

US ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT

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In the Matter )  
: )  
of : )  
Figure Eight Beach Homeowners' :  
Association, Inc.; Proposal )  
to Install Terminal Groin :  
Structure Along Southern )  
Shoulder of Rich Inlet :  
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TRANSCRIPT OF PUBLIC HEARING

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REPORTED BY:

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APPEARANCES

US ARMY CORPS OF ENGINEERS:  
COLONEL KEVIN P. LANDERS, DE  
SCOTT McLENDON, Chief  
Wilmington Regulatory Division  
MICKEY SUGG, Program Manager  
NC DIVISION OF COASTAL MANAGEMENT:  
DOUG HUGGETT  
DEBBIE WILSON  
CP & E of NC/CBI: TOM JARRETT, Project Manager

The following public hearing was held before the US ARMY CORPS OF ENGINEERS on the 2nd day of September, 2015, beginning at 6:34 P.M. at the Ogden Elementary School, 3637 Middle Sound Loop Road, Wilmington, North Carolina, and was reported by PETER BROWNE RUFFIN, III, Notary Public and Court Reporter for the Firm of AURELIA RUFFIN & ASSOCIATES, INC.

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1 COLONEL LANDERS: Good evening. How's everybody  
2 doing tonight? My name is Colonel Kevin Landers and some  
3 of you might be wondering why you got an Army guy standing  
4 in front of you so without getting into a whole bunch of  
5 history as to why I'm standing here, 240 years ago, the  
6 Army stood up here in the United States. Two days after  
7 that birthday, the Corps of Engineers was born and as part  
8 of that, back in the 1800s essentially, we were assigned  
9 certain tasks, one of which was to help manage the  
10 waterways within the United States which is why you got an  
11 Army guy standing here.

12 I spent twenty-five years of my career finding IEDs  
13 and blowing things up and then the Army saw fit as an  
14 engineer to put me in charge of the Corps of Engineers  
15 District which is based here in Wilmington and I pretty  
16 much manage a series of portfolios within North Carolina  
17 and southern Virginia so that's why you got an Army guy  
18 standing up here.

19 So what are we going to do tonight? We're going to  
20 talk through a process and we're part of that process.  
21 We're not the only part of that process but what we're  
22 going to do is we're going to outline for you some of the  
23 processes that are involved surrounding a terminal groin

1 potentially on Figure Eight Island.

2       What I'm going to do is I'm basically going to  
3 introduce and set the stage for you. I'm going to start  
4 out by first telling you the mechanics behind how tonight  
5 is going to unfold and there are six steps to that. I'm  
6 going to introduce some people, so forth and so on, so let  
7 me just start there by introducing the mechanics and  
8 that'll kind of unveil how this is going to unfold for  
9 you.

10       First I want to make sure that anybody who wants to  
11 speak tonight -- and you all have that right -- is signed  
12 in on the sheet over to my left, your right, so that way,  
13 if you do have a desire to speak, you can be heard. What  
14 I'm going to do is I'm going to start off by introducing a  
15 couple of key figures at the head table here.

16       I'm going to describe the purpose as outlined in the  
17 Code of Federal Regulations so without getting too much  
18 into minutia of laws and regulations, I'm just going to  
19 briefly give you a short paragraph as to why this is part  
20 of the process. I'm going to explain the ground rules.  
21 It's important that everybody understands the ground rules  
22 and then I'm going to turn the floor over to my Regulatory  
23 Chief that I'll introduce here in just a second.

1           He's going to talk kind of programatically from a  
2 federal standpoint. He'll then turn it over to the  
3 Program Manager from our regulatory standpoint who is  
4 managing this program. We assign projects like this to  
5 different Program Managers and then lastly, we're going to  
6 turn it over to Mr. Tom Jarrett from CP & E which is the  
7 engineering firm that is charged by Figure Eight Island to  
8 look at this project.

9           So let me start by introducing the head table here.  
10 First my Regulatory Chief so one of my portfolios that I  
11 manage within the District is Regulatory. Any permitting  
12 action that deals with waters of the U.S., things along  
13 that nature, is managed by our Regulatory Section so Mr.  
14 Scott McLendon is my Regulatory Chief. To his right is  
15 Mr. Mickey Sugg who is the Program Manager for this  
16 project and then from the North Carolina Division of  
17 Coastal Management, we have Doug Huggett and Debbie  
18 Wilson.

19           This is our Court Reporter here. That's why he's  
20 standing up here. We'll explain why he's up here in just  
21 a minute. Anything that's discussed tonight will be  
22 recorded for an official record. Do I have any elected  
23 officials in the room here? Sir.

1 MR. ZAPPLE: Hey. My name's Rob Zapple with the New  
2 Hanover County Commission.

3 COLONEL LANDERS: Okay. We want to thank you for  
4 attending tonight. Any other elected officials? I just  
5 want to make sure I recognize you.

6 (No response)

7 COLONEL LANDERS: Thank you. Okay. What's the  
8 purpose of a public hearing? The term public hearing has  
9 meaning in its own right. It's defined by 33 Code of  
10 Federal Regulations 327.3 and the purpose is acquiring  
11 information or evidence which will be considered in  
12 evaluating a DA Permit, a Department of the Army Permit,  
13 action and which affords the public an opportunity to  
14 present their views, opinions and information on such  
15 permit action.

16 So this is part of the democratic process. I've been  
17 to many countries in a different capacity where they don't  
18 have such an ability so we're kind of leveraging and  
19 taking advantage of that democratic process by affording  
20 you, the public, the opportunity to weigh into this  
21 process.

22 The Corps is neither a proponent for this project nor  
23 an antagonist against this project. We are neutral and

1 that is my charge as a federal agent if you will; to  
2 maintain that neutral stance but what we have to do is we  
3 have to go on a fact-finding expedition if you will so we  
4 are presented a project. We look through the merits from  
5 an environmental standpoint, from a natural resource  
6 standpoint, from the public opinion standpoint and we  
7 weigh all that before the potential of issuing a permit.  
8 This is part of that process tonight in that you have the  
9 ability to be heard.

10 Now, I know this project has gone on for quite a few  
11 years but the project has changed a couple of times over  
12 that period and because of the last change, we are  
13 affording the opportunity for anybody to be heard and by  
14 the time we get done with Scott, with Mickey and with Tom,  
15 hopefully you will at least understand the latest version  
16 of the project that's being introduced and then I'll  
17 afford you the opportunity to comment

18 A couple of ground rules for you: Tonight is not a  
19 question and answer session so this is not a panel. This  
20 is not a town hall meeting by which you're going to be  
21 able to drill the panel with a series of questions. We're  
22 going to present some foundational information and then  
23 we're going to afford you the opportunity to comment if



1 you so desire.

2           When your name is called, we would ask you to come to  
3 the microphone in the center here. We'll give you three  
4 minutes and at the three-minute point, we're going to ask  
5 you to basically close up your questions so my intent in  
6 officiating this is to keep this basically humane. This  
7 is not an argument and I know there's emotions and  
8 passions on every side of these type of issues but we're  
9 going to try and treat this as a professional meeting. I  
10 thought that was my phone so I almost threw myself off  
11 here.

12           We would ask you to speak loud enough so that way,  
13 the Court Reporter can get all of this information because  
14 when I say it's public record, this information is going  
15 to be given to us based off of what the Court Reporter  
16 captures and introduced into this process so that way, we  
17 can weigh it into the decision in the advent that Figure  
18 Eight Island decides to go through with the permit action.  
19 All right. Mechanically, does anybody have any questions  
20 before we go further? Does everybody understand  
21 fundamentally what we're going to try to do tonight? Sir.

22           MALE SPEAKER: What's the next step after this? Is  
23 there another meeting after?

1 COLONEL LANDERS: That will be introduced at some  
2 point. Between one of the three of them, that will be  
3 introduced if you'll just hold that thought for a minute.  
4 All right. Without further ado, what I'm going to do is  
5 I'm going to turn it over to Mr. Scott McLendon. He's  
6 going to cover some of the Federal Regulations side of  
7 this.

8 MR. McLENDON: All right. Good evening, everybody.  
9 I hope you guys can hear me okay. I do want to reaffirm  
10 what Colonel Landers just said a moment ago; that you all  
11 being here tonight is very important to us relative to our  
12 obligations under lots of different federal laws and  
13 statutes by inviting the public to come in and comment on  
14 this proposed project so I appreciate you all coming out  
15 tonight.

16 Colonel Landers had mentioned why he's standing here  
17 today and I'm going to give you just maybe a little bit  
18 more basic information concerning that but essentially,  
19 the Corps of Engineers is a federal agency and as a  
20 federal agency who's charged with licensing or permitting  
21 projects, we're responsible for complying with all sorts  
22 of federal laws and regulations.

23 One of those is NEPA or the National Environmental

1 Policy Act of 1969 and that's the process that we're in  
2 now; that process. You've heard the term EISs and  
3 Environmental Assessments and things of that nature and  
4 that's the process we're in now and that process is  
5 basically a disclosure process whereby the Corps of  
6 Engineers solicits information on a proposed project,  
7 takes a hard look at that project and provides that  
8 information to the public and Mickey is going to talk a  
9 little bit more about how that process is going to roll  
10 out after tonight.

11 The other two fundamental licensing requirements that  
12 the District has and which Colonel Landers is responsible  
13 for making decisions on is Section 10 of the Rivers and  
14 Harbors Act of 1899 and Section 404 of the Clean Water Act  
15 and this proposed project would trigger both of those  
16 permit requirements.

17 By virtue of the need to place material out into the  
18 Atlantic Ocean, which I think we would all agree is a  
19 navigable water, that requires a permit under Section 10  
20 and also since that material would be considered a  
21 discharge of dredged or fill material, it requires a  
22 permit under Section 404 of the Clean Water Act.

23 So as you can tell, lots of different requirements

1 and regulations come into play but essentially, as the  
2 Colonel said, one of the most important things to remember  
3 is we're not a proponent or opponent of this project.  
4 We're simply here to gather information, both good and  
5 bad, about the project and make a decision at the end of  
6 the day that evaluates the foreseeable or reasonably  
7 foreseeable adverse impacts against the beneficial impacts  
8 that the project is supposed to provide to the north end  
9 of Figure Eight Island.

