



NCBIWAY

Our Quarterly eNewsmagazine



NCBIWA Washington Report from Marlowe & Company

On September 8, 2008, Congress returned from its August recess still needing to pass all 12 Fiscal Year (FY) 2009 appropriations bills. Before adjourning last month for its annual August recess, the House of Representatives passed only one (Military Construction-Veterans) of the 12 appropriations bills for FY 2009, which begins on October 1, 2008. In the Senate no appropriations bills have even made it to the Senate floor for debate.

NCBIWA has identified a \$60,078,000 need for the North Carolina section of the Atlantic Intracoastal Waterway (AIWW) and its channels and inlets. NCBIWA has also requested money to continue to study the benefits of regional sediment management along the NC coast.

Both the House and Senate Appropriations Committees have approved the FY09 Energy & Water bill, which awaits action by the full bodies. Some of NCBIWA's priorities were included in the bills, while others were not. **(See table on page 5)**

The delays in completing the appropriations bills will likely not be completed until early 2009. Democratic Leadership in Congress has publicly expressed its desire to adjourn at the end of September to allow Members to concentrate on the November 2008 elections. With the elections two months away and President Bush threatening to veto any bill that exceeds his budget request, Democrats are expecting to delay completion of these bills until the next president takes office in January 2009 to avoid a veto fight over the party's domestic priorities. In the interim, it is widely expected that Congress will seek to fund government agencies and priorities through a Continuing Resolution that will keep the government funded at FY 2008 levels until, most likely, sometime early next year, after the new president takes office.

One of the other reasons for Congress' delay in approving all of the appropriations bills has been the disagreement between the parties on how to resolve the issue of domestic oil and gas production along the Outer Continental Shelf. Republicans continue to press the Democrats on seeking an amendment to increase domestic oil and gas production along the Outer Continental Shelf. To date, no agreement has been reached. However, Democratic leaders acknowledge that they cannot pass a Continuing Resolution unless a moratorium on new drilling off most U.S. coastlines has been reviewed and updated. A congressional moratorium has been in place and renewed every year in annual appropriations bills since 1982.

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Preview: NCBIWA 2008

“Shaping the Future of Coastal North Carolina & The Southeast”

NCBIWA 2008, the annual conference of North Carolina Beach, Inlet & Waterway Association will take place at the Carolina Beach Courtyard by Marriott on Monday & Tuesday, November 17 & 18, 2008. The theme of this year’s conference is “Shaping the Future of Coastal North Carolina & The Southeast.” Dr. Robert Dean, Graduate Research Professor at the University of Florida and internationally recognized as one of the pioneers in coastal engineering will be the keynote speaker during the Tuesday Award Luncheon. Dr. Dean will also speak to the conference on the engineering aspects of terminal structures.

Monday’s Box Lunch will feature Dr. Nicole Elko, Coastal Coordinator for Pinellas County, FL who will talk about the challenges of and solutions for maintaining our beaches given the prospects of accelerated sea level rise.

The registration desk will open at 7:00 am on the 17th with the conference proceedings starting at 8:00 am on both days. Continental breakfasts are planned for both mornings with a box lunch to be provided on Monday (17th) and an awards luncheon and keynote address on Tuesday (18th). Morning and afternoon breaks will be included on both days and a networking reception is planned for Monday evening.

The conference program will feature many timely topics including the public access issues facing the Cape Hatteras National Seashore, offshore drilling, wind farms, pros and cons of terminal structures (groins), and many other coastal management issues including implementation of the new stormwater rules as well as local funding options for non-federal beach nourishment projects.

The Corps of Engineers will provide up-to-

date information on the federal beach protection program and maintenance of our inlets and waterways. State officials from the Divisions of Coastal Management and Water Resources will discuss the status of the Beach and Inlet Management Plan as well as other important issues related to the coastal area. Howard Marlowe of Marlowe & Company will talk about Congressional initiatives as well as the prospects of a new Water Resources Development Act.

