NC Coastal Resources Advisory Council
September 15-17, 2010
NOAA/NCNERR Administration Building, Beaufort, NC
Meeting Summary

Attendance

SEAT	MEMBER NAME	15th	16th	17th
CAMA Counties				
Beaufort	Paul Spruill			
Bertie	Traci White			
Brunswick	Bob Shupe	Y	Y	
Camden	William Wescott			
Carteret	Charles Jones	Y	Y	
Chowan	W. Burch Perry			
Craven	Tim Tabak	Y	Y	Y
Currituck	Gary McGee			
Dare	Ray Sturza			
Gates	*Vacant*			
Hertford	*Vacant*			
Hyde	Richard Newman	Y	Y	Y
New Hanover	Dave Weaver	Y	Y	Y
Onslow	*Vacant*			
Pamlico	Christine Mele			
Pasquotank	W. H. Weatherly			
Pender	Bill Morrison	Y	Y	Y
Perquimans	Lester Simpson			
Tyrrell	Joe Beck			
Washington	Wayne Howell	Y	Y	Y
Coastal Cities				
Columbia	Rhett White			
Edenton	William Gardner, Jr			
Emerald Isle	Frank Rush **(Vice Chair)**	Y	Y	Y
Hertford	Carlton Davenport			
Nags Head	Webb Fuller			
Oak Island	Dara Royal **(Chair)**	Y	Y	Y
Caswell Beach	Harry Simmons	Y	Y	Y
Surf City	J. Michael Moore	Y	Y	Y
Lead Regional Planning Orgs				
Albemarle Regional Commission	Bert Banks			
Cape Fear Council of Governments	Debbie Smith	Y	Y	
Eastern Carolina Council	Judy Hills	Y		
Mid-East Commission	(Tim Ware)			
Science & Technology				
NC Coastal Federation	Tracy Skrabal	Y	Y	
NC Sea Grant, Wilmington	Spencer Rogers	Y	Y	Y
Quible & Associates, Kitty Hawk	Joe Lassiter	Y		
State Agencies				
Department of Administration	Joy Wayman			
Department of Agriculture	Maximilian Merrill			
Department of Commerce	Lee Padrick	Y		
Department of Cultural Resources	Renee Gledhill-Earley			
DENR, Division of Marine Fisheries	Anne Deaton (Michelle Duval)	Y	Y	Y
DENR, Division of Water Quality	Cyndi Karoly			
NCDOT	Phil Harris	Y	Y	Y
NCDOT	Travis Marshall	Y	Y	Y
State Health Director (Shellfish San.)	*Vacant*			
Local Health Director	Jerry Parks			

Wednesday 15th

Call to Order
Dara Royal called the meeting to order at 12:40 pm and the Council approved the March 2010 minutes without amendment. Dara led the Council in a moment of silence for former CRAC member Eddy Davis who passed away unexpectedly this summer. Dara said that a certificate of appreciation for Eddy's service would be presented to his family. Harry Simmons announced the NCBIWA Annual Conference was scheduled for November 15-16 at the Blockade Runner in Wrightsville Beach.

CRC Meeting Format and CRC Function
The Council talked about their ability to participate with the CRC under the current meeting format. Some members expressed strong satisfaction with their opportunity to be directly involved in all of the CRC's discussions, but noted that the current format does not allow for as much in-depth discussion as was possible in the sub-committees and does not afford enough time for fully considering the issues. The current format also does not have a place for CRAC members to vote, as the standing committee format allowed. Members like that the CRC and CRAC now meet at different times, and expressed a desire to continue this way. The general feeling is that a combined format that utilizes sub-committees and committee-of-the-whole could work well, as long as duplication of work could be minimized. Staff reported that the Department's recommendations on consolidating or eliminating boards and commissions had been submitted to the Legislature, but that DCM had not seen a response about whether any change to the size or composition of the CRAC.

Sandbags Discussion
The Council had a long discussion about the CRC's sandbag policy, as a prelude to a full discussion with the CRC the following day. Members discussed and supported Robin Smith's idea at an earlier sandbag stakeholders' meeting of an umbrella permit for local governments. Members also supported Spencer Rogers' statement that sandbags must be considered in conjunction with the structures they protect, and their respective policies should reflect that. Members recognized that certain Federal policies work counter to State and local governments' desire to remove structures that encroach onto the beach.

