

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Jerry Heid  
Tom Leonard  
Richard Peters



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, October 3, 2019 6:30 P.M.**

**Attendees: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Heid, Leonard and Peters (remotely); Town Manager Chadwick; Town Attorney Edes; Town Clerk Oxley**

### **I. Call to Order**

Mayor Tuman called the meeting to order at 6:30 PM.

Mayor Tuman stated that a board member was attending remotely via phone. He asked the member to announce his name and assert his reason for attending remotely. Alderman Peters asserted his request to participate for reasons of illness. Mayor Tuman previously approved the request.

### **II. Invocation**

Alderman Heid led the attendees in an invocation.

### **III. Pledge of Allegiance**

Mayor Tuman led the attendees in the Pledge.

### **IV. Approval of Agenda**

Mayor Pro Tem McDermon made a motion to accept the Agenda with a few amendments. She asked that the Comprehensive Transportation Plan be removed as requested by the consultants who made the initial request. She also asked that an additional budget amendment be added as requested by staff. Alderman Heid seconded. The Motion passed unanimously, 5-0.

**\*There are attachments to the minutes.**

**V. Manager's Report**

Town Manager Chadwick presented his report. It is attached.

Alderman Benson stated that he reluctantly makes the Motion to accept the Town Manager's resignation that will end his employment on December 31, 2019. Alderman Leonard seconded. The Motion passed 4-1, with Alderman Peters voting in the negative.

Alderman Heid asked about townhall and its progress. The Town Manager explained that the Town did receive some insurance money. The engineer hired by the Town, Mr. Jim Stumbo, created two scenarios to present to the Board. The Board can restore town hall as is or it can expand the footprint. Those proposals will be presented soon. Regardless, the Town is moving forward with placing a metal roof on the building.

Alderman Heid asked about the town park. The Town Manager stated that he believes the project will be complete by January.

**VI. Open Forum- 3 minute limit**

Mr. Larry Baldwin was acknowledged by Mayor Tuman. He spoke on behalf of the River Watch organization. He wanted to introduce himself and offer any environmental services that his organization can offer. He also applauded the Board for their recent adoption of the resolution to oppose offshore drilling and seismic testing. He thanked them and offered services if needed in the future.

Mr. Jonathan Elliott was acknowledged by Mayor Tuman. He stated an issue on the northern end of the Town at the intersection of New River Inlet Road and Seagull Lane. Mainly, the intersection is missing stop signs. People are driving too fast. He asked the Board to add stop signs and pedestrian crossing signage; he also asked that the Board consider changing the speed limit.

Mr. Mark Barefoot was acknowledged by Mayor Tuman. He believes that there are more issues to consider than just speeding and more solutions to consider than just signage. For example, speedbumps on Seagull Lane could be beneficial too. Mr. Barefoot suggests that a committee be formed on this issue.

**VII. Public Presentations and Hearings**

**A. Resolution of Appreciation- Hampton Inn**

Town Manager Chadwick spoke of the positive interaction between the Town and Hampton Inn staff. He read the Resolution to express the Town's gratitude. Unfortunately, no one from the Company could be present to receive.

## **B. Coastal Engineer Proposal**

Town Manager Chadwick presented the proposal from ATM. It is attached. He recommended to the Board that they approve and move forward with the Plan. Previously, the Board asked for measures to ensure rock remediation and requested a particular dredge method. These issues have been addressed.

The Mayor stated that at the next special meeting, he would like to discuss expediting the Florence phases 2-4 project so that it can be completed “on the heels” of the Matthew truck haul restoration project. Finance Officer Brothers advised that FEMA has not yet approved these projects. The Town’s materials have been submitted, but the process is still ongoing.

Mayor Pro Tem McDermon made a motion to approve the engineer proposal as presented. Alderman Leonard seconded. The Motion passed 5-0.

## **VIII. Consent Agenda**

- A. Approval of Minutes ([September 17, 2019](#))
- B. Department Head Reports
  - 1. [Finance Department](#)
  - 2. [Fire Department](#)
  - 3. [Inspections Department](#)
  - 4. [Planning Department](#)
  - 5. [Police Department](#)
- C. Committee Reports
  - 1. [Planning Board](#)
  - 2. [Board of Adjustment](#)
  - 3. TISPC ([link to minutes](#))
  - 4. ONWASA ([link to minutes](#))
- D. [Ratify Poll](#)
- E. [Property Tax Refund](#)

Mayor Pro Tem McDermon made a motion to approve the Consent Agenda as presented. Alderman Heid seconded. The Motion passed unanimously, 5-0.

