

## REGULAR MEETING MINUTES

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*Friday February 23, 2024, 2:00 PM*  
Surf City Town Hall, Surf City, NC

### **Commission Members Present**

Steve Smith, Chair  
Mike Benson, Vice Chair  
Tom Leonard  
Ed Broadhurst  
Larry Strother  
David Ward  
Larry Combs (alt.)  
Hiram Williams  
Teresa Batts  
Brad George  
Mark Price (virtual)

### **Associates Present**

Mike McIntyre (advocate, vir)  
David Ferrell (advocate, vir.)  
Kathleen Riley, NCBIWA (vir.)  
Kathy Zagzebski (Turtle Hospital)  
Kyle Breuer, SC Manager  
Doug Shipley, TB Manager  
Carla Citarelli, Surf City Town Clerk  
Rochelle Jagst, TB Clerk (vir.)  
Chris Griffin & Stephanie Missert (vir.)

### **Guests**

John Kolonski, SC Councilman  
John Gunter, TB Commissioner  
Bob Barnett, TB BIS  
Misty Tucker, SC resident

### **I. [Call to Order & Greetings](#)**

Chairman Smith called the meeting at order at 2:00 p.m. Chairman Smith welcomed the commission members, associates, and those in the audience and online. Chairman Smith then led the group in the pledge of allegiance to the flag.

### **II. [Public Comments](#)**

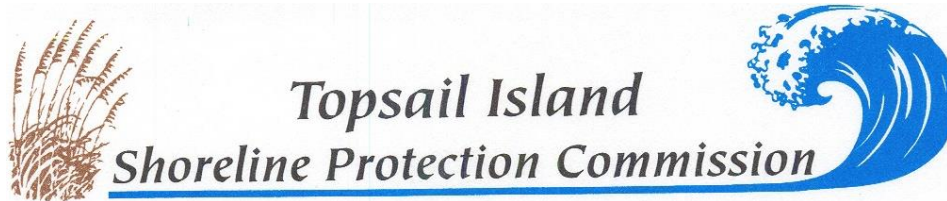
Misty Tucker, SC resident just became aware of committee and thanked the committee for their work. She noted the beach nourishment work in both Topsail Beach and North Topsail Beach and is concerned about beach nourishment for Surf City. Chairman Smith noted that TISPC formed back in 1986.

### **III. [Approval of Agenda](#)**

Larry Combs made a motion to approve the agenda. Teresa Batts seconded the motion, and it was carried unanimously.

### **IV. [Approval of Minutes for January 2024](#)**

Larry Combs made a motion to approve the minutes. Ed Broadhurst seconded the motion, and it was carried unanimously.



#### V. Consultant & Partner's Reviews

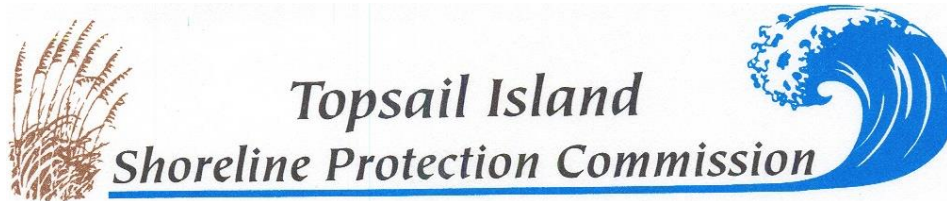
a. Federal Legislation Activities - Ward and Smith, P.A. – Mike McIntyre  
Congressman McIntyre acknowledged Stephanie Missert and Chris Griffin of the Ferguson Group who has assisted him with Capitol Hill work. The budget work in the federal government is delayed with the threat of a shutdown. Several water bills are under consideration with Congressman Rouzer's name on them. Some of these have gotten committee approval and will move forward. The pipeline project in northern NC is still being reviewed with controversy surrounding it. Wetlands controversy continues as well. Tax relief did pass for families and businesses.

*TISPC advocacy items.* He commended Alderman Tom Leonard for his congressional testimony to the House Natural Resources Committee on behalf of the CBRA legislation. The full committee did pass the bill unanimously which speaks to bipartisan support. Now the full House must vote on it. The Congressional Budget Office must score the bill to its effect on the federal budget and that process will be delayed few months. We hope by the end of the calendar year that bill will be included to get it passed. The sand borrowing issue from CBRA areas to non-CBRA areas is covered in a bill by Representative Rouzer. The full NRC committee passed the bill by unanimous consent. He also mentioned that the attached memo regarding FEMA re-insurance that was compiled by the Ferguson Group suggests that recent dramatic proposed increases in homeowner insurance rates were not a result of the FEMA re-insurance program. He noted that the FEMA Individual Assistance Program was finally released with reforms to make the program more efficient. Communities can now ask for congressional spending from accounts that might benefit our three towns. Up to 15 requests for each congressional district are allowed, so we should get our requests in soon. The Surf City federal project is still in the re-evaluation process. Our trip to Washington is being worked out by the Ferguson Group so we can meet with the appropriate agencies and legislators.

