

**Final General Reevaluation Report
and
Final Environmental Impact Statement**

on

Hurricane Protection and Beach Erosion Control

**WEST ONSLOW BEACH AND NEW RIVER INLET
(TOPSAIL BEACH), NORTH CAROLINA**

Appendix H

Correspondence

Appendix H Correspondence

This appendix includes correspondence received. Other correspondence from the NEPA scoping process is contained in Appendix K. Correspondence regarding Public Review of Draft GRR & EIS is contained in Appendix T.

February 21, 2001 - Letter from Mayor Stamper to Congressman Mike McIntyre thanking him for his support in 2001 and requesting support for 2002. They also include a resolution the town adopted creating a steering committee for the project.

April 9, 2001 - Letter from Mayor Stamper to COL DeLony, Wilmington District Engineer expressing willingness to sponsor project.

June 11, 2003 - Town Budget Ordinance, July 2003-June 2004.

July 15, 2003 – Shoreline Protection Committee, description.

January, 2004 – Topsail Beach Shoreline News, includes chronology of key events demonstrating project support.

June 21, 2004 – Letter from Town Manager to Wilmington District, contains Town Budget Ordinance, July 2004 – June 2005.

March 1, 2005 – Letter from North Carolina Department of Cultural Resources, State Historic Preservation Office

January 13, 2006 – Letter from Town of Topsail Beach selecting Plan 1250X as a Locally Preferred Plan.

February 21, 2008 – Non-Federal Sponsor’s Self Certification of Financial Capability.

March 5, 2008 – Letter from Town of Topsail Beach supporting Selected Plan 1250X and intending to sign Project Cooperation Agreement.

September 30, 2008 – Letter from NMFS indicating that their comments on the Draft GRR & EIS and were addressed in the Final GRR & EIS.



Post Office Box 3089
Topsail Beach, North Carolina 28445-9831
Telephone (910) 328-5841
Fax (910) 328-1560

February 21, 2001

Routed: 23 Feb 01

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CONG FILE (McIntyre)

The Honorable Mike McIntyre
1605 Longworth House Office Building
Washington, NC 20515-3307

Dear Congressman McIntyre:

On behalf of all the citizen of Topsail Beach, I would like to thank you or your support in getting the funding in the FY 2001 Appropriations Bill to begin the General Requirements Re-evaluation for the Topsail Beach Shoreline Protection (Beach Nourishment) Project. Over the past several months we have been working closely with Wilmington District, Army Corps of Engineers. A Project Manager for our project has been appointed and the Project Delivery Team completed an on-site survey from New Topsail to New River Inlets on February 14, 2001. The project manager is currently in the process of developing a Proposed Study Plan for the work to be completed during the balance of FY 2001 and we anticipate entering into a Feasibility Cost Sharing Agreement in early March 2001 so work can begin.

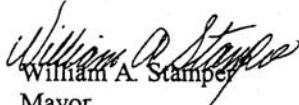
Once again we are seeking your support for funding in FY 2002. At the present time the Corps estimates that the federal funding requirements in FY 2002 will be \$600,000 for the Topsail Beach Project (CWIS 079730). Until such time that the Corps completes the Feasibility Phase of the project sometime in FY 2003, the non-federal funding for the project will be cost shared equally (50/50). Once we move forward into the Preliminary Engineering Design Phase (PED) of the project in FY 2004 the cost sharing for funding will be Federal (75) Non-Federal (25).

We continue to work closely with our neighboring communities of Surf City and North Topsail Beach as the work begins on their Reconnaissance Studies. This past September, we adopted a resolution creating the formation of a beach restoration partnership; copy attached to mutually support each other's efforts for beach nourishment. We have also formed a citizens advisory committee chaired by one of our town commissioners to

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EXECUTIVE OFFICE
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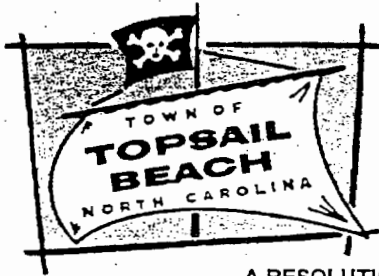
promote and monitor our beach nourishment project. If you or a member of your staff have any questions regarding our request for FY 2002 funding, they can contact Commissioner Steve Walter or our Town Manager Larry Bergman.

Sincerely,


William A. Stampfer
Mayor

Attachment as stated

cc: Senator Jesse Helms
Senator John Edwards
Congressman Walter Jones
Senator Patrick Ballantine
Representative Nurham Warwick
Office of the Governor
Commander, Wilmington District USACE



Post Office Box 3089
Topsail Beach, North Carolina 28445-9831
Telephone (910) 328-5841
Fax (910) 328-1560

**A RESOLUTION PROPOSING FORMATION
OF A BEACH RESTORATION PARTNERSHIP**

WHEREAS, the Topsail Island beaches are a natural resource that provides extensive recreation opportunities to Pender and Onslow County residents, which create and sustain a major tourism element of the Pender and Onslow County economics, and which support a major segment of the property tax base for both counties; and

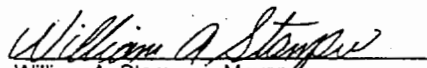
WHEREAS, the governing boards of Onslow and Pender Counties and the Towns of North Topsail Beach, Surf City, and Topsail Beach have undertaken specific measures to plan and budget for future beach restoration work on Topsail Island; and

WHEREAS, a cooperative and collaborative effort by the two counties and the three towns may better advance the beach restoration initiative through improved sharing of information, more coordinated planning, demonstration of cooperation to potential funding sources, and development of joint strategies;

BE IT RESOLVED that the Board of Commissioners of the Town of Topsail Beach urges the formation of a Pender-Onslow Beach Restoration Partnership by the County of Pender, the County of Onslow, the Town of North Topsail Beach, the Town of Surf City, and the Town of Topsail Beach; and

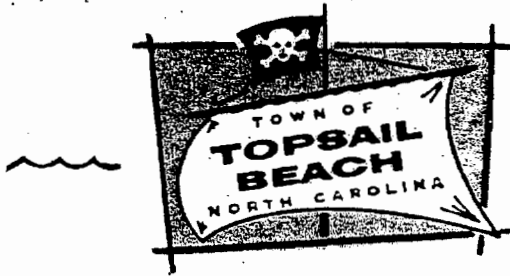
BE IT FURTHER RESOLVED that the Board of Commissioners of the Town of Topsail Beach suggests that the planning efforts of the Pender-Onslow Beach Restoration Partnership be guided by a Steering Committee which includes a governing board member and the County or Town Manager of each jurisdiction.