## **IX. Continuing Business**

### **A. Revetment Committee Update and Possible Action**

Alderman Benson provided an update. Alderman Benson made a motion to substitute Arendall Engineers in place of the previously approved engineer, Mr. Greene. Mayor Pro Tem McDermon seconded.

The Mayor asked if there were any points of discussion. Mayor Pro Tem asked the Town Attorney if the motion carries, what are the next steps? The Town Attorney explained this would give the Town Attorney the authority to negotiate a contract to bring to the Board for its consideration. For the public's background, the Town Attorney explained that the previously appointed firm has been nonresponsive.

Mayor Tuman called for a vote on the Motion. It passed unanimously, 5-0.

## **B. Hurricane Preparedness Plan**

### **1. Approval of Minutes from Emergency Meeting Beginning September 4, 2019**

Alderman Benson asked for clarification from Alderman Leonard as to the intent of a motion he made at the Emergency Meeting. The Motion was recorded to eliminate Alderman Benson's "comments." Alderman Benson's interpretation of "comments" was the questions he raised rather than his affirmative corrections. He believed his questions were removed for the reason of expediting the plan. Alderman Benson cited examples of revisions he made that were not comments, such as grammatical edits and adding Pender County when simply stating Onslow County was not sufficient.

Alderman Leonard restated that he intended to remove the "comments in blue." Alderman Benson made a distinction between comments and insertions. Alderman Leonard said he understood. Alderman Leonard said that comments are to be removed but insertions can stay. Alderman Leonard said that the Minutes accurately reflect his motion; this was only an issue of interpretation. Staff was instructed to follow the guidance given by the Board's discussion.

Alderman Leonard requested that language be added to the next draft that incorporated an intent to reevaluate the plan on a scheduled basis. This could occur each December or at the Annual Retreat so long as it is a consistent annual review.

Alderman Benson made a motion to approve the September 4<sup>th</sup> Minutes. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

**X. New Business****A. Budget Amendments**

Finance Officer Brothers presented the amendments to the Board. The first proposed amendment addresses additional money received by the Town. In July of 2019, the Town was awarded a grant from the North Carolina Office of Recovery and Resiliency. A portion of the proceeds are to be utilized for hiring additional staff. Therefore, the Administration Department is requesting approval to allocate funds to the Public Works Department to employ additional personnel.

Mayor Pro Tem McDermon made a motion to approve the Budget Amendment as presented to apply grant money to a position for Public Works. Alderman Benson seconded. The Motion passed unanimously, 5-0.

Finance Officer Brothers presented a second amendment to the Board. The Police Department has been working on a grant from the Governor's Crime Commission for over a year now and just received notification that the grant was awarded. Therefore, the request is being made to amend the budget to allow the Police Department to purchase the following items:

- Non-Capital Outlay
  - Bola Wrap Cartridges
  - Bola Wrap – Non-lethal weapon system
  - Taser battery packs
  - Taser Cartridges
  - Taser Training Cartridges
  - Tasers

Alderman Leonard made a motion to approve the Amendment as presented. Alderman Heid seconded. The Motion passed unanimously, 5-0.

**B. TISPC Substitute Voting Member**

Alderman Benson presented the topic. The Town has three representatives on the Commission. Traditionally, these seats were filled by two aldermen and one at-large community member. Recently, Mr. Jerry Heid, who filled the at-large seat, became an alderman. Because of open meeting laws, the Town needs to appoint a new at-large citizen. This person will serve through the election and possibly longer. In December, the Board of Aldermen typically re-appoint members to the Commission. Mayor Tuman announced that the position will be advertised.

**XI. Open Forum**

Ms. Susan Meyer reminded everyone of the Meet the Candidates Events that will take place on October 20<sup>th</sup> at the Brass Pelican. This is an informal forum that allows candidates to address constituents and take questions. The event starts at 3:00, but the candidates won't address the attendees until 4:00.

Fred Burns thanked Alderman Peters for his work. He commented that Alderman Peters is always prepared. His dedication to the Town is evident by his participation in tonight's meeting despite illness. He asked the attendees to give a round of applause for their appreciation.

Alderman Peters thanked everyone for their support.

**XII. Attorney's Report**

Town Attorney Edes stated that he has more things to discuss in closed session.

