

MINUTES
BEACHFRONT MANAGEMENT COMMITTEE
June 28, 2016
11:00 a.m.

Present: David Cannon, Chairman, Bill Davies, Matthew Kizer, and Bruce Shaw, Committee Members; Iris Hill and Patrick Brown, ex-officio and Steven Traynum, Coastal Science and Engineering. Pat Sheehan was absent due to a medical procedure.

Approval of Minutes: Bill Davies moved to approve the minutes of April 26, 2106 and seconded by Bruce Shaw and approved unanimously.

Town Administrator Hill passed out copies of S 0139, an act to amend the coastal zone critical areas. The Edisto Beach Town Council was a proponent of S 0139, and the legislature made the changes requested by the lobbyist hired by Council, allowing the Town to perform upcoming work on the groins. The bill does impact the movement of the baseline and what can be done once the baseline is established. Chairman Cannon asked, "What happens to the houses that the baseline runs through?" Mr. Traynum replied that the changes in the law mean that after the nourishment process, the baseline will not be allowed to move seaward, even if the beach is stable over a period of years. The existing baseline and setback lines are not as firm as it sounds. Certain things can be built seaward of the setback line, but are limited in size and scope. For existing properties, it will not make that much of a difference. Matthew Kizer asked if there was a six-month time frame established in which the property owner could begin to rebuild. Mr. Traynum said he did not know what the time frame was. The baselines were adopted in 2009 with the final adoption in 2017. The final baseline may go into effect after the Edisto renourishment. It's not known what data OCRM will use to come up with the baseline, whether it will be recent data or all data since the 1800s. The Town will receive, and will be able to comment on the information before it becomes effective. Mr. Cannon stated that the baseline, at this point in time, runs through the Pavilion and many homes on the north end of the beach also have that issue. Mr. Traynum suggested contacting OCRM to find out their schedule for Edisto and find out what data that they are going to use to come up to set the baseline. Patrick Brown will be contacting OCRM at Administrator Hill's request. Mr. Brown stated the maps were completed in 2009 and will be updated every ten years (2019). Mr. Traynum suggested asking OCRM if the beach is renourished before that analysis, will OCRM use the new shoreline after that. Administrator Hill will find out what can be done as far as if a house is destroyed and the baseline goes through it, can you rebuild. (The Town's ordinance addresses this.) Chairman Cannon asked what the significance of the setback line was. Mr. Cannon said some of the setback lines on the map were 20 feet behind the baseline, and in other places it was much further behind the baseline. Mr. Cannon asked the difference between the setback line and baseline. Mr. Traynum said the baseline is established off where the dune should be. The setback line looks at erosion rates along that baseline, and a multiplier is used to determine the setback line. There are no restrictions on anything landward of the setback line, unless specified by Town Ordinance. Seaward of the setback line is limited by OCRM as to size and activity. Mr. Cannon asked about the bond and Administrator Hill stated that a financial surety requirement had always been in the legislation. They can request a bond or other type of surety and the Town has always given assurance that the Town will mitigate any damages. In the past, a verbal assurance was all that was

required. Mr. Traynum said that the current permit from OCRM has no language concerning a bond, which Mr. Traynum attributed to the Town already having groins in place. If new groins were constructed, OCRM would probably ask for a bond.

The next item agenda was the status of the beach nourishment project. Mr. Traynum said that the Town has received the DHEC and OCRM permit. The permit has been through the public comment period. There were no appeals according to Mr. Traynum. The Corps of Engineers did not receive the state permit, but are almost finished with their decision documents and the federal permit should follow soon after that. There are no anticipated conditions that would delay the issuance of the federal permit. The construction window for the Edisto project is November 1, 2016 – April 30, 2017. Mr. Traynum stated a request to extend the construction period (for groin lengthening) would probably be granted as long as there was no interference with the turtle nesting season. Access from one groin cell to the adjacent cell has to be maintained, which will not be problematic. A five-year monitoring process to low-tide wading depth is also a condition required twice per year. Mr. Traynum recommends doing one full monitoring during the summer (as required by FEMA) before storm season, and a land-based survey during the fall or winter. Construction conditions include keeping logs and monitoring sand quality along with the terms and conditions that were included in the biological opinion. Compaction monitoring is done after every project, and may be eliminated after the first year of the Edisto project. Each groin cell has to be filled to exceed the trapping capacity of the lengthened groins. This means that as much sand as the groin cell can trap must be added to each cell. This doesn't necessarily mean the groins will be completely covered. There is a minimum volume based on the length of the groins that has to be put in each cell. Administrator Hill stated, "Council wants to make sure that we try to maximize and get all of our groins lengthened and use the minimal amount of sand required." Mr. Kizer asked if there was any way to lengthen the groins first. Mr. Traynum said that it would not be economically feasible. Mr. Traynum said that the sand would cost approximately \$8.00 per yard.