Adopted by the Town of Topsail Beach Board of Commissioners on September 27, 2000.


William A. Stamper, Mayor

Attest:


Stephanie Rivenbark, Town Clerk



Routed: 13 Apr 01
Action: PM
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DD
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TS

Post Office Box 3089 OP
Topsail Beach, North Carolina 28445-9831 PA
Telephone (910) 328-5841
Fax (910) 328-1560

April 9, 2001

Colonel James W. Delony
U.S. Army Corps of Engineers
Wilmington District
Post Office Box 1890
Wilmington, North Carolina 28402-1890

Dear Colonel Delony,

Topsail Beach officials met recently with representatives of the Wilmington District to discuss the proposed West Onslow Beach and New River Inlet (Topsail Beach) Shoreline Protection Project that was authorized by Section 101 of the Water Resources Development Act of 1992. This project has been inactive since 1994, but was reactivated by the Energy and Water Development Appropriations Act for Fiscal Year 2001, Public Law 106-377. This Act included federal funds to initiate a General Reevaluation Study of the previously authorized project.

Topsail Beach is prepared to be the sponsor of the project and are willing to sign a Preconstruction Engineering and Design (PED) Cost Sharing Agreement for the preparation of a General Reevaluation Report (GRR) and subsequent Plans and Specifications (P&S) for the reevaluated project. Topsail Beach understands that the estimated cost of the GRR and P&S, while still being developed, may require matching funds of approximately \$2,500,000 from Topsail Beach. Topsail Beach is prepared to negotiate with the Wilmington District on a PED Cost Sharing Agreement at the appropriate time.

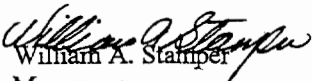
Mr. Laurence C. Bergman, Town Manager will be the staff contact and Commissioner Steve Walter will be the Board of Commissioners representative for the Topsail Beach GRR and subsequent P&S. Mr. Bergman may designate other staff members to participate in the development of the GRR and P&S as needed.

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EXECUTIVE OFFICE
RECEIVED

We look forward to working with you and your staff on restoring a wide sandy beach for the entire Topsail Beach oceanfront.

Sincerely,


William A. Stampfer
Mayor

BUDGET MESSAGE

Honorable Mayor Stamper and Town of Topsail Beach Board of Commissioners:

Submitted below are the Annual Budget and Financial Plan for the Town of Topsail Beach for Fiscal Year 03-04. The budget was prepared in accordance with the North Carolina Budget and Fiscal Control Act, and is balanced in that the estimated revenues and projected expenditures are equal. The budget was prepared with the input and direction given by the Board at the 15 March, 12 April, and 3 May workshops and with the input from and effort by the town staff. This budget is part of a coordinated eight-year budget cycle and, as presented separately during the budget workshops, I have projected an eight-year Town budget in concert with the Pender County property reevaluation cycle.

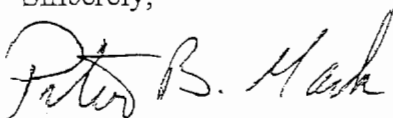
The Town's financial condition is strong, although past years' events have prevented the growth in our fund balance and savings. Maintenance and development of a stable fund balance is the key to future recovery if and when it is needed. Historically, the Town Board's policy was to keep the Fund Balance between 30% and 80%. The Town Board has developed a strategy to rebuild the General Fund Balance toward the 50% mark of that range despite the budgetary and financial hardships placed on us by the Governor's withholding of reimbursements to municipalities. The fund balances in each of the three operating funds continue to be solid and I project that they will maintain their strength through the next eight years.

We have worked hard to improve internal controls and work practices to provide a higher quality of service to the Town's citizens, and to improve the results of our annual financial audit. The strategy to build the General Fund Balance will further strengthen our financial position and standing with the Local Government Commission and potential bond rating agencies. These factors are increasingly important as the Town faces increased debt as we contemplate major projects to protect our beaches, improve our water supply system, and develop a sewer line.

I propose to decrease the current tax rate of \$0.31/\$100.00 to a rate of \$0.27/\$100.00 for the FY 03-04 proposed budget due to a projected near doubling of our property taxes as a result of the Pender County property reevaluation in 2002. The Board's decision to levy a \$0.04/\$100.00 rate to raise a portion of the revenue for the approved US Army Corps of Engineers Beach Nourishment Project (CWIS079730) is additive to the \$0.27 rate, making the cumulative rate for FY 03-04 \$0.31/\$100.00. I propose that we increase the tax rate by at least \$0.02/\$100.00 in each of the next seven years to compensate for inflation and rising costs of doing business. If we pursue a sewer system and an improved water system I propose we fund those capital improvements through grants, loans, and user connection fees and monthly service fees rather than funding through tax rate increases.

The budget is a proposal. I welcome the Board's careful review each of the departmental funding recommendations and guidance on the proper level of expenditures for the Town.

Sincerely,



Peter B. Mack
Town Manager

BUDGET ORDINANCE

Be it ordained by the Board of Commissioners of the Town of Topsail Beach, North Carolina: the following anticipated fund revenues, departmental expenditures, and inter fund transfers are approved and appropriated for operations of the Town of Topsail Beach for the fiscal year beginning July 1, 2003 and ending June 30, 2004.