For open session, Mr. Edes reported that on Sept 18<sup>th</sup>, Governor Cooper signed Senate Bill 429 Disaster Recovery which appropriated money to the Department of Environmental Quality. Of that money, over \$11 million was appropriated for grants to local governments for up to \$2.5 million per grant. This could be an opportunity for the Town.

Also, since last meeting, he has an update on easements/right of entries for Army Corps of Engineer project. The real estate acquisition branch, which is the "clearinghouse" for easements on the Corps projects, has provided the needed language for easements on the "Federal Project." Most towns don't have all of this key language. Town Attorney will start obtaining these easements with the required language. He is optimistic that it will not be an issue.

Lastly, he reported that Ocean Isle and the Army Corps of Engineers were sued by the National Audubon Society for their terminal groin project. On September 25<sup>th</sup>, a federal judge entered an order in favor of the Corps and dismissed the case. There might be appeals, but the opinion provides a roadmap for future projects.

**XIII. Mayor's Report**

Mayor Tuman reported that the Town qualifies for state Powell Bill funds for road infrastructure.

The Mayor received a letter from the Jacksonville Onslow Economic Development. The Mayor's input has been requested for their five-year plan. He hopes to expand the Organization's focus to include the tourism industry, which has historically been excluded.

Mayor Tuman announced a Coastal Resource Commission hearing on October 15<sup>th</sup>. The CRC solicits public comment on vegetated and unvegetated setbacks and ocean erosion rates. The science panel's proposed inlet hazard area suggestions will be discussed in December. The Mayor stressed that these proposals will impact some North Topsail Beach properties. He suggests that the Town contact property owners with the dates of the hearings in December so that they can attend and present concerns to the CRC.

#### **XIV. Aldermen's Report**

Alderman Leonard could not be at the previous meeting, but he wanted to echo the sentiments of his colleagues who thanked staff for their efforts during Hurricane Dorian. Alderman Leonard also reported from his role as a board member for the NCBIWA. At a recent board meeting, the Town was credited with spearheading the effort to remove the Resource Institute from state appropriated money. Their participation would have taken money from proposed projects. Alderman Leonard reported that Mayor Tuman's specific efforts were recognized. There is an upcoming conference in November in Wrightsville Beach. Also, there are vacancies on NCBIWA's Board. Alderman Leonard nominated Alderman Benson and Commissioner Steve Smith from Topsail Beach. As these nominees serve on the Topsail Island Shoreline Protection Commission, he believes their representation on NCBIWA would benefit Topsail Island as a whole. Lastly, he nominated Mr. Steve Foster for an achievement award.

Mayor Pro Tem McDermon stated that she recently attended a meeting with the Jacksonville Board of Realtors for the Town. In attendance were Representative Phil Shepard, Onslow County Manager David Cotton and Mr. Joe Ramirez from Camp Lejeune. During the meeting, it was announced that a new elementary school will be built near Food Lion in Sneads Ferry. Another elementary school is planned for Richalnds. This is a reflection of increasing population in the area. Mr. Ramirez and Representative Phil Shepard talked about the proposed terminal groin project. Based on their comments, Mayor Pro Tem McDermon believed there was a gap in information. Onslow County Manager David Cotton is looking to Camp Lejeune for an opinion on inlet management. Based on these interactions, she asked staff to set-up a meeting among stakeholders. The goal of the meeting is to effectively increase communication.

Alderman Heid thanked the Town for assistance with Topsail Island Jeep Week. He reported that approximately 150 jeeps participated. On Thursday, the Town waived the fee for participants to drive onto BA 3. There was also an obstacle course in Holly Ridge. Alderman Heid reminded everyone to be careful in the water. Rip currents are particularly dangerous right now.

Alderman Benson thanked the Boy Scout Troop in attendance. He asked the leader to introduce the group. Scout Master Casey Barns of Troop 937. The young men in attendance are working towards their merit badge for citizenship in

community. They will write a report and interview a representative from the local government. Alderman Benson thanked them for attending. He also thanked the audience for their participation and interest in local government. Alderman Benson welcomed anyone, whether physically at the meeting or participating remotely, to email questions or concerns to him.

Alderman Peters did not have a report.

Mayor Pro Tem McDermon made a motion to go into closed session for the reasons stated on the Agenda. Alderman Heid seconded. The Motion passed unanimously, 5-0.

