

Meeting Minutes
Outer Banks Task Force Meeting
June 14, 1999 at 10:00 AM
Seminar Room, College of the Albemarle, Edenton, NC

A list of the meeting attendees is attached.

- **Introduction**

Julie Hunkins, chairperson of the Outer Banks Task Force, began the meeting by welcoming everyone and having participants introduce themselves. She then reviewed the meeting agenda and asked if there were any changes that should be made. There were none.

- **NC 12 Hot Spots**

Ms. Hunkins briefly updated the group on the status of NC 12 since the previous Task Force meeting in March. Two storms occurred along the Outer Banks in May in which conditions along NC 12 worsened. A meeting was held with several agencies on June 1, 1999 to discuss the North Carolina Department of Transportation's (NCDOT's) proposed immediate and interim solutions regarding the "hot spots." The agencies involved were U.S. Fish and Wildlife Service (USFWS), N.C. Wildlife Resources Commission (WRC), National Parks Service (NPS), Dare County, N.C. Division of Coastal Management (NCDCM), and the North Carolina Department of Transportation (NCDOT). As a result of this meeting, a scientific panel of coastal engineering experts was formed to analyze the "hot spots" and make recommendations for each site. The scientific panel members include: Tom Jarrett, U.S. Army Corps of Engineers (COE), Stan Riggs, East Carolina University, Spencer Rogers, Sea Grant, John Fisher, North Carolina State University/CTE, Margery Overton, North Carolina State University, and Bob Dolan, University of Virginia.

Mr. Jarrett, Mr. Riggs, and Mr. Fisher visited each site with Ms. Hunkins, Archie Hankins, and Jerry Jennings of NCDOT June 7 and 8 to begin the scientific panel's review process. A report from the panel is expected in early July.

Ms. Hunkins continued with a presentation on the NC 12 "hot spots," which described NCDOT's proposed immediate actions and interim measures. Each site was then discussed as follows:

- Site 1 ("Canal Area" - Northern Pea Island)

DOT's Proposal:

- Immediate: Restore dune line and re-vegetate dune from 0.5 mile south of Oregon Inlet to 2.0 miles south of Oregon Inlet in Dare County (1.5 mile).
- Interim: Relocate roadway from 0.5 mile south of Bonner Bridge at Oregon Inlet to 2.0 miles south of bridge and reconstruct dune line in Dare County (1.5 mile).

Additional Comments:

Randy Turner of NCDOT commented that several measures for this site were discussed at a recent on-site meeting with resource agencies. The measures discussed included installing a barrier between the road and the dune, relocating the road, and relocating the dune. Other suggestions from that meeting were re-shaping the dune, installing sand fencing, and vegetation of the dune.

- Site 2 ("Old Sandbag Area")

DOT's Proposal:

- Immediate: Reconstruct dune line and stabilize with vegetation from 3.5 miles south of Oregon Inlet extending 3.0 miles southward (between Refuge Visitor Center and Ranger Station) in Dare County (3.0 miles).
- Interim: None

Additional Comments:

None

- Site 3 ("Rodanthe 'S' Curves")

DOT's proposal:

- Immediate: Construct a new dune line west of existing deteriorated dune and stabilize with vegetation from southern boundary of Pea Island National Wildlife Refuge at Rodanthe extending 1.0 mile northward (immediately north of village of Rodanthe) in Dare County (1.0 mile).
- Interim: None

Additional Comments:

Heavy foot traffic between the road and the beach has led to loss of vegetation and dune degradation in this area.

- Site 4 (Buxton/Canadian Hole)

DOT's proposal:

Immediate: Construct a sacrificial dune line to protect roadway and follow with installation of sandbags from 0.5 mile north of SR 1231 in Buxton extending 1.0 mile northward (immediately north of Buxton Village) in Dare County (1.0 mile).

Interim: Relocate roadway, re-establish primary dune and re-vegetate from 0.5 mile north of SR 1231 in Buxton extending 1.0 mile northward (immediately north of Buxton Village) in Dare County (1.0 mile).