Section I - General Fund

Revenues:

Property Taxes	\$ 1,016,000
State Shared Revenues	\$ 0
Local Sales Taxes & Option #4	\$ 218,700
Garbage Fees	\$ 150,000
Other Revenues	\$ 85,300

Total Estimated General Fund Revenues **\$1,470,000**

Expenditures:

Governing Board	\$ 158,500
Administration	\$ 282,500
Police	\$ 414,700
Fire	\$ 134,500
Inspections	\$ 68,500
Debt Service	\$ 85,100
Public Services	\$ 326,200

Total Estimated General Fund Expenditures **\$1,470,000**

Section II - Beach Management and Tourism Fund

Revenues:

Accommodations Tax	\$ 92,000
Other Revenues	\$ 20,000

Total Estimated Beach Management and Tourism Fund Revenues **\$112,000**

Expenditures:

Beach Management & Tourism Promotion	\$ 112,000
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Total Estimated Beach Management and Tourism Fund Expenditures **\$112,000**

Section III - Water Fund

Revenues:

Water Fees	\$ 331,000
Tap & Connect Fees	\$ 15,000
Other Revenues	\$ 21,400

Total Estimated Water Fund Revenues \$367,400

Expenditures:

Transfer to Capital Project Fund	\$ 100,000
Water Production and Distribution	\$ 267,400

Total Estimated Water Fund Expenditures \$367,400

Section IV – Shoreline Protection Fund

Revenues:

Accommodations Tax	\$ 268,000
Ad Valorem Tax	\$ 150,500
Other Revenues (Pender County)	\$ 50,000

Total Estimated Shoreline Protection Fund Revenues \$468,500

Expenditures:

Shoreline Protection	\$ 468,500
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Total Estimated Shoreline Protection Fund Expenditures \$468,500

Section V – Water Capital Fund

Revenues:

Transfer from Water Utilities Fund	\$ 100,000
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Total Estimated Water Capital Fund Revenues \$100,000

Expenditures:

Water Capital Improvements	\$ 100,000
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Total Estimated Water Capital Fund Expenditures \$100,000

Section IV - Ad Valorem Taxes

An Ad Valorem tax rate of \$0.31 per \$100 valuation of taxable property, as listed for taxes as of January 1, 2003, is hereby levied and established as the official tax rate for the Town of Topsail Beach for Fiscal Year 2003-2004. The rate is based upon a total projected valuation of \$376,296,817 and an estimated collection rate of 99.0%. The purpose of the ad Valorem tax levy is to raise sufficient revenue to finance the necessary municipal government operations in Topsail Beach.

Section V - Documentation

Copies of this ordinance will be kept on file at Town Hall and shall be furnished to the Town Clerk and the Finance Officer to provide direction in the collection of revenues and the disbursement of Town funds.

Section VII - Special Authorization - Finance Officer

1. The Town Manager shall serve as the Finance Officer.
2. The Finance Officer shall be authorized to reallocate departmental appropriations among the various expenditures within each department.
3. The Finance Officer shall be authorized to effect interdepartmental transfers of minor budget amendments not to exceed 10% of the appropriated funds for the department's allocation, which is being reduced. Notification of all such amendments shall be made to the Board of Commissioners at their next regular meeting following the transfer.

Section VIII - Restriction

Inter fund transfers of monies by the Finance Officer shall be accomplished only with authorization from the Board of Commissioners.


Section IX - Budget Amendments

The North Carolina Local Government Budget and Fiscal Control Act allows the Board of Commissioners to amend the budget ordinance any time during the fiscal year, as long as it complies with North Carolina General Statutes. The Board must approve all budget amendments, except where the Finance Officer is authorized to make limited transfers.

Section X - Utilization of the Budget and the Budget Ordinance

This budget ordinance and the budget documents shall be the basis for the financial plan of the Town of Topsail Beach during the 2003-2004 Fiscal Year. The Finance Officer shall administer the budget. The accounting system shall establish records, which are in compliance with this budget, this ordinance, and the appropriate statutes of the State of North Carolina.

Adopted this 11th day of June 2003.


William A. Stamper, Mayor


Attest: Stephanie Rivenbark, Town Clerk

TOPSAIL BEACH

SHORELINE PROTECTION COMMITTEE

MISSION: To develop plans and programs to restore and maintain wide sandy beaches and dunes through beach nourishment, dune restoration and vegetation management for all of Topsail Beach's oceanfront.

PURPOSE: To place additional sand on our beach by obtaining funding at the Federal, State and Local levels for beach nourishment and storm protection of our shoreline. To mitigate further erosion of the existing dune structure by enhancing dune build-up to the maximum extent possible.

OBJECTIVES:

- To deal with the adverse affects of beach erosion
- To work with the Wilmington District U.S. Army Corps of Engineers on the GRR (General Requirements Re-evaluation) for beach nourishment project.
- To promote the restoration, maintenance and enjoyment of our beach for the public and property owners.
- To improve the quality of recreational-public beach for families to enjoy.
- To restore habitat essential to the survival of sea turtles, shorebirds, and native dune plants.

ORGANIZATION:

- ~~The committee will be co-chaired.~~ The committee chairperson will be an elected official or citizen appointed by the Mayor and Board of Commissioners. ~~The Town Manager will serve as the committee co-chair.~~ The committee will elect one its members to serve as committee co-chair.
- The town manager will designate a member of the town staff to serve as liaison to the committee.
- The committee will be composed of ~~the co-chairs and~~ a minimum of three or no more than five citizens appointed by the Mayor and Board of Commissioners. Appointments will be made based on experience and qualifications in the areas of financial management, engineering, lobbying, and/or the environment.
- A sub-committee for Dune Restoration and Vegetation Management will be formed. The sub-committee will develop plans and programs for routine and

emergency repair and maintenance of dunes pending completion of construction of an Army Corps of Engineer beach nourishment project.

