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Darryl Mills, Mayor
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Testifying before the United States House of Representatives Committee on
Natural Resources Subcommittee on Water, Wildlife and Fisheries

H.R. 524 to amend the Coastal Barrier Resources Act to create an exemption for
certain shoreline borrow sites

May 10, 2023

Chairman Bentz, Ranking Member Huffman and Members of the Subcommittee:

My name is Darryl Mills and I am the Mayor of the Town of Wrightsville Beach, North Carolina (the Beach). The Beach is a municipality incorporated under the laws of the State of North Carolina. I am a resident of the Beach and have been for a majority of my life including the last almost 30 years.

Thank you for the opportunity to appear before the Subcommittee today. While I am here officially in my capacity as Mayor of the Beach, I can confidently state that I am also speaking for the thousands of nearby residents and tourists that visit our beautiful beach annually.

I am here to voice my support and that of my constituents for H.R. 524 to amend

the Coastal Barrier Resources Act (CBRA) to create an exemption for certain shoreline borrow sites.

BACKGROUND

CBRA was enacted in 1982 with the primary dual purposes of limiting federal funding relative to activity in certain protected zones and attempting to protect natural resources within those zones. Pursuant to that, the United States Army Corps of Engineers (the USACE) has conducted certain storm damage reduction activities at the Beach using an immediately adjacent borrow site to procure compatible sand to replace sand washed away by storm activity. The most recent interpretation of CBRA has prevented the continued use of this historical borrow site. The proposed exemption pursuant to H.R. 524 would reinstate the use of the historical borrow site.

The Beach is a beautiful beach town located on the Southeastern coast of North Carolina. The Beach has served as a primary economic driver for eastern North Carolina and the State as a whole. The Beach has also provided critical protection for coastal infrastructure, property and human life by serving as a buffer from hurricanes and other coastal storms. Maintaining the Beach from the damage resulting from hurricanes and other storms has occurred through the implementation of coastal storm damage reduction activities commonly referred to as “beach nourishment events” or “beach nourishment” that consist of placing compatible sand on the beach proper and maintaining berms or dunes located thereon.

For approximately 50 years these coastal storm damage reduction projects have occurred under the direction and guidance of the USACE. The USACE has planned, designed, engineered and supervised the placement of compatible sand onto the Beach. This compatible sand has come from a borrow site which was originally selected and approved by the USACE. The borrow site for the Beach is located in Masonboro Inlet (the borrow site) which connects the Atlantic Ocean to the sound and lagoon areas surrounding Wrightsville Beach and then further connects to the Intracoastal Waterway. Masonboro Inlet runs along the southernmost end of the Beach.

This borrow site has been used numerous times as the Beach has been on a 4 year cycle for beach nourishment events since the initial authorization in the 1960s. Please note that many other beaches are on 3 year cycles. The borrow site functions as a source of recycled sand that migrates from the Beach and nearby islands in accordance with natural sand migration processes. The borrow site's proximate location to the Beach expedites the entire beach nourishment process and serves to keep the costs down—one of the stated goals of CBRA.

Moreover, in the approximately 50 years of this beach nourishment activity there has not been any discernable prejudicial effect on the quality of water nor on the wildlife or marine life that inhabit the surrounding area. Evidence of this is that the area is a popular spot for fishing. Further evidence that the beach nourishment activities using the borrow site do not harm the environment is that for many years the Audubon Society has maintained a migratory bird sanctuary at the Beach. The Beach has cooperated fully with the Audubon Society in this endeavor and indeed has allowed a huge tract of land to be used for that purpose.

The result is a logical, efficient, properly functioning recycling system of compatible sand for the Beach while helping to maintain the viability and navigability of Masonboro Inlet which is an access to the Atlantic Ocean for commercial and recreational purposes. Of additional interest is that the United States Coast Guard has a station located in the immediate area and has a clear need of maintaining the navigability of the inlet and sound.

In addition, the USACE performs an economic analysis to ensure the prudent expenditure of federal funds in furtherance of beach nourishment events. The Beach has consistently been determined to display a return on investment greater than the vast majority of beaches and inlets receiving similar funding and the Beach well exceeds the minimum required return to garner approval of funding.

Present situation:

Notwithstanding the above, the latest interpretation of the CBRA statute by the Department of the Interior has resulted in the USACE and the Beach not being

able to continue to use the historically efficient borrow site and instead go miles offshore to attempt to find compatible sand for beach nourishment.

Having to go offshore flies in the face of the stated goals of efficient use of federal funds and environmentally sound decisions. While common sense immediately tells you that procuring sand from just yards away from the southern end of the Beach has to be less expensive than going offshore miles away, the preliminary estimates indicate easily doubling or even tripling the historical cost of a single beach nourishment event. For example, for the last beach nourishment event which in 2018, the total cost was approximately \$11.9 million. While no official bids have been tendered as the project using the offshore borrow site has not been placed on the street for bid, the available information from marine contractors is that the cost will at a minimum be in the \$25-30 million range and possibly higher once all factors are considered.

The environmental impact utilizing the offshore site is no better than the historical borrow site as there has been little to no discernable impact on the environment from use of the historical site as explained above. Plus, using the historical borrow site would continue the recycling of proven compatible sand and does not require mining the ocean floor where there would be little to no natural recycling of sand involved. Clearly, transporting the sand from miles offshore involves using much greater energy resources.

In contrast, given the substantial financial savings and the negligible, if any, impact on the surrounding ecosystem, including but not limited to marine life and migratory birds, the use of the historical borrow site as designed by the USACE has proven to be the most cost effective, ecologically sound method to protect the Beach including infrastructure, property and human life from the damages of coastal storms.

H. R. 524

Congressman Rouzer's H.R. 524 proposes that certain borrow sites be exempted if these sites have been used by a coastal storm risk management program for more

than 15 years.

The historically used borrow site by Wrightsville Beach would qualify as all storm damage reduction activities have been pursuant to the program directed and supervised by the USACE and have been so for more than 15 years.

With this exemption, the federal government and the Beach could save an enormous amount of money versus using an offshore site. In the process, the federal government and the Beach could be confident of compliance with the environmental concerns raised in CBRA. In sum, the USACE and the Beach can achieve the primary goals of CBRA,

I respectfully request that you support and approve H.R. 524. You can do so with the knowledge that you are, in fact, adhering to and meeting the goals of CBRA both in spirit and fact.

Thank you for your consideration.

Sincerely,

Darryl Mills