



**US Army Corps
of Engineers®**
Wilmington District

MCAS Cherry Point Offshore Sill & Living Shoreline (Regulatory)

- **Project proposal is to install shoreline stabilization measures along eroding shoreline at MCAS Cherry Point, North Carolina. The project proposes to use Living Shoreline techniques in the form of rip rap sills to accomplish stabilization goals.**
- **Current concerns are related to coordinating modifications to the project design to address resource agencies concerns and the applicant's preferred alternative is not the least damaging and practicable alternative (LEDPA) based on project purpose/need. Ultimately, we are not at a point to issue a permit and will likely not be for several more months.**

CONGRESSIONAL DISTRICT: NC 3

DATE: 01 APRIL 2022

1. **PURPOSE:**

To stabilize an eroding shoreline by placing a 12,036 linear foot rip rap sill approximately 15-30 feet waterward from the normal water level/shoreline which would result in 4.14 acres of open water fill on the Neuse River for the sill construction.

2. **BACKGROUND:**

- a. Project discussions have been ongoing since July 2020 in which an interagency meeting was held with the applicant to discuss the concerns with their proposal which at the time was for the same sill but included 10-acres of back fill into the Neuse River with sand. In June 2021, an Individual Permit application was submitted proposing a similar sill design with 6.81 acres of open water back fill behind the sill with sand. The initial application submitted was determined incomplete and an extensive list of items that needed to be addressed was provided to the applicant in July 2021 several of which are still the focal point of discussions and concerns at this time.
- b. Ultimately, the applicant modified their plans to reduce impacts and resubmitted their application which was determined complete in November 2021 and a Public Notice was issued with a comment deadline of December 25, 2021. The Public Notice comments and Corps concerns/additional information needed was provided via letter dated January 31, 2022.

PROJECT INFORMATION – MCAS Offshore Sill and Living Shoreline, Cherry Point, NC
(Regulatory) – Continued

- c. The concerns relayed to the applicant were related to maintaining hydrologic connectivity and aquatic passage impairment from the current design which could be modified to address the resource agencies concerns. There is also the likelihood of SAVs (submerged aquatic vegetation) in the project area which need to be determined as required through consultation with National Marine Fisheries Service (NMFS) as part of compliance with the Magnuson-Stevens Act. We also outlined the need for an adequate alternatives analysis to include selection criteria so that we can evaluate if their preferred alternative is the LEDPA. The applicant provided a response to our comments on February 9, 2022.

3. CURRENT STATUS:

- a. RG-Washington is currently coordinating with the resource agencies on the applicant's response specifically regarding the determination on how critical it is for the suggested design changes and if surveys would be needed for SAVs. We are also internally coordinating our response to the inadequate alternative analysis and the need for the applicant to provide additional information so that we can complete our 404 b (1) guidelines analysis as part of our Statement of Findings for Environmental Assessment.
- b. Also note that there are still outstanding consultation issues and approvals needed before we can complete our review/issue our permit. Coordination with NMFS (Protected Resource Division) for federally endangered Atlantic Sturgeon is being initiated and must be completed prior to permit issuance. An Individual Water Quality Certification from Division of Water Resources has not been received yet for this project and our permit cannot be issued until this is received. Although MCAS Cherry Point is the lead federal agency, they have not initiated this coordination with NMFS for Atlantic Sturgeon so the Corps will begin that process in an effort to assist the applicant on a required action item.
- c. Additional concerns that may be raised are related to project funding and concerns over the potential to lose this funding due to the time it has taken for the applicant to secure the proper permits/approvals.