- Other sub-committees will be formed at the discretion of the committee to address specific project issues/ concerns at such times to facilitate completion of the overall project in a timely manner.

RESPONSIBILITIES:

- Develop a detailed financial plan and update as required for an Army Corps of Engineers beach nourishment and follow-on renourishment project cycles.
- Look for innovative Determine methods and procedures to innovate and streamline the beach nourishment process.
- Advocate for dedicated long-term sources of money at the state and county level to augment supplement local and federal funds.
- Strive for a policy that requires the Army Corps of Engineer projects for dredging of spoils from New Topsail Inlet (Inlet, Topsail Creek and Topsail Sound/Banks Channel) and the AIWW be disposed of on our beach. instead of dumping at sea.
- Educate our citizens (resident and non-resident) and the public on the benefits and costs of beach nourishment, dune restoration and vegetation management to include publication of periodic newsletters and other publications.
- Attend local, state and national Shore and Beach conferences/symposiums.

Revised and approved by SPC, July 15, 2003

Shoreline Protection Committee

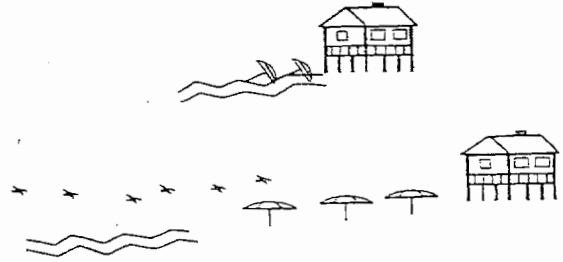
- Formed January 2001 (Study Reactivation, and Congressional Add in 2000)

- ACCOMPLISHMENTS:
 - Publication of Periodic Newsletters,
 - Establishment of uniform policy for Beach Bulldozing
 - Advocate for additional 3% County Accommodations Tax.
 - Represents town monthly COE PDT Meetings.
 - Provided Board of Commissioners Project Funding Recommendations.
 - Persuaded Pender County to Release \$200,000.
 - Conducted Dune Vegetation Management Seminar & Dune Master Gardner Program.
 - Convinced town to implement a \$.04 beach nourishment tax.
 - Maintained liaison with Federal, State, County and beach town elected officials.
 - Prepared a beach nourishment benefits brochure.

Topsail Beach Shoreline News

"Preserving our Beach"

January 2004



The Topsail Beach Shoreline Protection Project

BACKGROUND

The consolidation of four congressional resolutions that included New River Inlet, West Onslow Beach, Surf City and Topsail Beach led to the beginning of a Army Corps of Engineers feasibility study to investigate hurricane protection and shoreline protection (beach erosion needs) along Topsail Island in late 1986 early 1987. The study results provided for construction of shoreline protection (beach nourishment) for only 3.6 miles of Topsail Island, located in Topsail Beach.

The project extended from New Topsail Inlet north for approximately 3.6 miles to Davis Avenue (between the Beach Shop Grille and the Island Treasures Gift Shop). The project included a tapered transition berm extending northward to the southern portion of the Queens Grant complex and a 1000' rock jetty (terminal groin) in the vicinity of New Topsail Inlet.

Since the State of North Carolina banned rock jetties (terminal groins) which was part of the projects recommended national economic development plan, the cost of construction increased significantly. This along with other concerns about the project led to the town formally terminating the project in early 1993.

TOPSAIL BEACH SHORELINE EROSION 1996 – 1999

During the period from 1996 to 1999 Topsail Island became **hurricane alley** (Bertha, July 1996; Fran September 1996; Bonnie, August 1998; and Floyd, 1999). These storms destroyed major portions of the Topsail Beach shoreline and necessitated construction of new berms south of town hall and major beach bulldozing for the protection of property.

TOPSAIL BEACH SHORELINE PROTECTION PROJECT REACTIVATION

The following is a chronology of key events.

- January 12, 2000 - USACE Wilmington District Engineer personnel provides the Town Board information and background briefing on the original project.
- January 31, 2000 – A public information briefing presented to Topsail Beach citizens. In attendance are approximately 20 people. The town at this time is in the process of rebuilding a dune system that was destroyed by hurricane Floyd
- February/March 2000 – The Town Board makes a decision to pursue project reactivation, conduct consultations with USACE Wilmington District and prepare letter to Congressman McIntyre for a “Congressional Add” for project reactivation.
- June/September 2000 – Congressman McIntyre succeeds in getting a “Congressional Add” for USACE Wilmington District to conduct a “General Requirement Re-evaluation” of the Topsail Beach (New River & West Onslow Beach) Shoreline Protection Project. The Wilmington

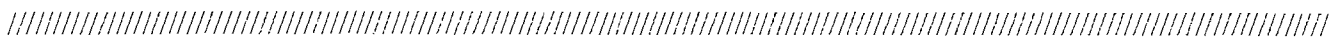
District provides \$50,000 Construction General Funds in FY 2001 Federal Budget to develop a Project Management Plan for the Preconstruction Engineering Design for the project.