Mr. Traynum gave the Committee an update on the Hunting Island/Harbor Island issue. There has been discussion of "piggy-backing" on the Hunting Island renourishment. After the public hearing on the project, it has become evident that some property owners at Harbor Island are opposed to having anything done at Hunting Island. These property owners feel that past Hunting Island nourishments have negatively impacted Harbor Island, and they plan to appeal the permit unless the state pays for a project on Harbor Island. CSE is very hesitant to say the Hunting Island project will take place this year because of the legal delays. Mr. Traynum spoke with the dredging company to determine the impact on cost for the Edisto project since Edisto will not be able to cost share dredging costs with Hunting Island. Mr. Traynum said that the savings would be "a couple hundred thousand dollars" if the Town were to wait until Hunting Island was ready to do its project. Other factors such as dredge availability are unknowns and would affect price. Administrator Hill reminded the committee that since the Town is partnered with the State Park, and the Parks, Recreation and Tourism Board is in charge of the distribution of funds the Town will be using for renourishment, she felt the Town may have a better chance of acquiring funding. The Town is asking for \$5 million of the \$30 million approved for nourishment. If this request is only partially granted, Council will have to decide where adjustments should be made to the project.

Mr. Kizer asked when the project would be put out to bid. Mr. Traynum stated that CSE would like to have a notice to proceed for construction by January 1, 2017. That will allow ample time for dredging and allow groins to be constructed outside of the winter storm window. For a January 1 notice to proceed, the bids would need to be due in early November. The plans would need to be ready in early October. Administrator Hill asked if the construction plans could be ready by the Public Meeting which will be on September 30, 2016. Mr. Traynum said the plans could be ready prior to the Public Meeting. CSE will perform the monitoring in early July.

Administrator Hill asked about the lighting aspect as outlined in the special conditions. Mr. Traynum said that was a part of the biological opinion from Fish and Wildlife Services. Two post-construction surveys are required of all artificial lighting visible from the beach. This survey can be conducted in-house. Direct and indirect lighting must be noted at night from the beach, and a report must be sent to Fish and Wildlife Services. Administrator Hill asked if there was a template the Town could use. Mr. Traynum said he would send the template to Mrs. Hill, as CSE completed a similar survey for Isle of Palms. The report should be done once in the first two weeks in May and again during the last two weeks in July. Mr. Traynum said the Town would not be required to perform a benthic study. Sand samples may be taken from the borrow areas, but an in-depth study of the organisms contained therein is not required.

A discussion among committee members followed concerning possible complaints from citizens and visitors about noise and lights during the renourishment process. Having the work done at night, however is cheaper. The Town may consider having the contractor not work on holiday weekends (MLK, Jr. Day and Easter) during the project, since the Town will have more visitors then. Mr. Davies pointed out the Town needs to look at the long-term effect of the project. True, there will be noise and lights, but the positives definitely outweigh the negatives. Mr. Traynum suggested notifying rental companies so that renters can be notified of the project.

Administrator Hill said that she would make sure a copy of the permit is on the Town's website. The permit conditions have not changed substantially since June 3, 2015 because the final design process has not been done. Mr. Traynum told the committee that CSE has gotten the groins laid out and shared draft copies of the plans with committee members. There may be a few minor revisions in the future. Any groin that will be lengthened less than forty feet will just be stone and grout and will not have the sheet piling. Mr. Traynum explained that three separate plans were combined to come up with the current plan, resulting in 23 of the 28 groins being extended. The groins that are not extended will not have sand added to the cell. Mr. Kizer asked Mr. Traynum why groin 29 was not lengthened. Mr. Traynum said the houses on the updrift side have a good vegetation buffer and the length of that groin, comparatively, was a good bit longer. Administrator Hill asked if any of the groins were being restacked in the 3100 block of Palmetto. Mr. Traynum said he was not aware that was included in the permit or the drawings. Mr. Traynum said he would get clarification on whether or not that would be possible. If groins are restacked, sand will have to be added to the corresponding cell.