**XV. Closed Session to:**

- consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.
- consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Alderman Benson made a motion to return to open session. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

**XVI. Adjournment**

Mayor Pro Tem McDermon made a motion to adjourn. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

APPROVED:

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Daniel Tuman  
Mayor



ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved:    /    /2019



## **Manager's Report – October Meeting**

### **Hurricane Dorian**

Overall, North Topsail Beach fared well during Hurricane Dorian. We had minor damage to approximately 12 homes and a small amount of debris.

We are compiling information for NC Emergency Management and Onslow County concerning damages from Hurricane Dorian. As you saw in the information I forwarded to you from Fran, we lost about 79,000 cy of sand on the beach. Some was “redistributed” and made it look like we gained sand. I will let you know if they foresee any assistance that we may be able to receive.

A contingency of FEMA, USACE, NC Emergency Management and others came to Town last Friday. We discussed the storm and damages we incurred. We also drove along the beach. This is all part of the preliminary process to see if we (and the County) qualifies for any assistance if the president has a major declaration.

### **Phase 5 Matthew Project**

This project was previously approved by FEMA for damages sustained by Hurricane Matthew. If you recall, you approved the bid by S.T. Wooten for the Phase 5 Matthew Project. All contracts have been executed and stockpiling of the 168,000 cy of sand at the ST Wooten sand pit has started.

The truck-haul portion of the project is on schedule to start around November 16<sup>th</sup>.

### **Beach Renourishment**

#### **Florence Damage**

I have in today's package the proposal from Fran to prepare the bid documents for the Florence project. The Shoreline Protection Workgroup discussed this proposal with him. It has clarifications to the items previously questioned by the Board. This included rock remediation and the type of dredge utilized.

I am recommending this be approved by the Board of Aldermen. It is anticipated that these costs will also be reimbursed by FEMA for the total project.

This project will touch every phase of beach within North Topsail Beach. It includes Category G ("engineered beach") and Category B (dune restoration on natural beach).

## **US Army Corps of Engineers**

### **NTB/SC Federal Project**

Over the past 10 years, we have been advocating for Coastal Storm Damage Reduction project (Federal Project) for towns on Topsail Island. Because of some ineligible sections of our Town, we decided to partner with Surf City. (4 miles NTB and 6 miles SC). Topsail Beach has a separate project.

We have pursued "new start funding" at the federal level to construct the project according the plan. Each year, we have "scored high" on the list. Unfortunately, it was never approved and sometimes deleted through the budget process.

Congress passed a supplemental disaster relief bill that included over \$700 million to the USACE. The Corps has determined the significance of this law to mean that 100% federal disaster financing will be used for the top projects.

We have been working with Surf City to make this beach nourishment a reality. We have sent letters of support to Wilmington and all the way to Washington. We had a conference call with officials in Atlanta.

We were originally told it would be the end of August when we heard any news. At the last TISPC meeting, we were informed it would be a couple of more months before we would receive any word of whether our project will be included in this disaster relief funding.

### **USACE Dredging ICW/New River Inlet Crossing/Channel to Jacksonville**

I spoke this morning with Brennan Dooley of the USACE concerning this project. As I previously reported, the bids were posted in August. They now have an issue with the bids submitted and may need to post them again.

If this happens, they may not go back out until the middle of October and could shorten the environmental window. I will let you know updates as we get them.

## **Town Park Repairs**

The bid packets had to incorporate verbiage for needed insurance coverage. We have been working with the town attorney to make sure this is included. Once this is ready, they will be sent out.

### **Town Hall**

I will be distributing 2 proposals to you from our engineer Jim Stumbo with Stewart, Cooper, & Newell. These proposals are for work on town hall. One is for the engineering plans for repairing town hall as is. The other is for repairing town hall, as well as, expanding space for the police department.

I wanted you to see these proposals and think about what you would like to do. Jim will be here at the November meeting to discuss the proposals.

We have been told that FEMA will not give us any funding for expanding town hall on the island. They will only assist in rebuilding if insurance will not cover the expense. That is not the case for NTB. We have the insurance coverage to rebuild.

I want you to think about what you would like to do with town hall. Do you want to rebuild it as is or would you like to expand now to meet the space needs for the police department?

### **Hurricane Florence Disaster Recovery Fund**

NC Office of Recovery and Resiliency

We have received an award of \$250,000. The check came during Hurricane Dorian. This funding will be used for loan repayment and staffing. We will have a budget amendment ready for you in October's packet.

