

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

PROGRESS REPORT DATE
DECEMBER 12, 2018

Report Period: November 01 thru November 30, 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 19th 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 7th. 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 (99.9% complete)

Items Previously Completed: (99% complete)

1.0 Project Coordination

- Coordination efforts with the USACE determined the Town would need to remove any placed material within a 3-year period (most likely 1 year) in order to use the USACE managed disposal islands along the AIWW. However, due to project logistics and timing M&N recommended moving forward with a truck haul project in order to construct during the 2018-2019 dredge season. (The USACE would need to draft and execute the legal instrument allowing use and requiring the material removal. The instrument would be drafted by the Wilmington district and approved by the Atlanta division and Washington DC headquarters.

2.0 Jinks Creek Shellfish Survey

- The agencies accepted the Jinks Creek Shellfish report without comments on April 9th, 2018. DMF reviewed the document and commented on its completeness at the April 9th Agency Coordination meeting.

3.0 Jinks Creek Site Meeting

- The Jinks Creek site meeting was held on Friday, July 21, 2017 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.
 - 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.

4.0 Agency Coordination Meeting

- The 3rd Agency Coordination meeting was held on April 9, 2018. 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 CRC.
 - 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.

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.
- The Town and M&N negotiated use of an upland landfill facility for non-compatible material disposal and a material transfer site at the WRC boat ramp for Mary's and Turtle Creek. The same upland landfill facility will be used for the Feeder and Bay Area material (including the finger canals). The Town will use Cobia Street as a material transfer site for the Feeder and Bay Area project. (Material from S. Jinks Creek will be placed as beneficial reuse along the Sunset Beach shoreline.

- M&N updated the CAMA Major Permit application for Mary’s & Turtle Creek on November 1, 2018. The updated information will allow the application to complete the review process. Permit issuance is anticipated by early December 2018.
- M&N submitted the CAMA Major Permit application for S. Jinks Creek, the Bay Area, and the Feeder Canal system in October 2018. DCM requested several minor revisions to the application on November 1. DCM also expressed concern that only 3 sediment cores were taken from S. Jinks Creek where the beneficial reuse material will be obtained for beach placement. NCAC requirements stipulate a minimum of 5 cores must be obtained from any borrow source. A total of 26 cores were collected as part of the sampling process; however, only the area containing the 3 cores was recommended for beneficial reuse. DCM staff indicated a written justification for requiring additional sediment sampling in S. Jinks Creek would be provided upon review of the permit, if the concerns were not addressed.

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

- M&N discussed the potential for cost sharing sand placement on OIB with Town leaders of Ocean Isle Beach. OIB elected not to participate in the project financially citing the proposed placement volume would not create a significant enough benefit for OIB residents. (Approximately 30,000 CY should be placed as beneficial reuse for the project.)

11. Profile Surveys

- Geodynamics completed the beach profile surveys necessary for characterizing the recipient beach for beneficial reuse material placement in July 2018. The survey data has been incorporated into the permit drawings.

12. Sediment Analysis

- ECS completed the sediment analysis necessary for characterizing the recipient beach for beneficial reuse material placement in August 2018. The results indicate material from S. Jinks Creek would be compatible for beneficial reuse on Sunset Beach.

Progress this Period: (0.9% of total task)

8.0

CAMA Major Permit Submittal

- M&N resubmitted the CAMA major permit for S. Jinks Creek, the Bay Area and Feeder Channel system on December 3rd. Expectations suggest the state and federal permitting agencies will condition the permit to include either Jinks Creek or Tubbs Inlet to provide a ‘deep water access’ to the AIWW or Atlantic Ocean based on 15 NCAC 07H.0208.b.1.f. If this occurs the Town will need to request a variance from the CRC to relax this requirement. The CRC (Coastal Resource Commission) should review the variance request at the 1st or 2nd quarter meeting in 2019.
- DCM issued the CAMA major permit for the maintenance dredging of Mary’s & Turtle Creek on December 11th. The Town Council should discuss the timing for construction of Mary’s & Turtle Creek at the December 18th Council meeting.

Outstanding Items and Anticipated Completion Dates:

8.0

CAMA Major Permit Submittal

- A decision from CAMA regarding the permit review of S. Jinks Creek, the Bay Area, and Feeder Channel system is anticipated in mid-February. Pending the decision, the Town may request a variance hearing with the CRC to exclude a ‘deep water connection’ to the AIWW or Atlantic Ocean. (15 NCAC 07H.0208.b.1.f requires all dredging projects to connect to adjacent waters at an equal or greater depth than the proposed dredging.)

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DESIGN & PERMITTING**

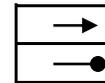
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Progress Schedule

Tasks	2017												2018												2019					
	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June			
Project Coordination																														
Jinks Creek Shellfish Survey																														
Jinks Creek Site Meeting																														
3rd Agency Coordination Meeting																														
EFH Assessment																														
Biological Assessment (BA)																														
Cultural Resources Review																														
CAMA Major Permit																														
Coordination with OIB																														
Environmental Management																														
Profile Surveys																														
Sediment Analysis																														



Anticipated timeframe to complete task.
Anticipated overrun in task.



Work in progress (WIP) for task.
Actual timeframe to complete task.