Additional comments:

Ms. Hunkins stated that this site is considered to be potentially the worst area on Hatteras Island. The road becomes flooded and impassable during storms.

- Site 5 (Hatteras Village)

DOT's proposal:

Immediate: None

Interim: Reconstruct primary dune line from north of SR 1272 in Hatteras Village extending 1000 feet northward (to northern end of Hatteras Village) and relocate National Seashore parking lot in Dare County (0.2 mile).

Additional comments:

None

- Site 6 (Ocracoke Island)

DOT's proposal:

Immediate: Construct a sacrificial dune line to protect roadway and follow with installation of sandbags from 1.0 mile south of Hatteras ferry terminal extending 3.0 miles southward in Hyde County (3.0 miles).

Interim: Relocate roadway and re-establish primary dune and re-vegetate dunes from 1.0 mile south of Hatteras ferry terminal extending 3.0 miles southward in Hyde County (3.0 miles).

Additional comments:

Ms. Hunkins described this site as being very critical because there are no dunes remaining in some areas. The National Parks Service installed turtle fencing approximately one week prior to this OBTF meeting.

The Task Force continued discussion of the NC 12 Hot Spots as follows:

Section 7 Issues:

Rolf Blizzard began by asking if anything could feasibly be done before the end of the sea turtle moratorium November 15.

Howard Hall (USFWS) responded that any proposal with federal associations must have a biological impact study completed to determine impacts to federally protected turtles. If impacts exist, then a formal consultation must be held, and terms and conditions would be determined.

Mike Bryant (USFWS) stated that in the Rodanthe area, work may be done only on the sound side of the road during the moratorium, but sand fencing would probably be permitted in the area between the dune ridge and the highway. He also commented that 12-20 sea turtle nests are generally found in the Pea Island area each year.

The question of nest relocations was then raised, and Mr. Bryant responded that some relocations do occur, but the habitat must continue to be preserved.

In response to a question about the availability of maps showing primary nesting areas of sea turtles, Bob Reynolds of NPS commented that nesting is too random to create maps.

Mr. Hall commented that working outside of the nesting season is not a problem and asked if the work could be done in the winter.

Mr. Turner responded that storm events do not respect nesting season and there should be protocols to fix problems in emergency situations during the nesting season. He agreed, however, that most work should be done between November and May.

Ms. Hunkins added that the Department is working to get permits and plans ready so that work may begin in November, but there is a need for plans to keep the road open in the meantime. She told the agencies that NCDOT is committed to working on the road outside of the sea turtle moratorium. Ms. Hunkins stated concerns that the limited time to work on the beach and dune area between the turtle moratorium and nesting shore birds (piping plover) moratoriums does not leave much of a window for beach construction activities.

Mr. Turner stated that NCDOT has prepared a biological assessment regarding the sea turtles, which includes risk analysis. According to the report, proposed work in the dune area is not likely to adversely affect the turtles.

NPS and WRC believe that any work will probably affect the turtles.

Mr. Bryant suggested that he, John Hefner (USFWS), Ruth Boettcher (WRC), Randy Turner (NCDOT), Bob Reynolds (NPS), and Charles Jones (NCDCM) meet at the sites and discuss permitting issues. The consensus of the OBTF was to meet on-site with members of the science panel during the first full week in July. Ms. Hunkins agreed that once the scientific panel has submitted their recommendations (anticipated at the beginning of July), then all of the agencies should meet at the Outer Banks in July.

It was requested that the scientific panel make graphics, such as aerial photographs with proposals shown on them and cross-sections of any proposed dunes or sandbag structures, available to the task force before the proposed July meeting.

Mr. Hall stated that USFWS cannot render a jeopardy opinion on threatened species, such as the Loggerhead turtle; they can, however, recommend Reasonable and Prudent Measures (RPM).

Parking and Pedestrian Traffic:

John Fisher asked if there was any management of pedestrian traffic across the dunes, as well as automobile parking on the side of the road at the Rodanthe site.