You have a budget amendment in tonight's packet. This includes the \$250,000 grant we received from the State. We will be placing \$150,000 in Fund 30 to assist in the debt service payment for the Phase 5 renourishment. We have \$100,000 that will pay for a position in public works.

### **Terminal Groin**

We have the signed agreement regarding the 3rd Party Contractor writing the EIS. Mickey Sugg (USACE) has requested a meeting with those involved to discuss next stages and expected timeframes.

- 1- Mayor Tuman, Alderman Benson, Attorney Edes, India, Rahlff Ingle (Dial Cordy), and Fran Way met with Mickey Sugg and the USACE last week to discuss the next steps with the EIS process. The quick timeline is as follows:

- a. Dial Cordy will present a projected timeline to the Corps to complete steps in the EIS process. This will be completed sometime this week or next. We will be notified.
- b. The Corps will bring together a “project review team.” This will consist of 2-3 meetings. This will include various stakeholders (fishermen, realtors, turtle hospital, environmental groups, and other local groups). There will basically be a talk of who, what, where, when, how, why of the EIS.
- c. A notice of intent will be published in the federal register. This will include information and date concerning the scoping meeting.
- d. The scoping meeting will be more formal in nature. This is where the first comments will be received from the public. Participants will be separated into groups and all of their comments will be written down.

**\*\*Mickey** did remind everyone the all “reasonable alternatives” will be included and equaled in modeling. He said the USACE will consider all needs by stakeholders and compare all reasonable alternatives in the most unbiased way possible to find the best solution.

**\*\*He** also informed us that President Trump signed an Executive Order in 2017 to help “streamline” EIS processes. It only gives a 2 years window. The Corps is investigating this and will see if this will have any effect on our process.

### **Onslow County**

We have received a contract from Onslow County for the Tourism Development Grant. We requested \$350,000 in the application. The contract offers \$150,000.

### **Jeffreys Lease**

I received the lease proposals for the Jeffreys lots. We forwarded it to the town attorney for his input. I read through the agreements myself and there are two items added we specifically requested. This includes the ability to have paid parking in those lots and also to have the first right of refusal if they decide to sell the property.

This is good news for the Town to continue to have parking for visitors to our Town.

July 25, 2019

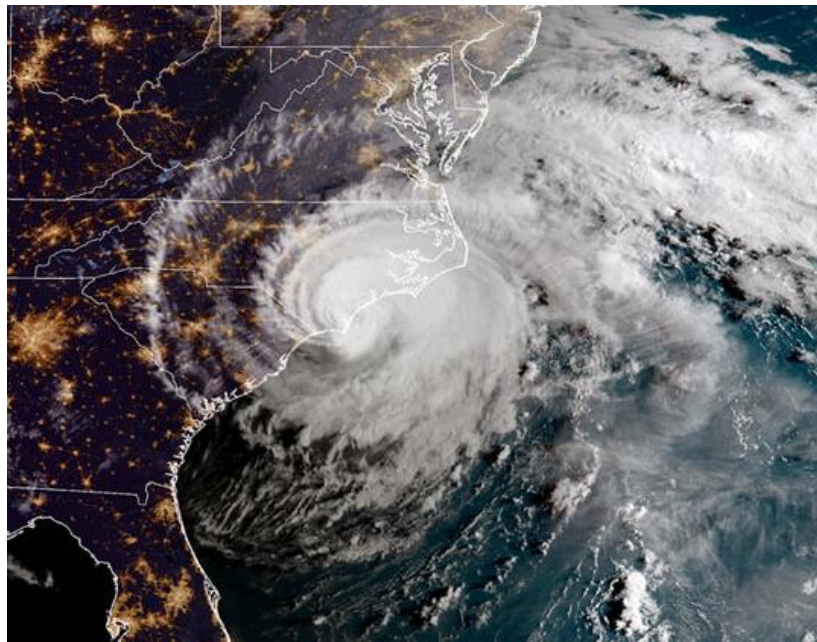
Mr. Bryan Chadwick  
Town Manager  
2008 Loggerhead Court  
North Topsail Beach, NC 28460

RE: Proposal for Coastal Engineering Services

Dear Mr. Chadwick:

ATM has developed the following scope of services for the Town of North Topsail Beach to continue with Hurricane Florence mitigation.