The Cape Hatteras access discussion will feature Derb Carter, Southern Environmental Law Center and Mike Murray, Superintendent of the Cape Hatteras National Seashore as well as representatives from the Outer Banks Preservation Association and Dare County.

Dr. Rob Young with the Western Carolina University Program for the Study of Developed Shorelines will present his arguments against the use of terminal structures while Dr. Robert Dean, University of Florida, will provide an opposing view. Wayne Gray, a Town of Nags Head commissioner, will provide a pictorial history of the Pea Island terminal groin located adjacent to Oregon Inlet.

Dr. Ed Erickson, Economic Professor Emeritus at NC State University and one of NCBIWA’s board members is putting together several talks dealing with offshore drilling including its history, technology, and the current situation. Dr. Larry Cahoon, Professor of Marine Biology at UNCW will provide a talk on the environmental concerns and issues associated with offshore drilling.

Local funding options for beach projects will be discussed by Peter Ravella, a consultant from

(See “NCBIWA 2008” on page 6)

Time For Change

Editorial - By Mayor Debbie Smith, Chair, NCBIWA

The use of terminal groins to protect the ever-changing ends of our islands has been much debated this past year. North Carolina has prohibited the use of hardened structures along the ocean shore and inlets for years. Prohibition of hardened structures along the North Carolina coast should not be changed, but inlets create special situations and require special tools, such as terminal groins. It is time for change!

In 2007 the NC Senate overwhelmingly supported (41-8) a bill to allow for the use of terminal groins in NC. In the NC House, the bill was held in committee and never allowed to go to the full House for a vote. Because the bill never emerged from the committee the bill died at the end of the 2008 short session. To cause a change to the law prohibiting terminal groins, a new bill will have to be introduced in 2009.

At present the only shoreline protection measures allowed in North Carolina are beach nourishment, temporary sandbag structures or inlet realignment. Beach nourishment is extremely successful in restoring our beaches but does not stay in place at inlet areas without some structure such as a terminal groin. Sandbags are temporary structures. The Coastal Resources Commission is mandating all sandbags be removed that have outlived their permitted time frames (usually 2-5 years). Inlet realignment is expensive, requires constant maintenance and the results are not as predictable as a terminal groin.

Terminal groins are a proven protective tool without negative environmental impact. Terminal groins are widely used in almost all coastal states as an erosion control measure. There are presently two successful terminal groins in the state of North Carolina. One has protected historic Fort Macon in Carteret County since the mid 1960s. The other protects Pea Island at the base of the Bonner Bridge and was constructed in 1989-1991. Both have functioned as designed and provided protection to these structures.

A terminal groin is not the answer for all inlets, but properly engineered and constructed it can offer the needed erosion protection for a number of NC inlets.

Many environmentalists oppose the use of terminal groins, offering retreat or relocation as the preferred option. This may have been an economically viable option decades ago but with the present value of coastal land and often limited availability of vacant lots it is not always feasible today. It is not always just a matter of economics; there is an emotional factor in unnecessarily losing a home on the coast that you have enjoyed for many years. It is not just private property that is lost. It is public property, public access and infrastructure that are endangered as well. Decades ago there were not as many roads, public sewers or water systems in place on our islands as there are today. Visit any barrier island and you will see that the ends of the islands are some of the most popular spots for visitors and vacationers. They offer unique opportunities for exploring, fishing, and shelling.

Terminal groins are not large unsightly structures. It is generally a low structure that is built perpendicular to the end of an island, adjacent to the inlet. It traps sand on the ocean beach before it reaches the inlet. Though not designed as a navigation aid, it could benefit the flushing action of our inlets and improve the tidal marshes and nurseries in our backwaters. It would allow for more public beach for recreational use and wildlife habitat and nesting areas, while protecting the ocean shoreline.