- October 2000/June 2001 – Town & USACE representatives conduct periodic meetings for the purpose of gathering information and data validation. Also the town along with Surf City and North Topsail Beach begin to lobby for support for an additional 3% Occupancy Tax. The Town Board approves the formation of a Shoreline Protection Advisory Committee. Committee appointments are made by Commissioners and the initial organizational meeting is conducted in January 2001.
- July 23, 2001 – The Topsail Beach Town Board following a Public Hearing approves the execution of the Project Management Plan for the Preconstruction Engineering Design (PED) phase of the project. Estimated total cost is \$4,000,000. The Project Management Plan (PMP) for this phase of the project leads to the execution of a Project Cooperation Agreement (PCA) in March 2006. A construction contract is scheduled to be awarded in August 2007 for the initial placement of sand on the beach in the fall following turtle nesting season.
- August 2001 – The NC General Assembly approves an additional 3% Pender County Occupancy Tax specifically to be used for beach nourishment by Surf City and Topsail Beach. Collection of the new occupancy tax was effective January 1, 2002.
- January/May 2002 – The Shoreline Protection Committee develops a series of funding scenarios that outline methods and alternatives to pay for the Topsail Beach project. Sources of revenue considered are the use of Federal, State, County and Occupancy Taxes
- October 9, 2002 – The Town Board directs the Shoreline Protection Committee to develop funding alternatives for presentation during the development of the FY 2003/2004 budget for the Town of Topsail Beach.
- March/May 2003 – The SPC spring newsletter informs Topsail Beach citizens of the methods under consideration to raise funds for the construction phase of the project and indicates that the use of “Ad Valorem Tax” is the preferred method.
- June 11, 2003 – The Public Hearing for the FY 2003/2004 town budget specifies a special tax of \$.04 to be used for raising revenue to offset the project’s construction costs. The Town Board approves the new tax.
- July/December 2003 – The project enters year three of the preconstruction engineering design. The town’s shoreline protection committee continues to monitor and refine sources for funding and liaison with Wilmington District Engineer Project Manager.

SIGNIFICANT MILESTONES FOR 2004

The two major actions to be completed in 2004 are the alternative formulation briefing in April/May and the coordination of the Draft Environmental Impact Statement.

- Elements of the Alternative Formulation Briefing will include alternatives for the projects costs, benefits, design (how wide, high etc.) and sand source.
- The guidelines for the conduct of the Draft Environmental Impact Statement (DEIS) were published in the Federal Register on December 19, 2003. The DEIS will address environmental considerations (turtles, birds, plants etc.).



ORDER DUNE PLANTS NOW



820 S. Anderson Blvd.
Topsail Beach, North Carolina 28445
Telephone (910) 328-5841
Fax (910) 328-1560

June 21, 2004


Jan Brodmerkel
Project Manager
U. S. Army Corps of Engineers
PO Box 1890
Wilmington, NC 28402-1890

Dear Jan:

I have enclosed for your review, the last two fiscal year's budget ordinance for the Town of Topsail Beach. As you can see, there was \$.04/\$100 tax valuation specified for our Shoreline Protection Capital Project. In addition, there are funds set aside from the accommodations tax for this project.

I trust this further illustrates the Town's commitment toward this project.

Sincerely,



Jim Carter
Town Manager

Honorable Jimmy Morris, Mayor and Board of Commissioners

In accordance with the North Carolina Budget and Fiscal Control Act, the July 1, 2004 - June 30, 2005 fiscal budget for the Town of Topsail Beach is submitted for your consideration. This Budget is the staff's best estimation of a proposed spending plan for raising and expending funds to achieve the desired level of services to the citizens, property owners and visitors to our town. This balanced budget was proposed by the Town staff with the input and direction of the Board during our Budget Workshop sessions.

The main source of revenue to fund the General Fund expenditures is the ad valorem tax. Our proposal is to keep the tax rate at \$.31 per \$100 valuation. The Shoreline Protection project receives \$.04 and \$.27 is allocated for General Fund expenditures. The Solid Waste Fund was taken out of the General Fund expenditures and set up as an enterprise fund. We are proposing an additional \$5.00 for a second trash container for rental properties.


We are proposing a significant increase in our water user fees. This would generate approximately a 40% increase in our water revenues. There are three main components of the Water Fund expenditures: 1) operations, 2) building fund reserve for future needs, and 3) the current water capital project and subsequent debt.

This year's Shoreline Protection Capital Project local budget totals \$607,000. This proposal is for local and State funds only. A projected cumulative budget for this phase of the project totals \$4,692,000 which includes Federal funds paid to the Corps of Engineers directly. It is important to remember that this budget is cumulative, taking into account prior years spending and future years, for the life of this phase of the project.

The Town's financial condition is continuing to get stronger. The continued development of stable fund balances in all of our operating funds is very important.

These are the highlights of this proposed budget. I welcome the Board's review and recommendations.

Sincerely,



Jim Carter
Town Manager

BUDGET ORDINANCE

Be it ordained by the Board of Commissioners of the Town of Topsail Beach, North Carolina: the following anticipated fund revenues, departmental expenditures, and inter fund transfers are approved and appropriated for operations of the Town of Topsail Beach for the fiscal year beginning July 1, 2004 and ending June 30, 2005.

Section 1- General Fund**Revenues:**

Property Taxes	\$1,181,730
State Shared Revenues	
Local Sales Tax & Option #4	\$ 130,000
Other Revenues	\$ 207,400

Total Estimated General Fund Revenues	\$1,519,130
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Expenditures:

Governing Board	\$ 146,355
Administration	\$ 429,313
Police	\$ 456,010
Fire	\$ 159,717
Inspections	\$ 79,248
Debt Service	\$ 132,392
Public Services	\$ 116,095

Total Estimated General Fund Expenditures	\$1,519,130
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Section II. Beach Management and Tourism Fund**Revenues:**

Accommodations Tax	\$ 92,000
Other Revenues	\$ 38,737

Total Estimated Beach Management and Tourism Fund Revenues	\$ 130,737
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Expenditures

Beach Management & Tourism Promotion	\$ 130,737
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Total Estimated Beach Management and Tourism Fund Expenditures	
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Section III. Water Fund**Revenues:**

Water Fees	\$565,627
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Tap & Connect Fees	\$ 20,000	
Other Revenues	\$ 33,750	
Total Estimated Water Fund Revenues		\$ 619,377

Expenditures:

Water Production and Distribution

Total Estimated Water Fund Expenditures		\$ 619,377
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Section IV. Solid Waste Fund