10 It's a pretty complicated process and those factors  
11 run the gamut of just about everything you can imagine.  
12 It runs from things like economics, conservation,  
13 aesthetics, consideration of private property ownership.  
14 Endangered species is a big one for us and because it's a  
15 federal agency, before we make any decision on a permit,  
16 we have to make sure that the provisions of the Endangered  
17 Species Act are complied with. It concerns aesthetics,  
18 water quality; all sorts of things.

19 But we're not there yet because we do not have an  
20 application in hand for this project. That comes later  
21 after we get through with the NEPA process and that's down  
22 the road so you can see it's a fairly involved process  
23 somewhat step-wise in progression and it's important to

1 the District that we ensure that we're doing the right  
2 thing by you and by the need for clean water out there and  
3 ensuring the navigational servitude so to speak of the  
4 Nation's waters so beyond that, I'm going to turn it over  
5 to Mr. Sugg and let him give you a little bit more detail  
6 about where we are in the process.

7 MR. SUGG: I'm not sure how much more detail I can  
8 give but for those that are standing up, there are some  
9 chairs. If you get tired of standing, there's a few seats  
10 up here. Again my name is Mickey Sugg and I would like  
11 also to welcome you to the public hearing.

12 To us, it is a privilege in this country and in the  
13 State of North Carolina to actually have an opportunity  
14 for the public to have a comment and provide opinions and  
15 provide information to us and that's a privilege that we  
16 certainly don't take lightly and we certainly welcome  
17 comments and input and any potential information that we  
18 don't have so this is again a very important part to us  
19 and we don't take it lightly at all.

20 There's a couple of things that I would like to just  
21 touch base on. Some of these things have been repeated in  
22 the past but I would like to acknowledge that in the NEPA  
23 procedures, we have coordinated heavily with Doug and

1 Debbie's office, the Division of Coastal Management, from  
2 the very inception of the island's proposal dating back to  
3 -- I think it was September of 2006 when we first were  
4 approached by the island with a proposal to do some type  
5 of Shoreline Management Plan so the Corps along with the  
6 Division of Coastal Management have worked heavily  
7 coordinating a lot of things.

8       The document that you have on the development of the  
9 -- I shouldn't say you have but it's available to you; the  
10 EIS. The development of that has been coordinated with  
11 the state in order to satisfy both; not just NEPA but also  
12 CEPA and I do want to thank Debbie and Doug and their  
13 staff for their support in that.

14       Secondly, I'd like to point out the slide up here.  
15 There's a couple of things. Obviously, you have me as the  
16 Project Manager. You have my e-mail address, my phone  
17 number and with that, I'm open anytime to receive phone  
18 calls, e-mail, if you have any questions about the process  
19 or anything about what they're proposing. As you read  
20 through the EIS, if you have questions and not fully  
21 understanding, I'll try to help you as much as I can.

22       But I would like to point out our website; web page.  
23 It's a web page set up for major projects and in that

1 major project web page, it does have Figure Eight Island  
2 along with some other terminal groin proposals but at that  
3 site, you'll be able to look at all the Public Notices  
4 that we've issued. You'll be able to pull up the actual  
5 Supplemental EIS. Each component, each chapter of it, all  
6 the Appendices are all there so if you're not sure exactly  
7 or you have some questions about the project itself, you  
8 can find that information in the document to a large  
9 degree.

10 So again feel free to contact me if you're having  
11 trouble finding the document or getting through the  
12 document. I'm also on that web page. Our intention is,  
13 as we have in the past, that after this public hearing and  
14 I receive the transcript, the transcript will be posted on  
15 the web page along with any comments. At some point in  
16 time when the commenting period ends, I'm going to be  
17 gathering all of the comments. Whether it's individuals,  
18 federal or state, stakeholders, organizations or whatever  
19 comments we receive, at some point in time, they will be  
20 posted on the web page.

21 So if you're interested in, you know, what kind of  
22 position other people are having, what kind of position of  
23 certain groups or comments from National Marine Fisheries

1 or Fish & Wildlife or Wildlife Resource Commission, all  
2 those comments will be posted again at some point in time  
3 as early as possible so feel free at anytime to check that  
4 page out and get updates to kind of see. I mean it's not  
5 updated on a weekly basis. It's just updated as we hit  
6 these milestones.

7 In the handout that you received -- and I'll just  
8 explain that real quickly -- the first page is the Public  
9 Notice that was an Amended Public Notice. You see at the  
10 top right the issue date, July 31st, and it has a comment  
11 deadline extension of September 14th. That is the end of  
12 the commenting period so if you have information, if you  
13 have viewpoints, comments, concerns, whether you're for it  
14 or against it, it doesn't really matter but you need to  
15 provide those comments prior to that September 14th  
16 deadline.

17 The second page, that second Public Notice, is the  
18 original Public Notice that went out on July the 9th prior  
19 to announcing this public hearing and extending the  
20 commenting period. As you see, the EIS has been available  
21 since July 9th so you're talking fifty-something days for  
22 an opportunity to review it so if you're looking to  
23 provide additional information, please do so as quick as



1 you can.

2       There's one point I would like to touch on as well  
3 because I think sometimes there's some confusion on the  
4 Corps of Engineers' role and I think that confusion  
5 sometimes is -- I mean I certainly understand the  
6 confusion. The confusion falls in looking at the Corps as  
7 the designer or the planner for the development of this  
8 project.

9       The way the Corps is set up, we have a regulatory arm  
10 of the Corps of Engineers and we basically have a civil  
11 work side of the house. On the civil work side, they're  
12 the ones that do federal projects and they receive money  
13 from Congress and they're mandated to use that money on  
14 particular projects such as navigation, maintenance of the  
15 federal channel; things like that. That's not the  
16 regulatory side. On the civil work side, they do plan,  
17 they do design and they do implement certain projects.

18       On the regulatory side, we basically sit and wait for  
19 somebody to come approach us with a particular project.  
20 We don't design. We don't plan. We're basically  
21 reviewing what an applicant comes to us with. Whether  
22 it's Figure Eight Island, whether it's an individual lot  
23 owner or whether it's DOT doesn't really matter. If they

1 come to us, as Scott mentioned, with a Section 10 and  
2 Section 404, if their proposal is involving a discharge of  
3 fill material in those areas, then it triggers permit  
4 requirements with the regulatory side of the house.

5 So there is a difference. In the Corps of Engineers,  
6 we have the regulatory side and the civil work side so  
7 again I just want to make sure that people understand that  
8 we're not in the design role of this project. It's up to  
9 the applicant, whoever that might be, to come to us with  
10 their design.

11 A lot of people are saying "Okay, what next?" I  
12 think the what next part is September 14th. Again that's  
13 the deadline. The Corps along with the Division of  
14 Coastal Management will be receiving the comments. We'll  
15 be taking those comments, sifting through them and looking  
16 at the information that's provided in those and then we'll  
17 look at the EIS document and we'll see if we've adequately  
18 addressed those comments.

19 If we don't feel that we've adequately addressed some  
20 of those comments that come in, then we'll change whatever  
21 part of the document that needs changing. Once we feel  
22 comfortable that the comments have been addressed fully  
23 and completely, then at some point in time, we will

1 release a Final EIS and it's at that point when Figure  
2 Eight Island will apply for a permit.

3 I can't tell you when that point is. It might be  
4 toward the end of the summer. I shouldn't say summer;  
5 toward the end of the year. It just depends because I  
6 can't predict what type of comments are going to come in  
7 and I can't predict if we've adequately addressed some of  
8 those comments in the current document.

9 So after that, after the application is submitted,  
10 then you will have another opportunity. That application  
11 will go through a Public Notice again notifying the public  
12 that an official application has been submitted by the  
13 island and you will have another opportunity to provide  
14 written comments so this isn't your final opportunity to  
15 provide us with your input. You also have an additional  
16 time to provide input.

17 Again I know I sound like a repeated record but I'm  
18 serious and honest about it. If you do have questions or  
19 concerns or if you just don't understand some of the  
20 process that's going on, please feel free to call me or e-  
21 mail me and I'll do the best I can in going through your  
22 questions. With that said, I'm going to turn it over to  
23 Tom Jarrett and he's going to go through and actually

1 explain what the island wants to do. Thank you.

2 MR. JARRETT: Good evening. Can you hear me? Am I  
3 close enough to this thing? I can't hear myself. Again  
4 I'm Tom Jarrett and I work for Coastal Planning &  
5 Engineering of North Carolina which is actually the CBI  
6 firm now. We were bought out by that larger megalopolis  
7 or whatever you want to call it about a year ago but  
8 anyway the inner workings of CP & E of NC is still the  
9 same as it was when it was first formed in 2002 and our  
10 main focus is working with clients in the State of North  
11 Carolina.

12 What I want to do tonight is kind of briefly go over  
13 what this whole project formulation is based on and the  
14 tools that were used to formulate it. There were  
15 primarily two; two major tools. One was looking at the  
16 past history of the island, the past history of the inlet  
17 and the effects that that inlet has had on the adjacent  
18 shorelines and that past history really defines what we're  
19 up against and what kind of issues need to be addressed in  
20 coming up with a solution.

21 The other tools we used were a couple of models. The  
22 primary one was what's called the Delft 3D Model. I'll go  
23 into a little bit of detail later on; not a lot. The

1 other is a simpler model, the Genesis Model, but that's  
2 not a primary model. It was only used for secondary  
3 verification of what we were seeing in the primary 3D  
4 Model.

5 Doctor Bill Cleary was contracted to take a look at  
6 the history of Rich Inlet and its effects on the adjacent  
7 shoreline. He's been involved with the island for a  
8 number of years while a Professor of Coastal Geology at  
9 UNCW and has continued in that role since his retirement.  
10 We called upon his expertise to take a look and update the  
11 history of Rich Inlet as it relates to how the shorelines  
12 on either side of the inlet are responding.