Mr. Bryant responded that there is some management of the beach area, but parking would be an issue for NCDOT to handle since parking would occur within NCDOT's maintained right-of-way.

Geneva Perry, Dare County, stated that the county and NCDOT had funding in past years to provide more parking lots and walkover areas along NC 12 prior to OBTF being formed, but CAMA denied the permits.

Mr. Turner added that the permits were denied because the Department planned to use an asphalt surface for easier sand removal and parking space delineation, which violated CAMA's rule regarding large structures in ocean setback areas.

Charles Jones commented that parking lots constructed of gravel are permissible. Walkovers are also permissible.

Ms. Hunkins indicated Ms. Donna Moffitt (DCM) has contacted her in hopes that this issue can be re-examined using an alternate paving surface (permeable type).

Sand Sources:

Mr. Fisher asked about available sand sources for remediation of NC 12 "hot spots," such as the "Rodanthe 'S' Curves", which may need approximately 30,000 cubic yards of sand for the dunes.

Mr. Turner replied that the Corps of Engineers has discouraged the use of the sound bottom as a source.

It was mentioned that sand from the refuge could be used within the canal area.

Mr. Bryant commented that the timing of taking material out of the groin is critical. Currently, there are two piping plover nests in that area, so material cannot be removed now (during the piping plover nesting season).

Mr. Jarrett stated that there is an area of disposal sand that could possibly be used.

Mr. Jones said that DCM has some tolerance for variance in grain size.

Mr. Fisher asked if sandbags would be a viable short-term solution. Mr. Jones stated that CAMA rules are specific for the placement of sandbags – the ocean must be within 20 feet of the right-of-way before sandbags can be installed. Furthermore, sandbags have a limited permittable life of five years. Mr. Reynolds expressed concern that there could be problems at each end of the sandbag area. He would like other alternatives investigated. Mr. Jones agreed that longer-term solutions are needed, and sandbags are not long-term.

Ms. Hunkins responded that the Department would propose interim improvements (15-year minimum life expectancy), such as road relocation, for any areas where sandbags are proposed.

- **Status of Funding of Long-Range Planning Study**

The next item on the agenda was an update on the status of funding for a long-range planning study. Larry Sams of NCDOT stated that funding of \$1 million had been requested by the USACOE and is included in a House bill, but not in the Senate Energy bill. He said Senator Helms is being contacted in Washington, D.C.

Ms. Hunkins requested that any agency that has not already done so, send letters of endorsement to Washington, with cc's to the OBTF partners.

Mr. Blizzard asked if representatives from Senator Helms', Senator Edwards', or House members had been contacted about attending OBTF meetings. He feels that it would be helpful to have them familiar with the activities of the OBTF.

Ms. Perry agreed with the idea and suggested that they see the recent photos of NC 12 “hot spots,” since they will not be familiar with the details of NC 12.

Ms. Hunkins offered to put the pictures on a CD or send the Power Point presentation to them.

Mr. Jones and Mr. Jarrett commented that the meeting invitations should come from the Executive Committee of OBTF, not just NCDOT.

No meeting participants voiced concerns or objections to including congressional delegates or their representatives at future OBTF meetings.

Ms. Hunkins agreed that invitations would be sent to the officials before the next meeting.

- **Emergency Response in the Event of a Catastrophe**

Mr. Steve Glenn of the N.C. Division of Emergency Management (NCDEM) spoke to the group about the levels of emergency response. He began by explaining the role of the State Emergency Response Team (SERT), which is comprised of all state agencies. It puts all state resources together for coordination and administration, and helps counties and local governments with funding in the event of an emergency.

The Incident Command System is made up of four branches. Information and Planning collects and sends out information, and devises recovery action plans. Financing pays the bills. Logistics deals with obtaining specialized resources. The Operations branch is involved with planning, response, and recovery.

Mr. Glenn then explained that in an emergency, an area coordinator is assigned and works directly with the state Emergency Operations Center (EOC). The Emergency Response System is then activated and each agency assigns a representative. He pointed out that the state is not a first-response agency. County-level emergency management has that role.