Revenues:		\$ 166,000
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Total Solid Waste Fund Revenues		
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Expenditures:

Total Solid Waste Fund Expenditures		\$ 166,000
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Section V. Shoreline Protection Fund**Revenues:**

Accommodations Tax \$ 150,500

Ad Valorem Tax \$ 92,000

Other Revenues (Pender County) \$ 361,500

Total Estimated Shoreline Protection Fund Revenues		\$ 604,000
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Expenditures:

Shoreline Protection

Total Estimated Shoreline Protection Fund Expenditures		\$ 604,000
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Section VI. Capital Water Project Fund**Revenues:**

Transfer from Water Utilities Fund \$ 637,590

State Clean Water \$ 2,023,572

Total Estimated Capital Water Project Fund Revenues		\$ 2,661,162
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Expenditures:

Water Capital Improvements

Total Estimated Water Capital Fund Expenditures		\$ 2,661,162
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Section VII. Ad Valorem Taxes

An Ad Valorem tax rate of \$0.31 per \$100 valuation of taxable property, as listed

for taxes as of January 1, 2004, is hereby levied and established as the official tax rate for the Town of Topsail Beach for fiscal year 2004-2005. The rate is based on a total projected valuation of \$ 391,390,848 and an estimated collection rate of 97%. The purpose of the Ad Valorem tax levy is to raise sufficient revenue to finance the necessary municipal government operations in Topsail Beach.

Section VIII. Documentation

Copies of this ordinance will be kept on file at Town Hall and shall be furnished to the Town Clerk and the Finance Officer to provide direction in the collection of revenues and the disbursement of Town funds.

Section IX. Special Authorization - Finance Officer

1. The Town Manager shall serve as the Finance Officer
2. The Finance Officer shall be authorized to reallocate departmental appropriations among the various expenditures within the department.
3. The Finance Officer shall be authorized to effect interdepartmental transfers of minor budget amendments not to exceed 10% of the appropriated funds for the department's allocation, which is being reduced. Notification of all such amendments shall be made to the Board of Commissioners at their next regular meeting following the transfer.

Section X. Restriction

Inter fund transfers of monies by the Finance Officer shall be accomplished only with authorization from the Board of Commissioners.

Section XI. Budget Amendments

The North Carolina Local Government Budget and Fiscal Control Act allows the Board of Commissioners to amend the budget ordinance any time during the fiscal year, as long as it complies with North Carolina General Statutes. The Board must approve all budget amendments, except where the Finance Officer is authorized to make limited transfers.

Section XII. Utilization of the Budget and the Budget Ordinance

This budget ordinance and the budget documents shall be the basis for the financial plan of the Town of Topsail Beach during the 2002-2004 Fiscal Year. The Finance Officer shall administer the budget. The accounting system shall establish records, which are in compliance with this ordinance, and the appropriate statutes of the State of North Carolina.

Adopted this ___ day of June, 2004

Jimmy A. Morris, Mayor

Attest: Stephanie Rivenbark, Town Clerk



North Carolina Department of Cultural Resources
State Historic Preservation Office

Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

March 1, 2005

Richard H. Kimmel
Environmental Resources Section
Department of the Army
Wilmington District, Corps of Engineers
PO Box 1890
Wilmington, NC 28402-1890

Re: Report: *Archaeological Remote Sensing Survey of Topsail and West Onslow Beaches Offshore Borrow Areas*,
Pender and Onslow Counties, ER 04-2658.

Dear Mr. Kimmel:


We have received the archaeological survey report for the above project from Mid-Atlantic Technology and Environmental Research, Inc. (M-AT/ER).

During the course of the survey, no archaeological sites were identified within the project areas. M-AT/ER has recommended that no further archaeological investigation be conducted in connection with this project. We concur with this recommendation since the project will not involve significant archaeological resources.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919/733-4763. In all future communication concerning this project, please cite the above-referenced tracking number.

Sincerely,


Peter Sandbeck

cc: Mid-Atlantic Technology and Environmental Research, Inc.

ADMINISTRATION
RESTORATION
SURVEY & PLANNING

Location
507 N. Blount Street, Raleigh NC
515 N. Blount Street, Raleigh NC
515 N. Blount Street, Raleigh, NC

Mailing Address
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617

Telephone/Fax
(919)733-4763/733-8653
(919)733-6547/715-4801
(919)733-6545/715-4801



820 S. Anderson Blvd.
Topsail Beach, North Carolina 28445
Telephone (910) 328-5841
Fax (910) 328-1560

January 13, 2006

Ms. Jan Brodmerkel
Project Manager
USACOE Wilmington District
PO Box 1890
Wilmington, NC 28402

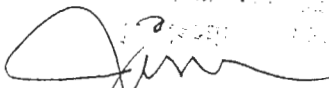
Dear Jan,

This letter is to inform you of the Board of Commissioner's of the Town of Topsail Beach's decision on the locally preferred plan for the West Onslow Beach and New River Inlet, North Carolina Shoreline Protection Project (Topsail Beach). The Board at its' January 11, 2006 meeting chose as its' preferred plan the 1250X. I have enclosed some of the reasons that influenced the Board to arrive at this decision.