13 This particular graph is one he created. It kind of  
14 tracks different orientations of the bar channel. That's  
15 the main flow or main channel that passes across the inlet  
16 to the ocean. It's called a bar channel or inside channel  
17 but anyway he found that there's a strong relationship  
18 between the channel indentation and what was going on on  
19 the adjacent shorelines.

20 That relationship has primarily been driven by what  
21 effect that channel had on the configuration of the large  
22 sand shoal that sits off the inlet called the Ebb Tide  
23 Delta. In cases when the inlet channel is oriented toward

1 Hutaff Island, he found that there was a tendency for the  
2 north end of Figure Eight Island to erode. Not right  
3 away. There's a little lag period between the time that  
4 channel shifts and you start seeing erosion on the north  
5 end of Figure Eight.

6 The same thing happens when the channel shifts or the  
7 opposite happens when the channel shifts toward the south  
8 or toward Figure Eight. That particular alignment causes  
9 a buildup of sediment off the north end of Figure Eight  
10 and in turn the north end accretes or builds out. On the  
11 other side, Hutaff Island can also suffer erosion as that  
12 channel shifts away so it's kind of a back and forth deal  
13 and over the long-term history of the thing, he found  
14 frequent shifts in that channel location as you can see  
15 here.

16 The next slide. What was basically also done was  
17 taking a look at shoreline changes using aerial  
18 photography on both the Figure Eight Island side and the  
19 Hutaff Island side as well as the marsh islands in the  
20 back and all of this detail is in the Appendix, Sub  
21 Appendix A, so I'm not going to go into any detail here.  
22 I'm just trying to give you a process that we went through  
23 to kind of identify what the problem is.

1           The next slide. This is some shoreline positions  
2 that Doctor Cleary developed from the aerial photography.  
3 It goes from '38 to 2007 and one of the points of interest  
4 there is if you look at the north end of the island, you  
5 see there's quite a bit of fluctuation not only in the  
6 ocean shoreline but also in the inland shoreline. That  
7 particular north end which is sometimes referred to as a  
8 sand spit has a long history of building up and breaking  
9 down and again a lot of it depends on what's going on in  
10 that bar channel.

11           The next slide. He did the same thing on the Hutaff  
12 Island side and tracked shoreline changes on that  
13 particular island from '38 to 2007 and developed a good  
14 history of that. That background information forms the  
15 basis of the shoreline erosion triggers that we're  
16 required to develop under the State Terminal Groin Law so  
17 you'll find in Chapter 6 of the EIS that there's a section  
18 in there about erosion thresholds and those thresholds  
19 were really based on the work of Doctor Cleary.

20           This particular graph is interesting and I'll try to  
21 explain it. The Cumulative Shoreline Change curve is the  
22 red curve and that started in about 1956 and it's based on  
23 the information that Doctor Cleary developed in comparing

1 the aerial photography so we have a period of time from  
2 '56 up until '73 or so where the shoreline was building up  
3 and then there was a period of erosion from there until  
4 about '88 or so. I can't remember; '89.

5 Then all of a sudden, there was this big buildup and  
6 that big buildup occurred up until about '98. Then all of  
7 a sudden, there was a slur. The curve dips down and that  
8 indicates that the shoreline was in retreat. The black  
9 line is the orientation of the Ebb Tide Delta that was  
10 measured and you can see that there's a rather good  
11 correlation. When the channel was oriented toward Hutaff  
12 Island, the north end of Figure Eight Island was tending  
13 to accrete and then in about 1993 or so, that channel took  
14 a swing toward Hutaff.

15 Prior to that, there was a big buildup on the north  
16 end of Figure Eight but as that channel shifted, there was  
17 a gradual shift toward erosion on the north end of Figure  
18 Eight up until the time of about 2007, 2006 or 2007, and  
19 that's when the island really got concerned about what was  
20 going on at the north end. There was so much erosion  
21 going on and there were a lot of sandbags being placed  
22 along the northern 1,000 or 1,500 feet of the shoreline to  
23 protect the threatened homes up there so this correlation



1 is one of the things that we focused in on in trying to  
2 formulate a plan.

3 The next slide. This particular slide just shows the  
4 worst condition, I guess, that Doctor Cleary observed  
5 during his analysis and that was that in the fall of 1984,  
6 the shoreline was up very close to the existing  
7 development on the north end. What we looked at in terms  
8 of formulating this particular project were five  
9 alternatives. Basically do nothing, just give up and  
10 retreat, relocate the channel to a more preferred position  
11 and hold it there and just do beach nourishment kind of  
12 like what the island has been trying to do in the past but  
13 do it on a more robust scale and finally look at the  
14 options for a terminal groin.

15 You know, if you go out there today, people are  
16 saying "We don't need a terminal groin. The beach is in  
17 great shape." And that's true and why is that the case?  
18 Well, if you look at the 2007 slide, you can see that the  
19 channel was hard up against the south end of Hutaff and it  
20 was oriented or had begun to orient itself a little bit  
21 toward the south; southwest.

22 At that particular time, if you look at the north  
23 end, there was very little beach in front of those homes

1 on the very north end but as we click through the slides  
2 coming up closer to the current, we'll see that that  
3 channel has naturally shifted. Go back. You're a little  
4 bit too quick. In 2010, we're starting to see a big  
5 buildup on the north end.

6 Next. By 2013, there was a humongous buildup on the  
7 north end and this is a pattern again that has been  
8 repeated over and over again throughout the history of  
9 Rich Inlet or at least the documented history.

10 The next slide. In 2014, we see the channel starting  
11 to move back toward the north again. Next slide. What  
12 those last two slides show us is that this inlet may be  
13 starting to turn back to the north again. That channel is  
14 starting to move back toward Hutaft and it could generate  
15 or start a new erosion episode on the north end so even  
16 though they don't need it now, if they get the terminal  
17 groin and construct it, it's going to sit there probably  
18 buried for the moment but then eventually it's going to be  
19 needed. It's kind of like an insurance policy that's  
20 sitting there to provide protection for a condition that  
21 we know full well is going to develop sometime in the  
22 future.

23 These are the terminal groins that we looked at

1 through the process. The first one we call Alternative 5A  
2 and 5B. That was the alternative terminal groin position  
3 looked at in the Draft EIS. There were issues with the  
4 north end property owners and the HOA with regard to that  
5 location and they asked us to consider moving it a little  
6 bit north and away from that property and so that's what  
7 precipitated the development of the Supplemental EIS. We  
8 went through a whole new modeling episode in which we not  
9 only looked at these new terminal groin locations called  
10 5A and 5B. I mean 5C and 5D.

11 We looked at every other alternative that we had  
12 modeled before. We looked at the do nothing alternative,  
13 the channel relocation, the beach nourishment as well as  
14 the terminal groin so we had to go back through the whole  
15 sequence of modeling to look at the effects of the  
16 different alternatives and get some way to compare one to  
17 the other.

18 Not only did we model others but we modeled two  
19 conditions. One we called the 2006 fully eroded condition  
20 that was kind of like that last photo I showed you where  
21 the shoreline was hard up against the development on the  
22 north end. We used that as a starting point and that was  
23 the worst case condition and so we looked to see what the

1 impacts of the alternatives would be under that condition  
2 and we also used a 2012 condition which is more applicable  
3 to what we see out there today where the north end has  
4 built up so we did the model runs for all the alternatives  
5 for those conditions as well.

6 This just shows the sequence of the Delft 3D Model.  
7 Let me explain that a little bit. It's a model that takes  
8 into account wave action, tides and winds. It can also  
9 generate changes in the shoal patterns. It moves sediment  
10 around so it's a three-dimensional morphological model if  
11 you will that's driven by predefined waves, tides and  
12 currents as well as winds that you feed into the model and  
13 say "Well, look. If I start at this condition and I have  
14 these types of waves and winds and tides, after five years  
15 what does the model say that inlet would look like?"

16 So we go through a sequence of five years and we get  
17 a change that looks like this. If you'll recall, if you  
18 go back and look at those photos from like 2010 to 2014,  
19 the inlet did about what this model is saying it would do.  
20 The inlet first came down to the south and then it  
21 flipped. It started to flip back so it's a little bit of  
22 a curve and the model was at least replicating what we're  
23 seeing in the real world.

1           The bottom line is that we run this condition. We  
2 run this model for conditions that replicate do nothing  
3 and we want to get a base condition to compare what the  
4 difference between this type of response would be versus  
5 what the response of the model would be if we do something  
6 like dig a channel or put in a structure.

7           We're not predicting the future. You understand  
8 that. We don't know what future weather conditions are  
9 going to be. We can't predict that so we can't really  
10 predict what the inlet's going to do in the future. What  
11 we do is we select the conditions we want to replicate in  
12 the model and we use those same conditions for each and  
13 every alternative.

14           The same start, the type of topography, the same  
15 winds, same waves, tides, and we run that thing for five  
16 years. We get to the end and we look at the changes in  
17 the shorelines on either side, the changes in the inlet  
18 configuration and all that kind of stuff for the base  
19 condition, the do nothing condition, and we compare that  
20 to what we see in the other alternatives.

21           That way, we can come up with a relative comparison  
22 between what is likely to occur. Not what will occur but  
23 what is the relative difference, good or bad, between the

1 do nothing alternative and the channel relocation versus  
2 the terminal groin so that's the basis of the analysis  
3 that we did in coming up with the impacts in the EIS.

4 The next series of slides just show a similar start  
5 condition for the terminal groin. Again this is showing  
6 the 2012 series. We also have a similar 2006 series but  
7 anyway this shows the terminal groin as if it was plunked  
8 down on the ground today and this would be the initial  
9 start condition and five years later, we see this so we  
10 take that change versus the change we see for the without  
11 project condition and we get the relative difference in  
12 the response.

13 Next. This is probably too technical but what we're  
14 really going to do -- put up the others. Go back to those  
15 slides that show the two of them. There's one thing I  
16 need to point out. This structure actually is made up of  
17 two components. You'll see a thin line going out to a fat  
18 red polka dotted line. The thin line going to the back is  
19 what we call the shore anchorage section.