b. NC State Legislation Activities – Maynard Nexsen PC - David Ferrell  
David reported that the short session will start April 24<sup>th</sup> and may not last long. He is not sure if budget bill issues will need to be addressed and whether there will be policy legislative issues to cover. The Agriculture and Oversight Committee met to consider permitting issues for aquaculture enterprises. The Insurance Commissioner did oppose the proposed homeowner rate increases.

c. North Carolina Coastal Federation – Kerri Allen  
No report from Kerri

d. North Carolina Beach, Inlet and Waterway Association – Kathleen Riely  
Kathleen reported that the spring meeting of NCBIWAs will be held on May 15-16. The



CAMA planning land use seminar of interest to planning directors occurs on March 14<sup>th</sup>. Kathleen said that we should be getting the state legislature to put funds into the Beach and Inlet Management Plan so that effort can move forward. The ASBPC will hold their conference in Washington, DC on March 26-28 and she will meet with our legislators on the 27<sup>th</sup>.

e. Turtle Hospital – Kathy Zagzebski.

Director Zagzebski reported that the hospital now has 81 cold-stunned patients down from a high of 103. We are hosting a Community Day on March 10<sup>th</sup> from 10:30-12 noon with commission members invited to attend (see her email to commission members for details). We have 10 interns this spring from UNC Wilmington and looking for more local student interns. We are expanding our education effort with a new coordinator in place. We want to reach out to HOAs, realtors, and other groups about 'helping the turtles' by changing out oceanfront porch lights for those that are wildlife 'turtle friendly' and other initiatives. We will host area school students for tours on April 24 and 25. Turtle talks will continue in the three towns this summer.

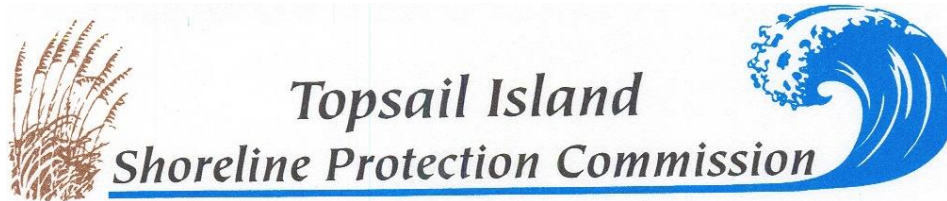
## VI. Old Business & Updates

a. Review of CRC Meeting – February 21 & 22, 2024

Chairman Smith referred the CRC/CRAC notes that he distributed yesterday. Kyle Breuer (CRAC member) reported that he presented some the land use planning comments to the CRAC as well as some related issues that DCM is considering such that the land use plan is a policy document. There is some concern that the LUP could be interpreted as a regulatory document which would be undesirable given the LUP purpose as a policy guideline. He also mentioned that hay bales used on sand dunes and possible seeds of invasive species residing in the bales do not represent a threat of introduction. During the CRC meeting the temporary rules did not raise a concern, so the temporary rules will continue to serve. There is CRC meeting March 13 to make them officially temporary. The CRC in its charter can hold virtual meetings but the commission does not have the necessary equipment to do such, yet. Another issue is how to improve permit timing to speed it up even though another agency is not obligated to meet the DCM timeline. Larry Combs asked if the TISPC needs to take action on the regulatory issue with CAMA LUPs? Manger Breuer responded that he has contacted town managers and others so we are okay for now. Steve Smith added that towns should not put specific ordinances in their LUPs and then that small jurisdictions don't have resources to follow up on them.

## VII. New Items

a. Working with NCCF for a State Statue to have Derelict Vessel rules follow highway legislation



Steve Smith talked with Braxton Davis the new executive director of the NC Coastal Federation to work toward state legislation that would mimic highway rules for derelict vessels.

b. Approval to send letter asking State to consider density and impact on other business for shellfish rules

Steve Smith asked for commission approval to send a letter to Division of Marine Fisheries and our state legislators to consider density of shellfish leases and other uses of public waters.

c. Request TISPC Members, Counties and Towns submit to chair any changes that may be needed in TISPC Charter by March 18, 2024.

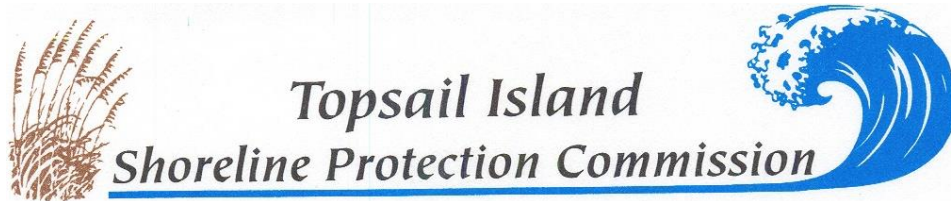
Steve Smith wants to look at our charter and the need to make changes given what we are dealing with as an island, and all the water aspects including inlets, water run-off into the saltmarsh. After town input, we will consider revisions at our April meeting then take back to the towns for approval.