Let us not bury our heads in the sand when it comes to erosion protection. Scientists must develop and communities must implement erosion mitigation strategies that are both effective and affordable. Terminal groins coupled with beach nourishment will provide an integrated approach that should be the foundation of coastal shoreline management. Increased knowledge of shoreline processes and proven engineered solutions call for new and different protective measures.

IT IS TIME FOR CHANGE!

Sea Grant Seeks Stakeholder Input on South Atlantic Regional Research Needs

The South Atlantic Regional Research Project is a joint effort by the Sea Grant programs in the four South Atlantic states (FL, GA, NC and SC). The project is seeking regional stakeholders to participate in a survey to identify the greatest research needs in the region. This project is working with many regional partners and diverse coastal interest groups with similar projects being conducted in other Sea Grant Regions across the US.

The information stakeholders provide will be used in the development of a Research Action Plan for the South Atlantic region that will focus research on the most pressing issues and most promising opportunities along our coast.

Responses to the brief survey (10-15 minutes) need to be **completed by September 30, 2008** and can be done by visiting: http://www.gcrc.uga.edu/SARRP/sarrp_survey.html

If you have any questions please contact Christine Laporte, SARRP Project Coordinator at claporte@uga.edu or David Bryant, bryantd@uga.edu.



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the North Carolina Coast™**

Federal Fiscal Year 2009 Waterway & Inlet Funding Status

Project	NCBIWA Request	House	Senate	Conference
AIWW (NC)	\$14,000,000	\$855,000	\$2,000,000	N/A
Bogue Inlet	\$2,400,000	\$0	\$400,000	N/A
Carolina Beach Inlet	\$1,200,000	\$0	\$600,000	N/A
New River Inlet	\$3,600,000	\$760,000	\$0	N/A
New Topsail Inlet	\$1,450,000	\$0	\$400,000	N/A
Lockwoods Folly Inlet	\$2,370,000	\$1,302,000	\$200,000	N/A
Waterway Connecting Pamlico Sound & Beaufort Harbor	\$500,000	\$0	\$0	N/A
AIWW (VA-NC)	\$1,058,000	\$0	\$0	N/A
Channel from Back Sound to Lookout Bight	\$1,100,000	\$0	\$0	N/A
NC Regional Sediment Management	\$600,000	\$0	\$600,000	N/A

Additionally, the Senate bill contained language that recognizes that the funding being provided is limited and directs the “Corps to propose a dredging program for fiscal year 2009 that would most effectively utilize the scarce funds available for these inlets.” NCBIWA supports this language because it will give the Corps the flexibility to use the funding in the areas it is needed most.

Rick Catlin Honored by *Wilmington Magazine*

North Carolina Beach, Inlet and Waterway (NCBIWA) immediate past chairman Rick Catlin is featured in the current issue of *Wilmington Magazine* as one of the half dozen local men and women whose “lives are tied to the coast, and who focus on protecting it and keeping it strong for generations to come.”

Catlin, who also serves as chairman of the New Hanover County Port, Waterways and Beach Commission, was lauded in the article for “his optimism and curiosity to develop solutions to often changing problems.” Catlin also heads his own environmental engineering firm in Wilmington.

Singled out along with Catlin for their contributions to the health of local coastal assets were Richard Lawrence, director of the state’s Underwater Archaeology Branch, Suzanne Dorsey, executive director of the Bald Head Island Conservancy, Travis Elliott, a Holden Beach restaurateur, and Bill McClellan and Ann Pabst, members of UNC-Wilmington’s marine science staff.

The article by Southeastern N.C. environmental writer Gareth McGrath appears in the September / October edition of the publication.

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NCBIWA 2008, The Annual Conference

(continued from page 2)

Austin, Texas while Tom Campbell of Coastal Planning & Engineering of Boca Raton, Florida will talk about Section 206 and how it might be used to speed up the implementation of federal projects.

These are only a few of the very interesting, timely, and important topics to be presented. As always, our professional exchange breaks, lunches, and evening reception provide attendees many opportunities to renew old acquaintances, discuss topics of mutual interest, and learn how others are dealing with common problems/issues. So come join us at Carolina Beach on 17-18 November.