20 That's going to be built with sheet pile. It's a  
21 very thin wall that's going to be driven down below the  
22 ground and you won't even see it. It's there again as an  
23 insurance policy to protect against possible flanking of

1 that end of the structure should the channel all of a  
2 sudden or the inlet become migrated toward the south so  
3 that's put in there as a fallback position; a last line  
4 defense if you will to keep that structure from being  
5 flanked. The outer end, the polka dotted section, is  
6 what's called the rubble mound and I'll show you a slide  
7 of what Bald Head Island is doing so you'll get a real  
8 world idea of what a rubble mound structure looks like.

9         Go to the next one. If I was standing on the Figure  
10 Eight Island side and looking up north toward Rich Inlet  
11 and I took away all the sand, this is what I would see,  
12 the top of the structure, and the outer edge of the rubble  
13 mound portion of the structure, we're going to keep it  
14 very low. We're saying the maximum stakes will probably  
15 actually end up being lower than that.

16         It's relatively short compared to what's going on in  
17 terms of sediment transport offshore. Plus it's going to  
18 be a very porous structure which will allow sediment to  
19 move its way through. All of that is intended to allow a  
20 certain amount of sediment to pass through the structure  
21 but yet still retain that effect on the north end to  
22 stabilize that shoreline and move to a permanent fillet  
23 position that will be maintained pretty much in

1 perpetuity.

2       The next slide. The cross section is basically just  
3 going to be a loose pile of rock sitting on a one and a  
4 half foot stone foundation. That foundation could either  
5 be just loose stone or it could actually be enclosed in  
6 wire baskets like they're doing at Bald Head. Our firm  
7 has used that concept in similar structures in Florida but  
8 it's just a matter of a cost comparison as to whether or  
9 not that's an effective way of doing it.

10       Anyway there will be a foundation layer and that's  
11 put in there to keep this structure from settling too much  
12 and then again the structure itself is just a pile of  
13 pretty big stone anywhere from four to five foot in  
14 diameter. It's loosely packed to allow a lot of voids in  
15 there. Over time the rocks will kind of settle a little  
16 bit but there will still be a lot of pathways for sand to  
17 move through it.

18       Next. These are some slides that I was given by  
19 Chris McCoy out of Bald Head Island who was nice enough to  
20 share them with us. This is the terminal groin that's  
21 presently under construction on the south end of Bald Head  
22 or actually it would be on the south beach. It starts at  
23 the west beach and extends out across the shoreline.



1           What they've done and what would be a similar type  
2 process for Figure Eight is the landward portion of the  
3 rubble structure would be built in a trench. That trench  
4 for Figure Eight would be excavated down to an elevation  
5 of five and a half feet below sea level and backfilled  
6 with the foundation stone and the armor stone and then  
7 piled up and then once that section is completed, it would  
8 be buried with the sand that was removed to create the  
9 trench.

10           You can see some of that in this particular slide.  
11 If you look at the upper end, a portion of that structure  
12 has been completed but then covered up with the sand that  
13 was excavated to create the trench. The thing to notice  
14 here is how loosely packed those stones are. If you  
15 wanted a sand-tight structure, the way that's done is you  
16 either put a wall in the middle of it or you put what's  
17 called a core that's made of real small material that's  
18 designed to prevent sand from moving through. We don't  
19 want that. We want sand to go ahead and freely pass  
20 through and around and over the structure.

21           I've got one more slide. That's that completed  
22 section that has been buried and never to be seen again  
23 unless, you know, erosion takes it away. That structure

1 is going to continue on out. I think the total limit for  
2 building out is like 1,300 feet. The total length of the  
3 Figure Eight structure including that sheet pile section  
4 is 1,500 feet. Almost 1,000 feet of that 1,500 feet  
5 though is going to be that sheet pile so we only have like  
6 a 500 foot pile of rock out there.

7 This just simply shows the construction corridor that  
8 would be set aside to allow the contractor to gain access  
9 to the site. He would be required to do all of his  
10 construction activities within that corridor and then  
11 restore things back to their natural condition once he's  
12 completed it.

13 COLONEL LANDERS: All right. Just to reiterate, we  
14 are going to transition to the comment period now so I  
15 would just ask two things of you. Let's be respectful of  
16 each other. Though you might have an antagonistic view of  
17 the person who's presenting, allow them to be heard so we  
18 can record all that and you'll have your opportunity and  
19 then we'd also ask you to try to keep it to three minutes  
20 so we can respect everybody's time and not turn this into  
21 0900 in the morning.

22 MALE SPEAKER: Do you have an indication of how many  
23 people have signed up?

1           MR. SUGG: Sure. Right now there's nineteen that  
2 signed up and just because your name is not on here  
3 doesn't mean you can't come back. You know, after  
4 everybody finishes, if you would like to come up and  
5 speak, that's certainly fine as well. I'll try not to  
6 butcher your names so bear with me there as well. I'm  
7 going to just call your name and like the Colonel said,  
8 just come up to the mike and the Court Reporter is asking  
9 if you can speak your name clearly and spell out your last  
10 name so he can record that, that will be much appreciated.  
11 The first speaker is Priss Endo.

12           MALE SPEAKER: I just want to let the speakers know  
13 that I'll be standing here. I have a watch and at two and  
14 a half minutes, I'll raise my hand and let you know you've  
15 got thirty seconds to wrap it up.

16           MALE SPEAKER: Who's on deck?

17           MR. SUGG: Next will be Tracey Bruno.

18           MS. ENDO: The last name is E-n-d-o. My name is  
19 Priss Endo and I've lived at Middle Sound off and on for  
20 the past fifty years and retired here four years ago.

21           The Supplemental Environmental Impact Statement being  
22 commented on tonight reads: "The purpose of this EIS is to  
23 help public officials make decisions that are based on

1 understanding of environmental consequences and to take  
2 actions that protect, restore and enhance the environment.

3       What will be the possible environmental consequences  
4 of a terminal groin at Rich Inlet? 1. Loss of a natural  
5 inlet. 2. Loss of an ecosystem nourishing myriad forms  
6 of life. Case in point: The Wilson's plover nesting  
7 site. 3. Loss of access to public trust waters by  
8 citizens who frequent the inlet for recreational purposes.  
9 4. The aesthetic loss of the pristine beauty of the inlet  
10 and what about the unintended consequences?

11       An example from my experience here at Middle Sound:  
12 In the 60s and 70s as Figure Eight developed, those of us  
13 living on Middle Sound near Mason's Inlet watched the  
14 inlet's rapid movement south as dredging and filling  
15 behind Figure Eight promoted sedimentation in the  
16 Intracoastal Waterway and Howe's Creek.

17       Channels that had been navigable filled in, water  
18 temperature in the creek rose and the daily tidal flushing  
19 of the creek routed water all the way to Wrightsville  
20 Beach and out Masonboro Inlet. This was another  
21 environmental consequence from manipulation of barrier  
22 islands and eventually led to yearly dredging of Mason's  
23 Inlet to save Shell Island Resort.

1           How will the construction of a 505 foot terminal  
2 groin, a shore anchorage section of 955 feet and periodic  
3 beach nourishment fulfill the purpose of the EIS to take  
4 actions that protect, restore and enhance the environment?

5           Residents of the coast are no longer in the dark  
6 about the ecological consequences of hard and soft coastal  
7 engineering and sand mining. That's why the state until  
8 recently banned groins and then succumbed to wealth and  
9 politics when it gave permission for four new hardened  
10 structures in southeastern North Carolina. Just today, it  
11 was reported that the Legislature's Budget Subcommittee  
12 without public notice has inserted a provision that would  
13 eliminate this cap on the number of terminal groins.

14           Over time with the installation of a terminal groin,  
15 Rich Inlet as we know it today will disappear. Arresting  
16 the evolution of our inlets and beaches based on failed  
17 engineering models will be the death knell of our barrier  
18 islands and all creatures great and small will suffer as  
19 the life giving forces of healthy coastal ecosystems are  
20 destroyed. God forbid that any of the plans in the EIS  
21 that include a terminal groin be adopted.

22           MR. SUGG: And I will add one other thing. If you  
23 have written comments and you want to just provide those

1 to me as well, just make sure everything you say is  
2 captured. Feel free to do that as well. Ms. Tracey Bruno  
3 and next is Tyler Evanko.

4 MS. BRUNO: My name is Tracey Bruno and I'm also a  
5 resident of Middle Sound Loop. I like to boat on the  
6 weekends with my family and kayak and paddle board around  
7 Rich's Inlet and over the past several years, I've  
8 appreciated the fact that the sand replenishment on the  
9 north end of Figure Eight has come back.

10 I just want to question who are we to determine the  
11 pathways of the sand on the supposition that the inlet  
12 could generate, could start, a new erosion pattern? I  
13 think it's ridiculous that we would construct such an  
14 unsightly destructive barrier to the ecosystem to change  
15 the habitat structure and I don't think it's our right to  
16 do it. I completely oppose this project. Thank you.

17 MR. SUGG: After Tyler, Jessica Dixon.

18 MR. EVANKO: My name is Tyler Evanko. I was born  
19 here. I've been on the water all my life. Over the  
20 years, I've noticed the sand at Figure Eight is being  
21 replenished. This terminal groin will disturb natural  
22 habitats that we all work so hard to protect and eliminate  
23 the land, the public land, that we all enjoy. I oppose

1 the terminal groin. Thank you.

2 MR. SUGG: Jessica Dixon and then Mike Wilson.

3 MS. DIXON: My name is Jessica Dixon. That's D-i-x-  
4 o-n. I live out here in Wilmington with my family. We're  
5 avid boaters. I have two boys that are four and seven and  
6 are loving and enjoying the natural ebb and flow of the  
7 Waterway and the barrier islands that we have right now.  
8 I majored in Ocean Engineering actually from the United  
9 States Naval Academy so I do have to say "Beat Army." I'm  
10 sorry. I can't help it.

11 MALE SPEAKER: You've got to be respectful.

12 MALE SPEAKER: I'm not from West Point so I won't get  
13 into that.

14 MS. DIXON: All right. We're going to beat you guys  
15 bad. I have an understanding and an education of the  
16 development and the engineering that's taking place and we  
17 have made great strides in how things are being developed  
18 now versus how things were being developed decades ago.

