Creek as a whole.

### 5.0 - 8.0 EFH, BA, Cultural Resource Review, & CAMA Major Permit Review

- M&N submitted the revised CAMA major permit for Mary's and Turtle Creek in late February. The permit application included the EFH, BA, and cultural resource review as well as revised drawings showing a dredging buffer around the marsh grasses to minimize potential impacts.
- DCM also clarified that pursuant to NCAC 15A 07H.0208.b.1.f that any proposed work in the Feeder Canal and Bay Area would need to consider the controlling depth of Jinks Creek. The Feeder Canal and Bay Area dredging would not be allowed to extend deeper than the controlling depth of Jinks Creek, which is approx. -2 MLW. Therefore, Jinks Creek would most likely have to be dredged in order to achieve the current design for the Feeder Canal and Bay Area (-5MLW +1). This topic will be discussed at the next agency coordination meeting.

### 9.0 Coordination with the Town of Ocean Isle Beach (OIB)

- The Town and M&N met with OIB officials and staff on July 24<sup>th</sup> to update OIB on the project status. The meeting also began official discussions concerning the cost share potential for beach compatible material placement on OIB. As part of the next step, the Town of Sunset Beach will provide a formal request for cost share consideration by OIB.

## **Progress this Period: (2.00% of total task)**

### 2.0 Jinks Creek Shellfish Survey

- The agencies accepted the shellfish survey without comments on April 9<sup>th</sup>, 2018. DMF reviewed the document and commented on it's completeness at the April 9<sup>th</sup> Agency Coordination meeting.

### 4.0 Agency Coordination Meeting

- The 3<sup>rd</sup> Agency Coordination meeting was held on April 9<sup>th</sup>. The main outcome from the meeting was as follows:
  - DCM confirmed any dredging in the Feeder Canal or Bay Area could not exceed the governing depth of Jinks Creek or Tubbs Inlet. A connection at least as deep as the

dredging depths must extend either to the Atlantic Ocean or to the AIWW. However, DCM also stated they would support a variance to this requirement (15 NCAC 07H.0208.b.1.f) if the Town requested one from the CAC.

- DCM noted that other agencies such as DWR may also have concerns about dredging the Feeder Canal or Bay area deeper than Jinks Creek, which is currently at -2MLW. DWR representatives left the meeting early and did not provide feedback regarding their concerns or lack thereof.

#### **Outstanding Items and Anticipated Completion Dates:**

##### **8.0 CAMA Major Permit Submittal**

- M&N will revise the CAMA permit submittal for the Bay Area and Feeder Canal to exclude Jinks Creek with the expectation the agencies will condition the permit to include either Jinks Creek or Tubbs Inlet based on 15 NCAC 07H.0208.b.1.f. If this occurs the Town will need to request a variance from the CAC to relax this requirement.
- M&N will follow up with DWR to verify any concerns the agency may have regarding the dredging depth in the Feeder Canal exceeding the controlling depth of Jinks Creek and Tubbs Inlet.

##### **9.0 Coordination with the Town of Ocean Isle Beach (OIB)**

- M&N will contact the OIB to discuss the option of cost sharing sand placement from the navigation project on OIB. M&N will report any discussions to the Town for consideration.