Hotel reservation and registration information are posted on our website <http://www.ncbiwa.org> Just click on “Events” for updated information.



Rick Catlin (l) shown here with Congressman Mike McIntyre

Sand Management Working Groups

The Minerals Management Service

The Minerals Management Service (MMS) is a bureau within the Department of the Interior that is responsible for administering sand and gravel, alternative energy, oil and gas, and other mineral resources from the Outer Continental Shelf (OCS). As the demand for sand increases, sand management issues have become more complex. MMS identified the need to formulate options and recommendations for including Federal, State, and local governments and stakeholders in an overall planning process to manage the Federal off-shore borrow sites in an environmentally responsible and cost effective manner over the long term, and to resolve multiple-use issues. They have begun holding workshops for interested parties to provide general information and guidelines for those interested in obtaining sand, gravel and other non-energy mineral resources for the Federal Outer Continental Shelf.

Public Law allows the MMS to negotiate, on a noncompetitive basis, the rights to OCS sand for shore protection, beach or wetlands restoration projects, or for use in construction of projects funded in whole or part by or authorized by the Federal Government. Public law prohibits MMS from charging federal, state or local government agencies a fee for using OCS sand.

Of particular importance to coastal North Carolina are additional compatible sand sources for beach nourishment. Since 1995, MMS has issued 23 leases that have conveyed over 30 million cubic yards of OCS sand for beach nourishment and other coastal restoration projects. More than 125 miles of the Nation's coastline in five states and billions of dollars of coastal infrastructure have been protected. Myrtle Beach, SC obtained some of the sand used in their recent nourishment project from the OCS.

An MMS sponsored study, *Regional Management Strategies for Federal Offshore Borrow Areas; US East and Gulf of Mexico Coasts (Michel, 2004)* recommended the formation of Sand Management Working Groups that would be charged with planning, coordination, information dissemination, and facilitating the use of OCS sand for beach nourishment and coastal restoration projects.

MMS is continuing to evaluate the feasibility of this approach in Louisiana and Florida where there is an immediate and growing demand for extremely large volumes of sand and the environmental protection and restoration needs are critical.

To become involved in regional sand management and the issues these groups are addressing visit their website at: <http://www.mms.gov/sandandgravel/smw>



NCBIWA 2008

The Annual Conference

**“Shaping The Future of
Coastal North Carolina
& The Southeast”**

**Courtyard By Marriott Oceanfront
Carolina Beach, North Carolina**

Monday & Tuesday, November 17 & 18
Registration opens at 7:00AM
Program commences at 8:00AM

Advance Registration Form

Registrant's Name (as it should appear on badge)

Organization Name (if any)

Mailing Address

City, State Zip

Phone Number

E-mail (Required for alerts and updates)

Advance registrations must be **postmarked** no later than **November 12** or **faxed** no later than **5pm November 14**

Advance registration for **members \$80** (Save \$20!)

Advance registration for **non-members \$90** (Save \$10!)

COMBO SPECIAL: Advance registration **and** individual annual membership **\$130***

**Non-members save an extra \$10 with this combo special!*

► NOTE: Any registration after 5:00pm, Nov. 14 will only be available at the door for \$100

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MAIL your check or **MAIL** or **FAX** credit card info, **with this form**, to:
NCBIWA, Post Office Box 1317, Oak Island, NC 28465
Toll-free Fax number 1-800-967-0816

Hotel Reservations at Carolina Beach Courtyard By Marriott: Call 910-458-2030
Be sure to mention NC Beach, Inlet & Waterway Association to get the \$84 conference hotel rate, if still available
Hotel rate deadline is October 17. Go to www.courtyardcarolinabeach.com to see the hotel

September Meeting: NC Coastal Resources Commission

The N.C. Coastal Resources Commission will meet **Sept. 24-26 at the Sea Trail Resort and Convention Center in Sunset Beach, N.C.** The Commission will hear requests for variances from CRC rules on Wednesday, Sept. 24 at 3 p.m.; and the CRC's regular business meeting will begin at 8 a.m. on Thursday and 8:30 a.m. on Friday. The meeting is open to the public.