19 However, time and again, we have found that we don't  
20 do that good of a job interfering in nature; that nature  
21 is best left to be on its own to follow, to replenish  
22 itself, to repair itself. Though we are here today, the  
23 time that we've been on earth and the time that we've been

1 here is so minuscule to the age that earth is and the  
2 years that earth has to come.

3         You know, when I look at projects like this and the  
4 precedent that it sets for projects coming forward, I  
5 think about the future of the Waterway for my children  
6 when they're here and they're bringing their kids and  
7 trying to show them. "This is the place where the hermit  
8 crabs live and over here, you can find, you know, the  
9 fiddler crabs and oh, this is a great place to find sand  
10 dollars."

11         When we get in there and muck it up, unfortunately  
12 that changes and though we can have great computer models  
13 that generate all sorts of information, time and again we  
14 find that they don't actually happen that way and they can  
15 have devastating consequences and I believe that at this  
16 time, we need to step back.

17         We can see right now that the sand that's there has  
18 grown in volume since 2006 and looking back at this photo  
19 from 1984, back at that time there was one house down  
20 there and people still chose to build there. Maybe that  
21 wasn't such a good idea but now why should nature have to  
22 pay the consequence of building someplace that is in such  
23 flux with such ebb and flow? I oppose the terminal groin



1 being placed. Thank you very much.

2 MR. SUGG: After Mr. Wilson, Kathy Hannah.

3 MR. WILSON: I'm Mike Wilson. I live on Middle Sound  
4 Loop. The reason I'm here is because I frequently use  
5 Rich Inlet as a place of recreation and I enjoy its  
6 pristine nature and raw beauty. Rich Inlet is probably  
7 the most beautiful area in the southeastern United States  
8 north of Florida. It's not just any inlet. It is a  
9 beautiful place.

10 It's a recreational area for a lot of area residents.  
11 It's not just any recreational area as its pristine  
12 features make it a preferred destination with lifelong  
13 memories. The unspoiled inlet and intertidal areas are  
14 excellent nurseries for all kinds of marine life so  
15 important to our coastline and our ecosystem. The marine  
16 nurseries and recreational activities will be drastically  
17 affected by the terminal groin and permanently affected.

18 What's the deal about the shorebirds? Nesting birds  
19 come here from as far away as South America to stay until  
20 their young are old enough to fly home; usually eight to  
21 ten weeks. Figure Eight Island meets the birds'  
22 requirements in spades. It has over 500 pairs of Least  
23 Terns, the most of anywhere in North Carolina, and those

1 spits where they nest would be gone. Rich Inlet is  
2 designated as a critical habitat for piping plovers that  
3 may require special management consideration or  
4 protection.

5 Non-nesting birds use Rich Inlet as a stopover in  
6 their migration. These birds typically are flying maybe  
7 from the Arctic to South America. They lose half of their  
8 weight between stops. It's critical that they stop in a  
9 safe place so they can forage and Rich Inlet again is  
10 perfect.

11 To summarize, a natural inlet changes over time but  
12 construction of a terminal groin would permanently keep  
13 spits and sandbars from forming, permanently taking public  
14 trust land and permanently removing recreational and bird  
15 habitat.

16 A few landowners would benefit from the elimination  
17 of public trust lands while the birds, marine life and the  
18 public at large would lose. The unintended consequences  
19 even on Figure Eight Island may cause other Figure Eight  
20 landowners to suffer on the south end of Figure Eight as  
21 their oceanfront narrows as a result of the terminal groin  
22 on the north end. The costs, and I'm not talking about  
23 financial, far outweigh the benefits. The terminal groin

1 project should not proceed. Thank you very much.

2 MR. SUGG: And after Ms. Hannah, Mike Giles.

3 MS. HANNAH: My name is Kathy Hannah; H-a-n-n-a-h.

4 First of all, my brother was in the Army Corps of  
5 Engineers as a Civil Engineer so I greatly admire what you  
6 do but unfortunately he was from West Point so we might  
7 have an argument later but that's different.

8 I did not successfully read all 492 pages of this  
9 document but I have gone through it and I would like to  
10 actually use some of the words in the document to address  
11 my concerns. In Chapter 4 on Page 98, it says that the  
12 permit area that you guys are talking about encompasses  
13 4,282 acres and includes a wide diversity of habitats that  
14 support a diverse ecosystem associated with an undeveloped  
15 barrier island system in southeast North Carolina.

16 You guys did a great job writing this report. I just  
17 hope some of it gets re-read. On Page 98 again, it says  
18 that the permit area includes portions of Hutaff Island.  
19 Hutaff Island in your words is one of the few remaining  
20 undeveloped and vehicle-free barrier islands on the North  
21 Carolina coast. In your words, it is the second largest  
22 near pristine barrier island and salt marsh system in the  
23 region. I don't want us to mess with it.

1 Chapter 4 was the most interesting one to me since I  
2 am one of those crazy people who goes out and looks at  
3 birds. I'm not a birder. I have to take a picture and  
4 study it a long time before I can name it but it's the  
5 sheer joy of looking at them. My son practically lives on  
6 Johnny Mercer's Pier fishing. We love being near the  
7 ocean.

8 They said that the undeveloped beaches -- you said --  
9 along Hutaff Island have been identified as the most  
10 important, one of the most important, migratory stopovers  
11 and wintering sites for the critically threatened piping  
12 plover. Now, most people by now are tired of hearing  
13 about these piping plovers but they are endangered. We  
14 can't recreate them. When they're gone, they're gone.

15 I saw that a lot these numbers -- and you have to  
16 deal with the statistics you have -- go back a long way so  
17 I tried to pull statistics from a more contemporary time.  
18 It says between 2010 and 2014, ninety different species of  
19 birds were observed in this area. Twenty-seven, 30  
20 percent, of these species are a conservation concern. You  
21 actually have a chart in your 492-page document that lists  
22 all of the different things that are of concern and they  
23 say over and over here both federal and state threatened,

1 endangered, species of special concern.

2 My worry is who's benefitting from this? In your  
3 Alternative 5D, it says that this would cost approximately  
4 26.18 million under the 2006 conditions which you had to  
5 use because those are the conditions you had to draw this  
6 up. The inflation rate since 2006 has been 18.4 percent  
7 so we're talking a lot of money.

8 My last thing is in Figure Eight Island HOA's reasons  
9 for why they feel this is needed in the document that you  
10 guys handed out, Number 8 says that they feel this groin  
11 is necessary to balance the needs of the human environment  
12 with the protection of existing natural resources.

13 The human environment from what I see on Figure Eight  
14 Island is about 440-some homes; many of them second homes.  
15 I don't see spending all that money. I'm sorry if those  
16 people lose their homes. That's terrible. Nothing  
17 justifies that but nothing justifies losing this land  
18 either.

19 In conclusion, if for some terrible reason this does  
20 get built, I certainly hope that the people living on  
21 Figure Eight Island are going to be paying for it  
22 themselves because they're the only ones that I see  
23 benefitting from it. Thank you.

1 MR. SUGG: After Mr. Giles, Mr. Bob Parr.

2 MR. GILES: My name is Mike Giles; last name G-i-l-e-  
3 s and Kathy, 495 pages. Actually it's 2,200 pages plus.

4 MS. HANNAH: I only read what they put online and at  
5 the time, it was without with Appendices.

6 MR. GILES: My name is Mike Giles. I'm a Coastal  
7 Advocate for the North Carolina Coastal Federation. The  
8 federation actively supports the preservation and public  
9 use of our state's beautiful and productive beaches and  
10 inlets as public trust resources for everyone in North  
11 Carolina.

12 Rich Inlet and its associated beaches and shoals are  
13 some of the most spectacular and productive natural  
14 resources we have in our state. The coastal habitat  
15 provided by this inlet for fish and wildlife is a  
16 protected national treasure. We plan to submit detailed  
17 comments by September 14th in addition to these brief  
18 remarks.

19 Just like the previous draft of this Environmental  
20 Impact Statement that was found by your agency to be  
21 inadequate, the content of this draft under review tonight  
22 is incomplete, flawed and biased. The process used to  
23 develop this draft has resulted in a document that is not

1 compliant with the National Environmental Policy Act nor  
2 with the Federal Endangered Species Act. The draft still  
3 contains a preferred alternative for which the applicant  
4 cannot submit a complete permit application to state  
5 agencies because landowner easements to build the project  
6 on private land have not been obtained.

7       Instead of providing an independent third-party  
8 analysis of potentially acceptable erosion management  
9 alternatives for Rich Inlet, the draft reads like a work  
10 of fiction since the consultants that have publicly  
11 expressed unwavering support for years to build a terminal  
12 groin at Rich Inlet have prepared this document.

13       In short, the document remains internally  
14 inconsistent in terms of the level of analysis of various  
15 alternatives, deficient in its cost and benefit analysis  
16 and contains modeling results that indicate that doing  
17 nothing at the inlet will be just as protective of  
18 oceanfront development as building a destructive terminal  
19 groin.

20       Until the required consultations under the Endangered  
21 Species Act with two federal agencies are initiated and  
22 completed, the acceptability of various project  
23 alternatives is impossible to determine. In fact, once

1 these consultations are done, it will be determined that  
2 the year round value of this critical inlet as a critical  
3 habitat for endangered and threatened birds means that  
4 there is no acceptable construction window in any season  
5 of the year to build a terminal groin at the inlet.

6 In our detailed written comments, we will focus on  
7 these shortcomings. Our comments will explain why the  
8 document is inconsistent with the National Environmental  
9 Policy Act. The proposed project must address a need and  
10 purpose and due to the accretion along the beachfront and  
11 inlet shores, no existing erosion problems will be  
12 addressed by this project.

13 Nature has solved the problem of erosion at the north  
14 end of the island; therefore, the no action alternative is  
15 the best, least destructive and the most cost-effective  
16 alternative. This document contains a preferred  
17 alternative that cannot be built. The applicant has not  
18 secured property rights necessary to build this project on  
19 private property.