He further explained that planning is the key in emergency situations. Incident action plans are important. For example, if a breach occurs and an inlet is formed during a storm, FEMA may provide funds if: a plan is in place, the cost-benefit ratio is greater than one, there is a past history, and/or there is a Presidential declaration of emergency.

Mr. Hall asked about plans in place for voluntary versus mandatory evacuations. It was explained that evacuations are originated at the county level, not state level. Officials cannot force anyone to evacuate during a mandatory evacuation, but insurance will cover damages.

Mr. Blizzard then asked if a State of Emergency affected the Federal government's ability to assist state and local governments in the event of an emergency. Mr. Glenn responded that it could give the affected county a right to federal money. FEMA has a 75/25 cost share with the state.

Mr. Glenn suggested that the best option for NC 12 is to move the road or elevate it. Agreements and plans should be in place so that when a storm hits, the county can go to FEMA and try to get assistance with the plans.

Ron Fascher asked about the Hazard Mitigation Program. Mr. Glenn explained that Gavin Smith is the head of the program. Home buyout and relocation are high priorities, while infrastructure is a lower priority. He also said that funding for a study might be possible through hazard mitigation grants. The group needs to have engineered specs and plans on the shelf in order to get funding.

Mr. Glenn also stated that FEMA's current regulations will not allow FEMA to assist in hazard remediation on federal properties (i.e. NPS, Seashore, or USFWS Refuge lands), since each federal agency has emergency contingency funds in their budgets. However, Mr. Reynolds stated that money is not available (that it is in theory only). Mr. Glenn then responded by suggesting that these federal agencies, along with interested state and local agencies, begin a dialogue with FEMA to explore avenues to obtain FEMA money for NC 12 remediation on federal lands (specific to the roadway) in the event of an emergency involving NC 12.

- **Off-Shore Sand Resources Study**

Bill Hoffman of the N.C. Geologic Survey updated the task force on the studies he and Steve Boss of the University of Arkansas are currently conducting. He presented a brief description of each of the four sites being studied, which include Diamond Shoals, Buxton, Frisco-Ocracoke, and Pea-Island. A draft report on the Diamond Shoals area has already been completed, and a draft report for the Buxton study will soon be circulated for technical review. The Frisco-Ocracoke draft report is due in August.

- **Subcommittee Reports**

- ***Emergency Protocols Subcommittee***

Mr. Sams distributed copies of the "Emergency Management Plan for the Protection of NC 12 from Whalebone Junction to Ocracoke" for the group to review. The plan was developed by looking at protocols from past task force efforts. When the subcommittee met, they rewrote the protocols based on what happens on the ground by field forces, rather than defining "big" versus "small" storms. There are three levels within the plan: NCDOT work inside the right-of-way (minor activities), NCDOT work outside of the right-of-way (major activities), and catastrophic events (emergencies), in which other groups come in to help. It was also pointed out that the emergency protocols do not override any agency's permit and legal responsibilities.

The Task Force was then asked if there were any recommended changes to the plan. It was suggested that the word "seven" be deleted from the first page in reference to the "hot spots." It was agreed that the phrase should instead read "existing hot spots."

Ms. Hunkins then called for approval of the plan by the OBTF. There was no opposition, so the plan will be sent to the Executive Committee of the OBTF for approval.

- ***Sand Resources Subcommittee***

Mr. Jennings provided the group with a summary of the Sand Resources subcommittee meeting that was held in April. The summary contained a list of potential sources, and the task force discussed various issues related to the sources as follows:

- The Silver Lake Harbor site has sand for use in the future, but it cannot be used now. This site would probably be best suited for the Ocracoke "hot spot."
- The Oregon Inlet site has cost per cubic yard, in addition to the \$500,000 mobilization cost: \$2.45/hopper and \$5.68/pipeline.
- A question was raised about the possibility of using a backhoe off of the terminal groin at Oregon Inlet and getting sand out of the inlet by trucks. No decision was reached as to feasibility of this suggestion.
- Bird nesting season begins in April, but ends before November (end of sea turtle nesting season). Mr. Bryant commented that the Terminal Groin has constant monitoring, so excavation could begin as early as August, if no turtle nests are found.