Thursday at 10 a.m., representatives from several organizations will present information relating to the development of offshore wind energy in North Carolina. The speakers will also participate in a wind energy panel, which will begin at 1:15 p.m. Speakers and experts include representatives from the NC Sustainable Energy Association, Environmental Management Commission, Audubon Society, Division of Marine Fisheries, Dept. of Administration, Wildlife Resources Commission, State Energy Office, U.S. Marine Corps, Carteret County & NC Sea Grant.

The following items are on the CRC's agenda:

CAMA Major Permit and Dredge & Fill Review Process (8:30 a.m. Friday) – Coastal Management staff will review the process DCM uses to review major CAMA permits and dredge and fill permits.

Ocean Policy Study Committee and Beach and Inlet Management Plan Update (8:30 a.m. Friday) – Coastal Management staff will present an update on each of these initiatives.

Public Comments/Staff Recommendations for Rules Regarding Oceanfront Setbacks and Static Line Procedures (8:30 a.m. Friday) – Coastal Management staff will present a summary of public comments received this summer regarding proposed changes to 7H .0306 General Use Standards for Ocean Hazard Areas & 7J .1200 Static Line Exception Procedures. The Commission will vote on each of these proposed rules on Friday.

Public Hearings (3 p.m. Thursday) – The CRC will conduct public hearings for the following proposed rule changes (rule text is available on DCM's web site www.nccoastalmanagement.net)

- 15A NCAC 7H .0205 Coastal Wetlands
- 15A NCAC 7H .1401, .1402, .1404, .1405 General Permit for Construction of Groins in Estuarine & Public Trust Waters
- 15A NCAC 7H .2101, .2102, .2104, .2105 General Permit for Marsh Enhancement Breakwaters
- 15A NCAC 7H .2401, .2402, .2404, .2405 General Permit for Placement of Riprap for Wetland Protection
- 15A NCAC 7J .0701, .0703 Variance Petitions
- 15A NCAC 7M .0301, .0302, .0303, .0306, .0307 Shorefront Access Policies

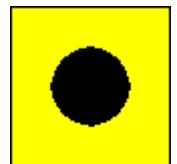
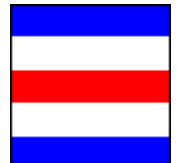
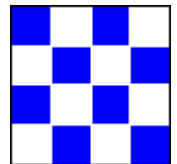
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CRC issues?

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Coastal Benefactor	\$5,000	_____

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“The naysayers are now suggesting that folks on the Texas coast should not be allowed to rebuild their homes there.”

Harry Simmons
Executive Director,
NCBIWA

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The Final Word *Commentary by Harry Simmons, Editor*

Coastal Living

Tropical weather systems are a way of life on the Atlantic and Gulf coasts, much like earthquakes on the West Coast, firestorms in the West, tornados in the Great Plains and blizzards in the North. All parts of America have some kind of natural threat.

The naysayers are now suggesting that folks on the Texas coast should not be allowed to rebuild their homes there. By and large, these are the same critics who don't want humans to inhabit any coastal area.

May I suggest that those who do rebuild, and all should be allowed to, will build stronger, more resilient homes (using cur-

rent codes) than they had before. The insurance premiums that they have paid for years, in most cases, will provide most of the funds to do so. Governments, local, state and federal will provide the necessary infrastructure that any community must have and life will go on, just as it does in those other parts of America following impacts from their versions of Mother Nature's fury. **For it to be any other way strikes me as un-American.**



We hope you will join us for **NCBIWA 2008** in Carolina Beach, Monday & Tuesday, Nov. 17 & 18 to discuss **“Shaping the Future of Coastal North Carolina”**
Info online at www.ncbiwa.org