20 Inconsistent with the Endangered Species Act.  
21 Required formal consultation with the U.S. Fish & Wildlife  
22 Service and the National Marine Fisheries Service that  
23 should have occurred during the preparation of this draft



1 document has never been initiated. This consultation is  
2 required by the federal rules early in the process so that  
3 wildlife and fishery agencies can provide their biological  
4 opinions about the effects of the project on endangered  
5 species and their habitat.

6 Reliance on the 2006 shoreline and 2007 shoreline is  
7 unsupportable. The EIS inappropriately incorporates the  
8 2006 shoreline in its analysis. The reliance is  
9 inappropriate and unlawful for one key reason: The island  
10 no longer has the same shoreline so the modeling based on  
11 the 2012 shoreline shows that no action is needed. The  
12 Delft 3 Model analysis demonstrates that the model is not  
13 capable of accurately predicting past shoreline changes  
14 much less future changes; therefore, it should not be  
15 used.

16 Our complete comments will be submitted for the  
17 record but we ask that this document be rejected as  
18 incomplete and flawed and that an independent analysis be  
19 prepared to adequately examine the workable management  
20 strategies for the inlet. The federation will continue to  
21 closely watch and evaluate the federally mandated  
22 regulatory review process and any final documents and  
23 permits it ultimately produces. It is our intent to make

1 sure that no final agency decisions are made that cannot  
2 be completely protective of the natural and public trust  
3 resources of Rich Inlet that are protected by federal and  
4 state laws. Thank you.

5 MR. SUGG: After Mr. Parr, Walker Golder.

6 MR. PARR: My name is Bob Parr. I live in Middle  
7 Sound. I've been a resident of Middle Sound for the last  
8 thirty-five years. My comments tonight focus on sand  
9 mining because this project codifies sand mining of Rich  
10 Inlet. Rich Inlet in a more progressive society would be  
11 a national monument. It wouldn't be a sand mine. Figure  
12 Eight has three sources of sand at the present time. They  
13 have Banks Channel, they have Mason's Inlet and now  
14 they're trying to expand and codify the mining of Rich  
15 Inlet.

16 Let's talk about those projects. Banks Channel  
17 originally was a narrow saltwater stream; marsh. If you  
18 look at the natural environment, there are no straight  
19 lines. There are no straight lines. There are no deep  
20 channels that periodically get dredged out every three or  
21 four years. The reason that Banks Channel is repeatedly  
22 dredged is to provide sand for the oceanfront mitigation  
23 projects.

1           Let's look at Mason's Inlet. Mason's Inlet years ago  
2 before the over dredging of Banks Channel was the same  
3 thing. It was not a straight course. It did not have a  
4 straight deep channel but when Banks Channel was over  
5 dredged, Mason's Inlet started to migrate south and then  
6 they had the inlet relocation project and since then there  
7 has been periodic maintenance dredging and mitigation  
8 dredging in Mason's Inlet.

9           Mason's Inlet used to provide clean fresh water to  
10 Howe Creek with natural flushing. Since the inlet  
11 relocation, Howe Creek no longer flushes like it used to.  
12 Our tidal range has changed significantly for the worse.  
13 When the fresh water comes in, the ocean water comes in  
14 from the ocean and you can see it head straight out up  
15 towards Page's Creek and when it goes out, all that water,  
16 all that flushing, comes through Banks Channel and leaves  
17 Howe Creek a stagnant creek.

18           Rich Inlet should not be a sand mine and this  
19 proposal with any other proposal that makes it easier to  
20 dredge in Rich Inlet removes a national treasure. People  
21 come to North Carolina for nature. They come for a  
22 natural environment. Rich Inlet brings more people to  
23 North Carolina than any sand mine.

1           We wouldn't sand mine Holly Shelter. People would be  
2 up in arms and we wouldn't sand mine Hugh MacRae Park.  
3 They'd be up in arms but one of our most valuable natural  
4 treasures, national treasures, is open for periodic  
5 dredging and for that reason, I do not support this.

6           One other thing I'd like to say. The engineer who  
7 has designed this says a lot of things like maybe and  
8 could and we can't predict the future and if we build this  
9 groin, it could sit there buried until needed so there's  
10 no need for this project. There's no documented need for  
11 this project. There's no documented need to mine Rich  
12 Inlet. Thank you.

13           MR. SUGG: After Mr. Golder, it's Mr. John Vorisek.

14           MR. GOLDER: Thank you for the opportunity to speak  
15 on this particular issue. My name is Walker Golder; G-o-  
16 l-d-e-r. I'm Deputy Director of the National Audubon  
17 Society's North Carolina State Office. I'm also a  
18 lifelong resident of New Hanover County and a lifelong  
19 user of Rich Inlet.

20           Rich Inlet is a special place. It's one of the few  
21 natural inlets left in North Carolina. It's one of the  
22 most stable inlets we have along the entire North Carolina  
23 coast according to coastal geologists and it has remained

1 in the same general location for many, many decades.

2 I will quote from a paper in the Journal of Coastal  
3 Research. "Rich Inlet is the only natural stable system  
4 along North Carolina's southern barrier island shoreline."  
5 It's a place that lives up to its name as rich in natural  
6 resources, rich in fisheries, rich in birds and rich in  
7 public trust resources that are enjoyed by thousands of  
8 North Carolinians and it belongs to each and every one of  
9 us.

10 The construction of terminal groins in inlets is  
11 cited specifically in the Federal Register under the  
12 listing of endangered species, endangered species recovery  
13 plans, periodic reviews of those plans and related  
14 conservation plans for shorebirds and other species and in  
15 a huge body of scientific literature as a primary threat  
16 to species like piping plovers and red knots, both of  
17 which are on the federal list of endangered species.  
18 Terminal groins permanently eliminate the habitat that  
19 these birds depend on for survival and this project is no  
20 different.

21 The models are great but we analyzed all the inlets  
22 along the Atlantic coast with terminal groins. There are  
23 about 97 of them. None of them behaved in the manner as

1 described in the SEIS and all resulted in habitat loss for  
2 shorebirds as well as piping plovers and other birds like  
3 terns and skimmers.

4 Rich Inlet is in the NC 11 Critical Habitat Unit for  
5 piping plovers. The construction of a terminal groin on  
6 the north end of Figure Eight Island will permanently  
7 destroy more than 220 acres of habitat that has the  
8 primary constituent elements for piping plovers as  
9 described in the Federal Register.

10 There's the other critically endangered Great Lakes  
11 population of piping plovers with an average of 64  
12 breeding pairs over the past five years. We know that  
13 Rich Inlet supports up to 20 percent of the entire  
14 population and there's no telling how many more stop over  
15 on migration that are not detected by the regular surveys  
16 that occur there.

17 Piping plover populations -- and it's well documented  
18 in the literature -- are extremely sensitive to adult  
19 survival. Adult survival is affected by the quality of  
20 habitat for these birds throughout their entire annual  
21 cycle of breeding, migration and water and there's a  
22 common misconception that piping plovers, red knots or the  
23 dozens of other species that depend on the habitat at Rich

1 Inlet can simply just go somewhere else.

2 The truth is they're already there. These species  
3 have been pushed and pushed away from habitats where they  
4 once thrived and now they're confined to the few remaining  
5 areas of suitable habitat that remains and that's largely  
6 around inlets.

7 The document indicates no indirect or direct impacts  
8 to salt marsh but numerous published papers state  
9 otherwise. A study on the North Carolina coast stated  
10 specifically that the removal of large quantities of sand  
11 for beach renourishment may significantly hasten the  
12 drowning and disappearance of large areas of salt marsh.

13 The document fails to consider the cumulative impacts  
14 of frequent dredging and sand mining at Mason's Inlet in  
15 conjunction with the construction of a terminal groin at  
16 Figure Eight on beaches like Wrightsville Beach on the  
17 down drift side of the beach. It's easy to see at places  
18 like Oregon Inlet and Masonboro Island where the islands  
19 have experienced a major reduction in sand supply and wash  
20 overs that have increased along 80 percent of the island.

21 Lastly, Rich Inlet is a resource for all the people  
22 of North Carolina to enjoy. This project is not in the  
23 public interest and it provides questionable benefit to

1 very few people while harming North Carolina's coastline  
2 and all that enjoy this process. Thank you.

3 MR. SUGG: Next is Janet Dixon.

4 MR. VORISEK: My name is John Vorisek and that's V-o-  
5 r-i-s-e-k. I can't believe all the outpouring of talking  
6 about how we all oppose this and I certainly do too. I  
7 moved to North Carolina just over two years ago. I wanted  
8 to be close to the water. I wanted to be close to the  
9 wildlife and the birds and I bought a house a tenth of a  
10 mile on the land side of Rich's Inlet in Porter's Neck and  
11 one of the things I enjoy so much is just to go out there  
12 and see how nothing has changed and when I did a little  
13 bit of research prior to this, I studied up on it and I  
14 learned that in the last 100 years or so, nothing has  
15 really changed with that inlet.

16 The channel has moved up and down. A little bit of  
17 the shoreline has been changed and then when I hear about  
18 the incredible expense that's going to be spent putting  
19 this in, I think we should put it on hold again. Let's  
20 see what the one on Bald Head Island does and I also agree  
21 that a lot of these models make sense. It all made sense  
22 when you showed it to us but I'm not so sure it's the  
23 right tack to take and I do enjoy the birds and I would



1 not like to see their habitat changed or wrecked. I'm not  
2 a very good public speaker but I just wanted to voice my  
3 opinion so thank you all.

4 MR. SUGG: After Ms. Dixon is Mr. Bill Haines.

5 MS. DIXON: My name is Janet Dixon and I'm also not a  
6 very good speaker but I really wanted to let you know that  
7 my husband and I moved here to Hampstead in June of 2000  
8 and our house is almost exactly between Topsail and Rich  
9 Inlet on Mill Creek and we're fortunate enough to have  
10 waterfront property where we're able take the creek to  
11 Rich's Inlet and we're avid boaters out in that area.