- A question was raised about responsibility for sand suitability testing. It was decided that NCDOT should coordinate with the COE for sand testing and provide the results to the NPS for use in their permit deliberations.
- Ms. Hunkins asked if any sites had been determined for spoil or staging areas. Ms. Perry offered to work with the subcommittee to locate sites.
- ***Long-Range Planning Subcommittee***
Mr. Fascher informed the Task Force that this subcommittee had reviewed the present scope of work for the Long-Range Planning Study and they agreed that the scope of work is appropriate.
- ***Web Page Subcommittee***
Jim Musselwhite of NCDOT updated the group on the status of the OBTF web site. He showed the information and the various links that have been included. He then asked members how public they would like to make the site. At this time, all of the members and their agencies are listed. Mr. Musselwhite asked if there were any concerns or questions about that.

It was suggested that since the state is encouraging improved "customer service," all of the OBTF members' names should be available, although the federal government may have a different policy.

One concern was that people would not know exactly who to contact with their questions. There is also more potential for inconsistency if various OBTF members are asked the same question and a person gets several responses. One suggestion was to elect a few contact people, who would direct questions and comments to the appropriate place. The meeting participants felt Ms. Hunkins, OBTF chairperson, was the appropriate individual for point of contact.

Input was requested from the group regarding the Frequently Asked Questions (FAQs). Ms. Perry commented that the Dare County web site has a great deal of information that may be used. It was decided that the group of members already involved with the web page should put the questions together and bring them back to the rest of the task force.

The members were then asked for comments about the domain name – should the web site be housed on the NCDOT web page or be more specific to the task force? The group decided that it should have its own domain name. Suggestions were **NC12.org** and **OBTF.org**.

A suggestion was made that the web page subcommittee work out the details of the OBTF web page and then present it to the Task Force once it is developed further.

- **Next Steps**

- ***Action Items***

- Scientific Panel recommendations – Once available, a copy of the report will be given to the agencies that attended the June 1, 1999 meeting in Raleigh. The agencies will then reconvene on-site during the first full week of July 1999 and discuss the recommendations. NCDOT will strive to have permits, plans, and designs ready in November if work cannot begin at this time.
- Julie Hunkins will convene a group that includes John Hefner, Mike Bryant, Ruth Boettcher, Charles Jones, Randy Turner, and Bob Reynolds to discuss a possible programmatic agreement regarding the sea turtle issues.
- Agencies should send letters of endorsement of congressional funding of the Long-Range Planning Study to representatives in Washington, D.C., with cc's to OBTF partners.
- Julie Hunkins will coordinate with the Executive Committee to send an invitation to Senate and House members or their representatives before the next Task Force meeting.
- The Executive Committee will be asked to approve the new Emergency Protocols.
- NCDOT can request that the COE test for sand suitability in conjunction with any COE dredging projects that are used for NC 12 remediation or, alternatively, the Department's Geotechnical Unit could perform the tests.
- Dare County will work with the Sand Resources subcommittee to locate suitable spoil sites.
- Julie Hunkins will route questions that are sent to the OBTF through the web site forwarded to the appropriate person for response.
- Julie Hunkins will contact the members of the Web Page subcommittee for a meeting to further discuss.

- ***Agenda Items for Next OBTF Meeting***

- Subcommittee reports
 - Sand Resources
 - Web Page
 - Emergency Protocols
- Corps of Engineers sand dredging report
- Sand Resources Study – Frisco-Ocracoke (if meeting is in September)
- NC 12 Hot Spots

- ***Next Meeting***
 - Possible dates: Monday, August 30; Tuesday, August 31; Thursday, September 2.
 - Julie Hunkins will check on possible facilities: College of the Albemarle, Beaufort Community College, and Vernon James Center in Plymouth.