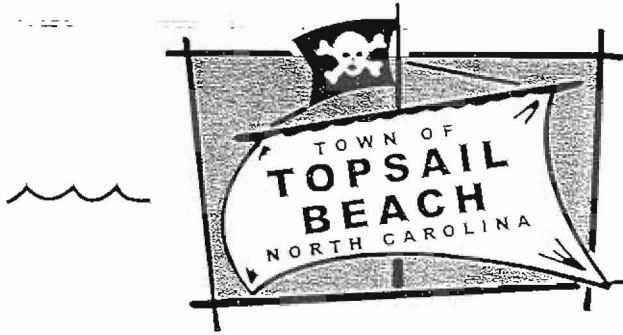
1. Both the 1550 plan and the 1250X plan will move the high tide line significantly seaward. The 1550 plan will move it 230 feet, while the 1250X plan will move the high tide line seaward by 200 feet.
2. The 1550 plan has a construction cost of \$31,866,000 and a net annual benefit of \$9,227,676. The 1250X plan construction will cost \$24,193,000 with net annual benefits of \$9,061,268. Dropping back from the 1550 will save 24.1% in construction costs, but will only reduce benefits by 2.3%.
3. The 1250X plan has the best benefit/cost ration when recreation benefits are ignored (2.18), and second best when recreation is included (3.99).
4. The 1550 plan will cost the Town \$2,788,250 while the 1250X will cost the Town \$2,117,000, a reduction of \$671,000.
5. The 1250X will require a congressional appropriation of \$15,725,000, while the 1550 will require an appropriation of \$20,713,000.
6. The 1250X provides better protection to the Godwin Avenue canal area.

Thank you and the Team for all the hard work that has went into this effort. If I can provide any additional information, please call.

Sincerely,



James E. Carter
Town Manager



820 S. Anderson Blvd.
Topsail Beach, North Carolina 28445
Telephone (910) 328-5841
Fax (910) 328-1560

NON-FEDERAL SPONSOR'S
SELF-CERTIFICATION OF FINANCIAL CAPABILITY

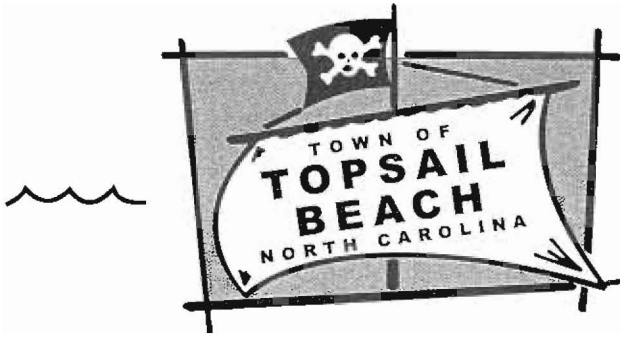
I, Thomas G. Hogg, do hereby certify that I am the Chief Financial Officer of The Town of Topsail; that I am aware of the financial obligations of the Non-Federal Sponsor for the Topsail Beach renurishment project and that the Non-Federal Sponsor has the financial capability to satisfy the Non-Federal Sponsor's obligations under the West Onslow Beach and New River Inlet Shore Protection Project

IN WITNESS WHEREOF, I have made and executed this certification this 21st day of February, 2008.

BY: Thomas G. Hogg

TITLE: Interim Town Manager

DATE: 21 February 2008



820 S. Anderson Blvd.
Topsoil Beach, North Carolina 28445
Telephone (910) 328-5841
Fax (910) 328-1560

March 5, 2008

Colonel John E. Pulliam, Jr.
Department of the Army, Corps of Engineers
Wilmington District
Post Office Box 1890
Wilmington, North Carolina 28402-1890

Dear Colonel Pulliam:

The purpose of this correspondence is to express and confirm our continued support of the proposed West Onslow Beach and New River Inlet (Topsail Beach) Shoreline Protection Project that was authorized by Section 101 of the Water Resources Development Act of 1992 and to thank you for the work that your office has accomplished.

We support Plan 1250x as our locally preferred plan. We understand the obligation of the local sponsor(s) to share the construction costs at a rate of 64.5% federal and 35.5% non federal, and the obligation of the local sponsor(s) to share in the post construction renourishment costs at a rate of 50% federal and 50% non federal.

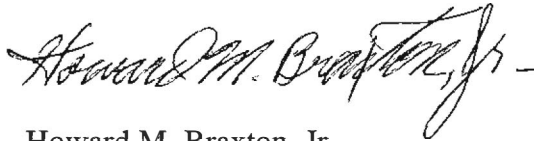
We have been informed by the USACE that the project will be required to provide public beach access at a minimum of one access point, and associated parking for everyone half mile of the proposed project, which the Town will provide. Further, we have been informed that the estimated construction costs on the project as estimated based on October 2007 price levels will be approximately \$32,131,000.00, and that the periodic renourishment efforts, which will occur approximately every four years, will cost an estimated \$9,202,000.00. Estimated operating and maintenance cost will be approximately \$21,000 per year.

The Town is in agreement with the project as presented and intends to sign a Project Cooperation Agreement when and as required. The Town gives its endorsement to the project and urges its early completion.

US Army Corps of Engineers- Page 2

Mr. Steven Foster, Town Manager, will be the staff contact and Mr. Edward (Butch) Parrish will be the Topsail Beach Shoreline Protection Committee point of contact. The Town of Topsail Beach looks forward to our continued working with you and your staff on this important and needed project.

Sincerely,

A handwritten signature in black ink that reads "Howard M. Braxton, Jr." with a horizontal line extending to the right.

Howard M. Braxton, Jr,
Mayor



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5511
(727) 824-5317; FAX (727) 824-5300
<http://sero.nmfs.noaa.gov/>

September 30, 2008

F/SER4:RS/pw

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA, 22315-3860

Colonel Jefferson Ryscavage.
District Engineer, Wilmington District
Department of the Army, Corps of Engineers
Regulatory Division
P.O. Box 1890
Wilmington, North Carolina 28402-189

Dear Colonel Ryscavage:

NOAA's National Marine Fisheries Service (NMFS) reviewed *Final Integrated General Reevaluation Report and Final Environmental Impact Statement, Shore Protection, West Onslow Beach and New River Inlet (Topsail Beach)* (GRR/EIS), dated March 2008 and included with your letter dated August 5, 2008. Comments were requested within 30 days of publication in the Federal Register, which occurred on August 15, 2008. The proposed project would use sand from offshore borrow areas to nourish 26,200 feet of beach along the southern portion of Topsail Island, Pender County, over a 50-year period; construction would begin in 2011. The Wilmington District concludes the proposed action is not expected to cause significant adverse impacts to essential fish habitat (EFH) on an individual or cumulative effects basis. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the following comments and recommendations are provided pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act, P.L. 104-297).