12 We moved specifically there for the quality of this  
13 completely natural inlet. The trend we've noticed is that  
14 it's building back up sand on Figure Eight. The dunes are  
15 getting larger and there's actually vegetation on them.  
16 The islands in the middle of the inlet now have nesting  
17 sites that are sanctioned off for the seabirds and the  
18 state, you know, routinely protects them.

19 Why is it at this particular time necessary to  
20 construct this terminal groin? As you know, there are  
21 beautiful houses on the north end and I'm sure that they  
22 were aware of the risks of owning this property in this  
23 environment. My family also has a house out at Emerald

1 Isle and people know the risks. It's the price that you  
2 pay for having such a wonderful place.

3 I understand that there's no way to understand what  
4 will happen with the effects of the long-term groin but  
5 I'm not willing to take those at this time and I sure hope  
6 that you take careful consideration on this project and  
7 that it's in the best interest of the public at large and  
8 not for just a few homes on the north end of Figure Eight  
9 Island and I appreciate your time.

10 MR. SUGG: After Mr. Haines, we have Beau Edmund  
11 McCaffray.

12 MR. HAINES: Good evening. My name is Bill Haines.  
13 I live in Hampstead, North Carolina, up in Washington  
14 Acres. My reason for coming here this evening and  
15 addressing this EIS plan has to do with that habitat  
16 that's up there. We're all up here talking about the  
17 habitat but there is an army of people that live here that  
18 work every day to protect it.

19 I'm not really sure what's in that plan to validate  
20 what we do but I have two kids. They won the Volunteer of  
21 the Year Award for our county for the work that they did  
22 at the island to actually protect those animals.

23 The presentation we saw this evening was a joke to go

1 ahead and say that. I can say that. I do appreciate the  
2 Delft 3 Model that is going to let everybody here see. As  
3 you showed, if that groin was dropped there this evening,  
4 in five years it shows that channel per what he presented.  
5 I'm not sure if it's in the EIS plan but it did show that  
6 channel washing away on that south end. We saw it for two  
7 seconds and clicked right past it so my only question and  
8 comment that I really have for you is how does your EIS  
9 plan actually address the future that we're going to be  
10 looking at? Not those nineteen homes that are listed in  
11 that package there. Thank you.

12 MR. SUGG: After McCaffray is Mr. Carson Wood.

13 MR. McCAFFRAY: Good evening. My name is Beau  
14 McCaffray and McCaffray is spelled M-c-C-a-f-f-r-a-y. I  
15 appreciate the opportunity to speak to you tonight. I'm  
16 a resident of Middle Sound for twenty-four years and I'd  
17 like to say that the pristine nature of Rich Inlet is  
18 important to my quality of life and, therefore, I'm not in  
19 favor of any project that will compromise the pristine  
20 nature of that inlet.

21 I guess the most frightening part of this proposal to  
22 me is that suppose you went ahead with this project as  
23 planned and it didn't work? The question immediately

1 comes does that mean you pull out those sixteen thousand  
2 tons of rock because it failed to work? I don't think so.  
3 I think they'll be left there.

4 Tom Jarrett mentioned that eventually the terminal  
5 groin would be needed to prevent erosion and yet the  
6 residents as I understand this document have a five-year  
7 window where they need protection immediately. Another  
8 issue I have is that he mentioned the nineteen waterfront  
9 residential structures that are temporarily protected by  
10 sandbags and remnants so I would expect that with this  
11 project of the terminal groin, these sandbags would be  
12 pulled out as they would no longer be needed.

13 And finally, the length of the terminal groin. It's  
14 referred in this document that there's a thirty-year study  
15 period so I'm assuming that the terminal groin has a  
16 greater life than thirty years and yet it's only going to  
17 be maintained for, it looks like, five or ten years every  
18 other year so I'm not in favor of this project. Thank  
19 you.

20 MR. SUGG: After Mr. Wood is Sondra Vitols.

21 MR. WOOD: Hi, I'm Carson Wood. I'm a biologist with  
22 the Coastal Planning & Conservation group. I'm here to  
23 express concerns that we will further go through in our

1 written statement regarding the threatened and endangered  
2 species impact on this area but also on the species that  
3 utilize Rich's Inlet such as the American eel which is a  
4 species that's going to be coming up for review by the  
5 Fish & Wildlife Service. I'm also concerned that the Fish  
6 & Wildlife Service has not been engaged for a biological  
7 assessment at this time. I'll keep my remarks short.

8 Thank you.

9 MR. SUGG: Is Miss Sondra here? Next would be Whit  
10 Kelaya.

11 MS. VITOLS: Hi, I'm Sondra Vitols. The last name is  
12 spelled V as in Victor, i as in Indiana, t as in tango, o  
13 as in Oscar, l as in lima and s as in sierra and yes, that  
14 comes from spending a lot of time on boats. Those are  
15 known as call letters.

16 I'm fortunate to have been a lifelong resident here  
17 on the coast. My family bought a place on the water on  
18 the land side of Rich Inlet in the early 1960s and some of  
19 my earliest memories involve boating there, fishing there  
20 and enjoying the wildlife and I can recall when the only  
21 development on the north side of Figure Eight was an  
22 abandoned bootlegger's still, you know, much to the  
23 enjoyment of myself and my friend that I grew up with

1 here.

2 I will say that, you know, throughout my life which  
3 has involved living actually even in different countries,  
4 I've always welcomed coming back to my home here and being  
5 able to go out and boat and fish on Rich Inlet throughout  
6 the seasons, you know, be it for gray trout in the winter  
7 or, you know, Spanish mackerel and flounder in the summer  
8 and so forth.

9 Also I'm very aware of the migratory patterns of the  
10 terns that come through here as well as the piping plovers  
11 and throughout my life, you know, there's been no issue  
12 with the inlet migrating. Again, you know, some of the  
13 local residents will recall that depending on where the  
14 channel is, you will or will not see the wreck of the  
15 Baldaro (phonetic) and it is an amazing resource for the  
16 people of North Carolina and not just us who've been  
17 fortunate to live here and enjoy it given its beauty, its  
18 pristine ecosystem and I think what it holds for the  
19 future there.

20 While I appreciate the concerns of the property  
21 owners on Figure Eight, to me it seems very shortsighted  
22 given some of the uncertainty around the impact of a  
23 terminal groin even working properly given some of the

1 deficiencies in the model and I am a trained scientist  
2 originally so I can appreciate the variability involved in  
3 such complex modeling.

4 To me the trade-off is between potential disruption  
5 of this ecosystem and depriving the public trust use of  
6 this land or at a minimum impeding it by the amount of  
7 dredging that will be involved in creating the terminal  
8 groin and maintaining it relative to the potential  
9 benefits to a few houses with owners who clearly should've  
10 appreciated the risk of putting very expensive structures  
11 on essentially a shifting sandbar which all of these  
12 islands are so for these reasons, I am opposed to it and I  
13 would hope that this process will look further at the  
14 environmental impact relative to the potential benefits  
15 that this groin may provide for a few of the property  
16 owners on the north end of Figure Eight. Thank you.

17 MR. SUGG: Next is Matthew McIver and then after  
18 Matthew is Ned Glascork. Matthew.

19 MR. McIVER: I wasn't queued up.

20 MR. SUGG: Pardon me?

21 MR. McIVER: I said I wasn't queued up.

22 MR. SUGG: Oh, I'm sorry. Yeah, Mr. Whit left us.

23 MR. McIVER: My name is Matthew. I'm trying not to

1 talk too loud. I usually talk loud. My name is Matthew  
2 McIver; M-c-I-v-e-r. I'm an Aquatic Scientist at UNCW and  
3 although my training is not formally in inlet science, I  
4 have had formal training in what's called critical  
5 scientific review.

6 COURT REPORTER: I'm having trouble hearing you.  
7 Speak up.

8 MR. McIVER: What's that?

9 COURT REPORTER: I'm having trouble hearing you  
10 believe it or not.

11 MR. McIVER: Okay, sorry. I just didn't want to blow  
12 everybody out.

13 COURT REPORTER: Please do.

14 MR. McIVER: Okay. In looking at this, my interest  
15 is as a resident here as well as a scientist in looking at  
16 a scientific review. I would hope that you folks would be  
17 interested in an Environmental Impact Statement that would  
18 actually reflect real science, okay, and let me be clear.  
19 Real science is science that is peer reviewed, okay.  
20 Anything other than that is a report. It's a preference  
21 based on something that somebody has gotten paid to do,  
22 okay. It's not real science.

23 In looking at this impact statement, the most



1 disturbing part of this is the lies of omission, okay.  
2 That is when real science is not used in order to further  
3 your point. In a true unbiased situation, all science  
4 would be considered and would be put into that. It's  
5 pretty embarrassing in this study of the lack of true  
6 science if it is there for anyone to find. If I can find  
7 it, pretty much anyone can find it, okay.

8 Most of the stuff in here that's purported as science  
9 are reports from paid consultants. That is not science,  
10 okay, and I want to make everyone else in here very aware  
11 that 100 percent -- 100 percent and I can prove this if  
12 anybody disagrees. 100 percent of the scientific studies  
13 show that a hardened structure in an inlet will do two  
14 things very well and again very well.

15 They're going to cost lots of money. They're going  
16 to continue to cost lots of money years afterwards and  
17 they are going to destroy the natural state of the inlet.  
18 If this jetty gets built, believe me, it will destroy  
19 Rich's Inlet and the science shows that so thank you.  
20 Hopefully you will take that to heart and hopefully this  
21 will be rejected as a disgraceful document. Thank you.

22 MR. SUGG: The last one we have signed up, I think,  
23 is Martin Evans. No Martin. That's all that's on our

1 list. Is there anybody else that would like to...

2 MR. ROBBINS: Good evening. My name is Charles  
3 Robbins; R-o-b-b-i-n-s. I live on Middle Sound Loop and  
4 work in the capacity of several conservation groups here  
5 and on that 26 million dollars, if we could split that up  
6 and re-allocate it, we could put in the next two rock arch  
7 rapids in front of Lock and Dams 1 and 2 and assure the  
8 conservation of a shed for the sturgeon and the striped  
9 bass which would help tens of thousands of people instead  
10 of eleven.