Dara Royal reminded members that their last recommendation to the Commission was to enforce its existing rules, and asked whether they wished to change that recommendation. Spencer Rogers questioned whether it's worth retaining a time limit on sandbag structures. Tracy Skrabal said that the location of sandbag structures relative to the public beach—as opposed solely to relative to the structure it's protecting—should be a part of the discussion along with time limits and size. Spencer added that he'd been told by a contractor that it's not uncommon for a condemned house to get a sandbag permit. Condemnations could result from minor problems that are easily corrected, allowing the condemnation to be lifted. DCM staff confirmed this is true.

A sandbag contractor reported that the town of Nags Head has a problem with public safety services navigating around sandbags on the beach, and said in such cases the houses should be removed. The contractor asked whether removing houses could be tied to repetitive loss claims. Spencer said that communities are required to address repetitive losses. Spencer said that this is hard to apply to buildings, but could be easier to apply to sandbags.

Inlet Hazard Areas Discussion
Jeff Warren described the process for and status of updating the CRC's inlet hazard area AECs. Jeff said that the current IHA boundaries were adopted in 1978 with an estimated 10-year lifespan, making them effectively out of date since 1988. Jeff explained that the proposed new boundaries seek to portray the areas under inlet influence. The boundaries are not a depiction of the past or a prediction of where future inlets might form. Jeff said that the use standards to be applied within the boundaries are being crafted with two criteria in mind:

1. Keep new development from encroaching oceanward, because a vegetation line that moves oceanward can quickly reverse direction if the inlet migration changes.
2. Keep structure sizes to manageable limits because larger structures limit the options that are available if the structures become threatened.

Jeff said there could be a grandfather clause for very large structures, noting two very large structures that were permitted in IHAs due to mapping errors. Jeff said that staff would argue for using actual erosion rates that are currently being calculated, and to allow the 0309 single family exception to be available inside IHAs. Proposed structures would have to comply with the more restrictive of the calculated setback and the landward-most adjacent structure.

Jeff said that Chairman Emory was comfortable limiting the maximum structure size to 10,000 square feet. Jeff also pointed out that 10,000 square feet is a good break point based on the oceanfront setback factors, and any cap represents a tightening of the rules since there is no cap in the existing rule. Dara Royal stated that the size cap under a static line exception is 2,500 square feet, and it doesn't appear to make sense to allow four times that amount in an inlet hazard area, especially without using something like the Science Panel's 30-year risk line. Bob Emory replied that he has been concerned with using a 30-year risk line calculated from a formula off of aerial photos, as opposed to a measurement on the ground from the existing vegetation line. Bob questioned how we would clearly explain to a property owner how their setback was calculated. Spencer Rogers said that the 30-year risk line could be used just to determine size caps: waterward of the line could be capped at 2,000 or 2,500 square feet, and landward of the line could be larger.

Spencer Rogers said that the Science Panel tried to find a way to erosion rates with the vegetation line inside the IHAs, but failed to find a method that works fairly on both sides of the inlet. They then tried to find a mechanism to mimic what's done outside the IHAs, and came up with the 30-year risk line, and will recommend to the CRC that they use it as one of the boundary lines in the new IHAs, and that they keep all development landward of the 30-year line. Spencer said that the 30-year line is based on the landward-most position of the shoreline based on historical photos. Greg Rudolph asked why use an additional setback if the 30-year line represents a worse-case scenario for the inlet shoreline. Rudolph also suggested using the term "Inlet Influence Area" instead of IHA.

Harry Simmons said that the biggest concern he's hearing is the potential for new nonconforming structures having problems with insurability and salability. Jeff said that staff has been hearing the same thin from the towns, but that issue comes up every time there is an erosion rate update. Jeff said that the CRC has heard a lot from staff and the Science Panel over the past few years, and needs now to hear more from local governments. Dara Royal said she didn't think the CRAC was prepared to offer any recommendations as a body to the Commission. Calvin Peck asked the Council to be clear with the CRC that the staff proposal is a starting point for discussion, and that the towns are anxious to move forward.

Review of CRAC Priorities

Dara Royal said that as of the March meeting the Council had effectively addressed all of its priority issues and at a future meeting would need to look into setting new priorities. Dara said the Council should also work with the CRC to identify new tasks.

Adjourn

With no further business the Council adjourned at 2:40 pm.

Thursday 16th and Friday 17th

Advisory Council met in session with the CRC.

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