The GRR/EIS evaluates the feasibility of nourishing beaches adjacent to the Town of Topsail Beach in order to provide storm protection. The project was originally authorized and evaluated as the *West Onslow Beach and New River Inlet, NC, Shore Protection Project* in the Water Resources Development Act (WRDA) of 1992, however the project was not constructed because the local sponsor did not execute the project cooperation agreement. Continued coastal erosion and new development within the Town of Topsail Beach led to initiation of the GRR/EIS study in 2001. NMFS worked closely with the Wilmington District during the reevaluation process. The recommended plan in the GRR/EIS exceeds caps set in the original authorization, so the project will require reauthorization by Congress. Lastly, beaches along the northern portion of Topsail Island (i.e., the area immediately north of the area described in the GRR/EIS) also are being evaluated by the Wilmington District for a federal beach nourishment project.

The study examined several alternatives including the National Economic Development plan as well as



the Locally-Preferred Plan (LPP), identified by the local sponsor (the Town of Topsail Beach). The recommended plan, referred to as “Plan 1250X,” is the LPP, and it consists of construction of a sand dune to an elevation of 12 feet National Geodetic Vertical Datum (NGVD), fronted by a 50-foot wide beach berm constructed to an elevation of 7 feet NGVD. This dune and berm feature would extend 23,200 feet, with a 2,000-foot northern transition fill, and a 1,000-foot southern transition fill, for a total length of 26,200 feet. Then project would be maintained for a 50-year period, and initial construction would begin in late 2011. Approximately 3,223,000 cubic yards of material would be needed for initial construction, and maintenance on a 4-year cycle would require 866,000 cubic yards per cycle.

Five (and potentially six based on future compatibility assessments) borrow areas have been identified for use. These sites are located in the ocean between 1 mile and 5.5 miles from shore at depths ranging from 30 feet to 60 feet NGVD. The total volume of suitable material available from all sites is approximately 21,100,000 cubic yards, which is sufficient for the project. Borrow area A is the largest of the borrow sites and the one closest to the project beach; this borrow area contains over 60 percent of the suitable sand identified and would be used for initial construction. Because the borrow areas are over a mile from shore, the Wilmington District does not expect mining sand from these areas to affect the sediment dynamics at coastal inlets.

Comments

The GRR/EIS adequately describes the marine environment associated with the various alternatives examined. Fill material would be excavated by a hydraulic dredge from offshore borrow sites and discharged onto the ocean beach. The GRR/EIS includes an assessment of impacts to EFH as defined by the South Atlantic Fishery Management Council, Mid-Atlantic Fishery Management Council, and NMFS. Throughout development of the GRR/EIS, NMFS and the Wilmington District worked to avoid and minimize impacts to EFH, especially hardbottom habitat, which is common off Topsail Island.

Within the nearshore zone (depths less than -23 feet NGVD), side scan and multibeam survey results did not identify hardbottom resources within the expected project footprint. However, these surveys did identify shallow depressional features located perpendicular to shore, referred to as rippled scour depressions (RSDs), rippled channel depressions (RCDs), and sorted bedforms. During equilibration of the construction template, the area of RSDs, RCDs, and sorted bedforms expected to be impacted is approximately 0.38 acres. Though sand from the project could gradually fill the depressional features, the Wilmington District expects localized currents to maintain the features. The GRR/EIS notes the possibility of hardbottom communities beyond the closure depth (-23 feet NGVD) being impacted by equilibration of the construction template and concludes such impacts are unlikely to be significant to low-relief hardbottom and unlikely to occur to high-relief hardbottom. As noted during discussions with the Wilmington District during development of the GRR/EIS, NMFS does not agree that the value of hardbottom communities to fishery resources is low simply because the relief is low, however we see no benefit to delaying completion of the GRR/EIS based on this point and look forward to continued discussions with the Wilmington District on the issue as it is germane to other beach nourishment projects along Topsail Island and other areas of North Carolina.

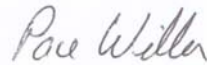
Side scan sonar showed no hardbottom within the borrow area boundaries, although sand waves 6 inches to 1 foot in height were present. Borrow areas D and F were the closest to hardbottom communities, but these communities were at least 2,000 feet away and borrow area F may not be used due to its apparently low compatibility with the beach sand. This distance also should be sufficient to preclude impacts to hardbottom from project-related turbidity or suspended sediments related to dredging or filling hoppers.

NMFS is pleased that the anticipated construction timeframe for the initial and periodic nourishment events is November 16 to April 30 because this window avoids the time of peak recruitment and abundance for surf zone fish and benthic invertebrates. We also agree with the recommendation provided

by other resource agencies that any fill material placed on the beach comply with North Carolina Sediment Criteria Rule, contained in the Technical Standards for Beach Fill Projects (15A NCAC 07H .0312).

Thank you for the opportunity to provide these comments. Related questions or comments should be directed to the attention of Mr. Ronald Sechler at our Beaufort Field Office, 101 Pivers Island Road, Beaufort, North Carolina 28516-9722, or at (252) 728-5090.

Sincerely,



/ for

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc: (via electronic mail)

CEHQ, Maria.F.Chen@hq02.usace.army.mil
CESAW, Glenn.McIntosh@usace.army.mil
CESAW, Douglas.Piatkowski@usace.army.mil
CECW-P, Patricia.L.Bee@usace.army.mil
EPA, Fox.Rebecca@epa.gov
USFWS, Howard Hall@fws.gov
NCDCM, Doug.Huggett@ncmail.net
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