11 One of my favorite philosophers who was an officer of  
12 the Federation said as he was dying "The wants of the few  
13 should never outweigh the needs of the many." That was  
14 Captain Spock. It is so true. It is so true and I know  
15 that with the Corps with the Cape Fear River Watch, we are  
16 so blessed to have a retiree from the Corps to be working  
17 with us. He and I now understand the mounds of paperwork  
18 that you are about to write up here.

19 I live on the loop and one of the first speakers  
20 talked about when Figure Eight was developed, the impact  
21 of what they did in the archways behind Figure Eight  
22 ruined Page's Creek and Howe's Creek. Page's Creek  
23 stopped flushing. Once it stopped flushing, the grasses

1 started growing and once the grasses started growing,  
2 there was more sediment. It's a growing thing, you  
3 understand, and the Corps has to do what it has to do but  
4 the Endangered Species Act should be enough to stop this  
5 and I hope it is but again remember Spock. Thank you.

6 MR. SUGG: Next.

7 MS. ADDISON: Hi, there. My name is Lindsey Addison,  
8 A-d-d-i-s-o-n, and I also am proud of North Carolina. I'm  
9 a Coastal Biologist and I wasn't planning on speaking  
10 tonight. My boss is pretty eloquent and he said pretty  
11 much everything I wanted to say but there was something I  
12 was thinking about. As I was standing here listening to  
13 everyone else talking, I thought "You know, people are all  
14 telling their personal stories about how much Rich Inlet  
15 means to them."

16 I'm from the 10,000 Islands down in southwest Florida  
17 so I've been on the coast in Florida. I've been on the  
18 coast in South Carolina and Georgia and I've been to Rich  
19 Inlet and the next best place where you find waters as  
20 beautiful and pristine as Rich Inlet is the Florida Keys  
21 and the 10,000 Islands.

22 It really is a special place and I just want to add  
23 my statement to that but the story I want to tell you

1 about and a personal experience I'd like to share with you  
2 is little yellow bluebird. She's a piping plover. She  
3 nests in Sleeping Bear Dunes National Lakeshore up in  
4 Michigan and she wears little colored bracelets on her  
5 legs. Some of them are yellow and blue and she's got an  
6 orange flag and that means she's from the Great Lakes  
7 piping plover population.

8 That means she's one of between sixty-five and  
9 seventy breeding pairs so there's about 140 tops breeding  
10 adults in this population. It is highly threatened. They  
11 are climbing back from a low of about twenty pairs.  
12 They're working really hard to do well up in the breeding  
13 grounds protecting their nests and when those birds leave  
14 in July and August and come south -- and she's coming from  
15 Michigan -- they don't stop over in Ohio or Tennessee.  
16 She's coming all the way to the coast.

17 She needs somewhere to land. She needs somewhere to  
18 find food. She's increased her body weight perhaps by as  
19 much as half to make that flight. She gets here and she  
20 needs to eat. She needs the intertidal shoals, low energy  
21 intertidal shoals, to eat and that's what she finds at  
22 Rich Inlet. She's been coming here every year since 2007.

23 I haven't been working here that long. I only got

1 here in 2011 but I've seen her every year though and I can  
2 take you to that inlet tomorrow. I can take you to that  
3 inlet on September 15th. I can take you to that inlet on  
4 October 30th.

5 I do the surveys. Carlene Schoen is in the back.  
6 She does the surveys. A colleague Tara McIver can't be  
7 here. She does the surveys. There are other people who  
8 have done these surveys over the years and we've found  
9 these birds. I can take you on any day of the week and I  
10 can show you that bird at that inlet. That is her inlet.  
11 We've never seen her at another inlet.

12 There are twenty-six Great Lakes piping plovers that  
13 we've documented in the past five years using that inlet.  
14 They need that inlet whether they're stopping over,  
15 refueling, building more body fat so they can get on to  
16 their next wintering ground, whether that's in Florida, my  
17 home state where I grew up, where I was born and raised or  
18 whether that's in the Bahamas where everybody wishes they  
19 could be in January. She needs that. Those other birds  
20 need that.

21 This is a critical habitat for piping plovers for a  
22 reason. Half of the foraging habitat in Rich Inlet is on  
23 Figure Eight Island. All of that would be removed by the

1 terminal groin. Nature will take that away too and nature  
2 will give it back. It comes and goes. You can go on  
3 Google Earth. You don't have to be an expert to see.  
4 That spit grows up, breaks down. Hutaff grows, breaks  
5 down.

6 That terminal groin will do the exact opposite of  
7 nature. It will take it away forever. Little yellow  
8 bluebird. She's lucky if she's going to live to be ten  
9 years old. In the time I've been monitoring her, I know  
10 from talking to the folks, the biologists, up in Michigan  
11 that she has produced at least five fledglings. Probably  
12 more because I don't get her productivity stats for every  
13 year. I wish I had but I hope that her children or her  
14 chicks or whatever you want to call her little bird babies  
15 -- whatever you want to call them, I hope her progeny are  
16 able to come to Rich Inlet and get what they need and grow  
17 that population, that endangered Great Lakes piping plover  
18 population, back to sustainable levels.

19 They're not there yet. They still haven't hit their  
20 goal. If we take away their wintering habitat, if we take  
21 away their stopover habitat, they will never make it back.  
22 We will lose those birds. They need Rich Inlet. They  
23 need places like that. There are vanishingly few of them

1 left and Rich Inlet is critical to their survival so I  
2 care about the species.

3 I don't want to lose piping plovers. I don't want to  
4 lose that population of piping plovers. I care about the  
5 individual birds too because I've seen them. If you guys  
6 want to come and see little yellow bluebird or any of her  
7 little bird buddies, I can show them to you any day of the  
8 week.

9 They are on that island every single day. They use  
10 the crap out of it because it is a great habitat and that  
11 is what we would lose; half of the piping plover foraging  
12 habitat in Rich Inlet plus a lot of their roosting  
13 habitat. That's where they go to rest after they have  
14 stuffed themselves silly on little pollykeets down in the  
15 intertidal. That's what we would lose if that terminal  
16 groin goes in and it's not right on a moral level and it's  
17 not right in accordance with the Endangered Species Act.

18 Thank you very much for your indulgence and if you  
19 want to come see little yellow bluebird, please tell me.  
20 I would love to show you the birds. Whether you agree  
21 with me or not, I get such a kick out of birds. Thank you  
22 very much for your time.

23 MR. SUGG: Anybody else? Yes, ma'am.

1 MS. SARGENT: Hi, I'm Dana Sargent; S-a-r-g-e-n-t. I  
2 kind of came here to learn what this is all about a little  
3 bit more than just what I read. The original presentation  
4 kind of was enlightening but then it confused the heck out  
5 of me because it showed that nature is already doing the  
6 job.

7 It showed that in five years, it's washing away one  
8 side and it's building up that side again in five years so  
9 if the science is already proving that -- and the report  
10 showed it -- why would we make any effort to change that?  
11 That's just something that I'm just thoroughly confused  
12 about so if anybody wants to help me understand that, I  
13 would love to hear it.

14 Then too, I think everybody here has talked about the  
15 environment, for the case of the environment, and I just  
16 wanted to point out that everybody so far that has spoken  
17 has proved that we should also be considering the  
18 environment in terms of its economy and we know that our  
19 Legislature listens to money, right?

20 Everybody here has talked about "I moved here for  
21 this nature. I pay my tax dollars for this nature. I  
22 bring my friends here to tour this nature and I work here  
23 for this nature." I just wanted to bring the economy into



1 this conversation because it's not the environment versus  
2 the economy. It's the environment is the economy. That's  
3 it. Thank you.

4 MR. SUGG: Yes, sir.

5 MR. STUDER: My name is Steve Studer; S-t-u-d-e-r. I  
6 live in Scotts Hill. I've been there twenty-seven years.  
7 I've been in and out of Rich's Inlet quite a bit. I used  
8 to fly. For ten years, I flew a powered Paraglider all  
9 over this area throwing candy at the kids. I was known as  
10 the Flying Candy Man. I fed candy to all the kids.

11 I have hundreds of photographs of that area and yes,  
12 that channel moves back and forth and I've got some pretty  
13 nice photos of the wild tharrow (phonetic) and my question  
14 is on the 26 million. Is that what it was? Is that what  
15 we're predicting? 26 million is what this is going to  
16 cost? What's the primary reason for this? Is this to  
17 save the environment or to save some houses? What's the  
18 reason for putting this thing in the ground? Is it that  
19 we're saving something? What are we saving? Can somebody  
20 answer that?

21 COLONEL LANDERS: Sir, this is not a question and  
22 answer session.

23 MR. STUDER: Oh, okay.

1 COLONEL LANDERS: You can make whatever comments you  
2 would like to make.

3 MR. STUDER: Oh, okay. Well, I don't see that it's  
4 saving anything except some houses so I mean once you've  
5 bought your ticket, you take your chance. You know, it  
6 doesn't make sense to me.

7 MR. SUGG: Anyone else?

8 (No response)

9 MR. SUGG: The Colonel can close this out but just to  
10 reiterate, the commenting period ends September 14th. My  
11 e-mail address as well as the mailing address is there so  
12 whatever route you want to take, feel free to do so.

13 COLONEL LANDERS: Thank you all for your patience,  
14 your indulgence, your respectfulness. This is part of the  
15 process. If you have additional comments, we'd love for  
16 you to send those in. They will be part of this overall  
17 process. Thank you very much.

18 (Whereupon, the proceedings were  
19 concluded at 8:15 P.M.)

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1 STATE OF NORTH CAROLINA )

2 COUNTY OF NEW HANOVER )

3 CERTIFICATION

4 I, PETER BROWNE RUFFIN, III, Notary Public, Court  
5 Reporter and President of AURELIA RUFFIN & ASSOCIATES,  
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21 District Engineer, US Army Corps of Engineers, Wilmington  
22 District, 29 Darlington, Avenue, Wilmington, North  
23 Carolina 28401.

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This the 17th day of September, 2015.



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Notary Public, #19971470080

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