Mr. Traynum stated that the Town needed to move into Phase II of the process which basically would consist of moving from the permitting to the construction phase. Mr. Traynum said that he would provide that plan to the Town by the end of this week or early next week. Mr. Shaw asked

what remained that may affect the timing of the Edisto project. Mr. Traynum did not know of anything that would delay the process on the legal side. He said that if the bids came in and were a lot more than what was anticipated, that might delay things. Administrator Hill reiterated how important it was to know the cost of the project as soon as possible so that the Town can make decisions on the project if things need to be scaled back, or if other funding sources need to be pursued. Mr. Cannon asked if any of the construction companies were local. Mr. Traynum said that one of them was a dredging company out of Charleston. Mr. Davies asked why groin 26 was shown on the plans as extended from 67 feet to 95 feet. Mr. Traynum said he was not sure why it was shown as a range, but he will find out. Mr. Davies asked if the stacking and grouting of groins 31, 32 and 33 were included in the permit. Mr. Traynum said the restacking and grouting is included, but no lengthening was going to be done on those groins. Some groins only call for 20 or 30 feet of lengthening. Mr. Traynum said he did not think it was worthwhile to lengthen a groin twenty feet, due to the lack of impact.

The Town's reimbursement from FEMA is being delayed waiting the release from the state Historic Preservation Offices. Administrator Hill asked Mr. Traynum if he was going to talk to the State Historic Preservation Office (SHPO) to see if he could expedite the release of \$1.3 million from FEMA. Mr. Traynum said he would. Mr. Traynum said the worst-case scenario would be that the Town would have to do a cultural resources survey, or complete one that has already been started. SHPO looks at the history of the island, the history of shipping some of which has already been done. The Town may need to do a magnetometer survey and a side scan survey of the water around the sand bar area. Mr. Traynum estimates the cost at \$25,000 or less.

Administrator Hill asked Mr. Traynum to have the plans before September 30, 2016 so that the Beachfront Management Committee could look them over and ask questions before the public hearing. Administrator Hill asked Mr. Traynum to provide them as a digital and hard copy, by September 1.

Administrator Hill asked if the Town could go out for bids on the project earlier than the anticipated time with no negative consequences. Mr. Traynum said he did not think that would be problematic. Administrator Hill told Mr. Traynum she would need a proposal by July 6 for the July 13 Council meeting. Mr. Traynum said he would talk to SHPO and get Administrator Hill a price if more work was needed.

Building Official Patrick Brown joined the meeting to address questions concerning the setback line. Mr. Cannon asked if permission was needed to build anything seaward of the setback line. Mr. Brown stated, "If you build seaward of the setback line, you do need OCRM permission." Administrator Hill asked Mr. Brown if a house is destroyed, can it be built back. Mr. Brown said the Town has an Ordinance that grandfather's the footprint and the size of the structure. However, if it's within OCRM's jurisdiction, the homeowner will have to get OCRM's permission first.

Mr. Shaw asked if there were plans any plans to nourish beyond groin 29. Mr. Traynum said there was not, because that was the last groin that was reconstructed, and historically that's where nourishment ended. These groins are beginning to be uncovered. Mr. Traynum said that as the beach is renourished, accretion will occur and sand will fill in. Administrator Hill stated when the

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monitoring is done, Big Bay Creek should be included to see if sand is migrating into the inlet of Big Bay Creek. Mr. Cannon said that he would like to have sand included in that area around groin 30 and 31.

David Cannon moved to adjourn the meeting, seconded by Bill Davies and approved unanimously.

The media/public was duly notified of the date and time of the meeting on Friday, June 17, 2016.

APPROVED BY THE BEACHFRONT MANAGEMENT COMMITTEE

Deborah Hargis, Municipal Clerk