



**US Army Corps
of Engineers**
Wilmington District

Figure Eight Island Inlet and Shoreline Management Project New Hanover County, NC (Regulatory)

- **Regulatory Action:** Via EIS under the NEPA procedures, the Corps is reviewing Figure Eight Island HOA's proposal for a terminal groin structure & supplemental beach nourishment.
- **Current Concerns:** Environmental concerns related to a terminal groin structure along the oceanfront shoreline and the use of a hardened structure on the beach.



CONGRESSIONAL DISTRICT: NC - 7

DATE: 23 February 2015

1. PURPOSE:

To provide information regarding the current status of the Figure Eight Island shoreline protection proposal on Figure Eight Island, New Hanover County, North Carolina. Action ID: SAW-2006-41158.

2. BACKGROUND:

a. In late June 2011, the North Carolina General Assembly passed Senate Bill (SB) 110 lifting a 25+ year ban on the construction of terminal groins along the coast of North Carolina. This bill allows, under certain conditions, the construction of (4) Terminal Groin projects in the state. Figure Eight Island, vying to be one of the four, is proposing to place a terminal groin at the northern tip of their island for a long-term shoreline protection solution. No projected construction date has been set.

b. The Figure Eight Island Homeowners Association (Figure 8 or HOA) is pursuing authorization, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, to protect residential houses along approximately 3 miles of beachfront, starting at the northern end at Rich Inlet. Initially, their preferred alternative was to nourish the 3 miles by repositioning Rich Inlet channel (located along the New Hanover/Pender County Line), and by implementing an inlet management plan to control the positioning of the new inlet channel.

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However, the engineer concluded, via additional modeling and analysis, that the use of a terminal groin at the extreme north end of Figure Eight Island (with supplemental dredging within parts of Nixon Channel) is the best option for providing shoreline protection. Figure 8 will be pursuing the groin structure as their preferred alternative, with inlet channel relocation and beach nourishment remaining as reasonable options.

c. Figure 8's initial contact with the Corps inquiring about permit procedures occurred in early September 2006, and the first interagency meeting was conducted on October 17, 2006. The proposal is currently being reviewed under the NEPA Environmental Impact Statement (EIS) procedures, and an EIS document is being prepared by a third party contractor (Coastal Planning & Engineering of NC). Environmental issues will focus on fishery and bird resources, the controversial use of a terminal groin, and potential changes to adjacent shorelines.

d. The Public Notice of Intent was published in the Federal Register on February 26, 2007, subsequent public scoping meeting was held on March 1, 2007, and the Project Delivery Team (PDT) has conducted (4) separate meetings to discuss the proposal.

e. The Notice of Availability (NOA) for the Draft Environmental Impact Statement was published in the Federal Register on May 18, 2012 and filed with EPA May 16, 2012 via e-filing. A Public Hearing was held on June 7, 2012 at Ogden Elementary School in Wilmington. Comments were received during the public hearing and the commenting period of the NOA. All comments were posted on the Corps' Regulatory webpage.

f. On 12/5/2012, RG met with the third party contractor to discuss how to address the numerous comments on economics received during the commenting period. RG recommended and Figure 8 agreed to employ the assistance of UNCW professor, Dr. Pete Schuhmann, to provide a qualitative economics analysis of the alternatives. The draft economic analysis was submitted to our office in July 2013. Regulatory subsequently met with Dr. Schuhmann to discuss some changes to his draft. After receiving and evaluating updated cost figures provided by CP&E, Dr. Schuhmann submitted his final draft to our office on November 18, 2013.

g. Figure 8 HOA was confronted with the issue of property owner(s) being reluctant to provide an easement in order to build the groin structure. When it became apparent that they may not obtain all the easements, the HOA requested CP&E to consider a new location approximately 400 feet north of the current location to potentially avoid the easement issue. Engineering modeling was conducted to determine the feasibility of this new location. After CP&E reviewed the results and disclosed to Figure 8, it was determined that the new location would be feasible and selected the location as their preferred alternative. Regulatory met with Figure 8 and CP&E to discuss the permitting review aspect of this change, whether a supplement would be required. It was

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determined, at the time, that a supplement to the DEIS would not be necessary. The HOA provided a January 2, 2014 letter verifying that the new location is their preferred alternative.

3. **CURRENT STATUS:**

a. Since Figure 8 announced their intentions to relocate the terminal groin footprint, RG continues to receive, many inquiries from newspaper reporters, including an aired segment with the Wilmington NPR station. Additionally, our office has processed several FOIA request regarding the terminal groin proposal.

b. In response to changes in the proposed terminal groin location, RG will prepare to release a Supplemental EIS (SEIS). This determination was discussed with Figure 8 HOA on November 5, 2014. An SEIS will provide additional opportunity for the public, including state and Federal agencies, to review the disclosure document prior to the FEIS release.

c. The SEIS is currently being prepared with a target date for completion scheduled for sometime in March 2015. Once completed, a NOA for its release will be prepared and published in the Federal Register for comments. No permit application has been submitted as of this date.