#### VIII. Town's Local Projects/Direction

a. North Topsail Beach – Alice Derian

Mike Benson reported for Manager Derian that our contractor is working Monday through Saturday to place truck-hauled sand in the FEMA Phase 5 project section of town shoreline. Phase 5 includes the southernmost 4 miles shoreline in town. This project will have placed about 480,000 cy of sand. We are on track to complete the project by the end of the current environmental window in April. Our Phase 4 project will extend the Phase 5 work and should start in November to place about 300,000 cy of sand on just over 2 miles of shoreline extending from the Phase 5 section up to about where the high-rise bridge crosses toward the beach. We were able to secure a Coastal Storm Damage Mitigation grant for this work. We still have about 20,000 cy of sand to place in the vicinity of the St Regis Resort, which will hopefully occur yet this environmental window. The Town submitted a letter of support of the temporary Coastal Resource Commission rules. Our Beach, Inlet, Sound Advisory Committee has been working with Chris Gibson of TI Coastal to develop a 5-yr plan that would nourish the remaining 5 miles of shoreline in town. The Board of Aldermen were presented with the plan at their February meeting, and the first step was taken to initiate the plan by approving funds for TI Coastal to start the process of getting the required permits needed to begin construction. Permitting may take as long as a year and a half with possible construction to begin in 2026. Once completed we will have all 11 miles of engineered beach in town that will be eligible for state and federal assistance following storm events.

b. Surf City — Kyle Breuer



Manager Breuer reported that an Army Corps representative attended their council meeting to update the status of the General Re-evaluation Report. Unfortunately, it now looks like sand will not be placed on the beach until December 2025. Our beach is in need of emergency measures due to recent storm erosion, so we will be considering our short-term options. The contractor is due March 6 to install two infiltration chambers for our stormwater management project on South Shore Dr. We are submitting letters of interest to the RCCP program for a couple of new projects.

c. Topsail Beach – Doug Shipley

Manager Shipley reported a visit with representatives from the Golden Leaf Foundation to look at the soundside surge area on Rocky Mount Dr. Our beach nourishment project has completed with about 1.9 million cy placed on the beach as demobilization begins. The inlet is now 500 ft wide and about 15 ft deep. He mentioned the dredge tour a couple weeks ago which was successful. The three towns are working together on the Vitex project. Coastal Transplants has updated their survey and Surf City has agreed to develop a GIS map with all the locations. Manager Breuer added that Surf City has a Vitex ordinance such that if property owners don't participate in the island-wide effort they will be responsible for Vitex eradication on their property. Steve Smith added that our legislators on the dredge tour were given an explanation of the Vitex issue and that it should be a state level issue. An island-wide grant to the CSDM fund is planned to support the Vitex eradication effort.

IX. Upcoming Meetings & Conference

a. Washington, DC – Legislative Reviews – April 15-17, 2024

We will have a review with the principals from each town prior to the Washington trip so that we are prepared to get our critical requests across to our legislators and federal agencies.

b. CRC meeting April 24-25 in Manteo

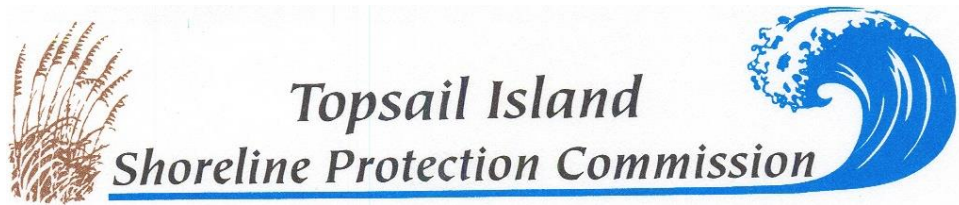
We need a presence at this meeting as the temporary rules may be adopted by the CRC. We will need to change our TISPC April meeting date (see below)

X. Public/Commission Members Comments

a. Commissioner Williams congratulated Topsail Beach on their recent beach nourishment project and what they have accomplished in their town. Mayor Batts recognized Brad George, Pender County Commissioner, in the audience and the financial support the county had provided to beach nourishment efforts.

XI. Next Meeting – Monday 29, 2024 – Surf City Town Hall

This meeting date is to avoid conflict with the CRC meeting on April 24-25th.



XII. [Adjournment and thank you for your support](#)

Chairman Smith asked for a motion to adjourn. David Ward made the motion with a second by Larry Strother and it passed unanimously.