It is ATM's understanding that the Town of North Topsail Beach wishes to proceed with design, permitting and construction for the Town's FEMA Category G ("engineered beach") and FEMA Category B (dune restoration on natural beach) Florence mitigation projects. The ATM team will build upon its previous studies and data analysis for this effort.



*Figure 1: Hurricane Florence satellite image.*

The FEMA category G project is for the Phase 5 shoreline as well as a portion of Phase 4. This reach qualifies as "engineered beach" due to the Town's 2015 nourishment project. The FEMA Category G project is estimated at 607,059 cubic yards (cy).

While the Phase 1 shoreline reach is also "engineered" (i.e., nourished), volume losses were calculated two different ways for this reach: 1) out to depth-of-closure and 2) dunes only. Category G engineered beaches require volume losses out to depth-of-closure while Category B

dune restoration projects only look at dune losses. Survey data indicated that dune loss volumes were actually larger than volume losses out to depth of closure (where some nearshore accretion occurred). Therefore Phase 1 shoreline was included in the FEMA Category B project. The FEMA category B dune restoration is for 137,506 cy and will occur along ~70% of the shoreline (Phases 1, 2, 3 and 4) not included in the Category G project. The FEMA category B dune restoration methodology excluded ~30% of the Town's natural beach (which is based on dune remaining, FEMA 5-yr surge and wave runup, among other criteria/analysis).

The offshore borrow area will be used for this project as the calculated volume losses are too large for truck hauls and FEMA prefers offshore borrow areas over inlet borrow areas. Note that FEMA mitigation also includes dredge mobilization and other project-related costs. The existing permitted offshore borrow area has more than enough sand for the project however some additional design and data review is required following its use for the 2015 nourishment project.

Provided herein is a scope of services and cost estimate for the following tasks:

1. Borrow area data review and project design
2. Project permit application development
3. Permitting support and coordination
4. Bid package development
5. Bidding support and analysis
6. Meetings and coordination.

Additional information on each task is discussed below. The engineered beach portion of the project will be a typical offshore nourishment however for the dune restoration, dredged material will be stockpiled on the beach and moved along the beach using off-road dump trucks (dredgers cannot efficiently place smaller dune restoration volumes). ATM has successfully used this process before (i.e., combined Category B and G projects) and believe it is the most practical and efficient alternative for the Hurricane Florence mitigation.

The project is assumed to occur within the winter environmental dredge window of 2020/2021 (November 16 to March 31 as established in the 2009 EIS). The project is estimated to require 75 to 90 days. Project timing will be closely monitored/tracked and ATM staff will coordinate with the Town regarding potential liquidated damages clauses in bid packages for potential delays. No time extensions beyond March 31 are anticipated to be required.

Both cutterhead and hopper dredges will be encouraged to bid (and major dredging companies have both types) however the 2009 EIS permits only allow for cutterhead dredging due to sediment suspension effects on offshore hardbottom (among other issues). From a rock-screening perspective, hopper dredges are generally more favorable than cutterhead dredges. However there are drawbacks to hopper dredges (increased sediment suspension, more turtle takes, etc.) that were cited in the 2009 EIS and permitting process.

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## **TASK 1.1 – BORROW AREA DATA REVIEW AND PROJECT DESIGN**

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ATM will reanalyze the offshore borrow area which has significant volume remaining (over 3 million cy). It was permitted in 2011 and was used for the 2015 nourishment project. Of course there were rock issues for the 2015 project that need be addressed for this effort. ATM has staff

that are familiar with the 2015 effort and we are confident that we can avoid any significant rock issues for the proposed project. ATM will identify and compartmentalize sections of the borrow area in order to avoid rocks and other incompatible material and will design a borrow area excavation plan that is competitive for dredgers and the Town. Specific items that will be addressed include:

- 2015 borrow area data review and comparison with pre-project data
- Research and review recently available benthic and borrow area resource investigation reports conducted by others (USACE, USGS, NCDEQ, BOEM, ECU, UNCW, etc.), and coordinate with the authors of these reports to the extent practicable
- Evaluation of material remaining
- Develop dredge cuts for borrow area
- Identify and avoid rock/incompatible material layers
- Vibracore analysis and comparisons with post-2015 project data
- Final borrow area delineation

In reviewing the 2009 EIS effort as well as the 2015 permitting/design effort, ATM believes that no additional seismic data collection is required. No additional data collection is currently proposed for the offshore borrow area. However, this cannot be ruled out as permitting agencies could require additional geotechnical data collection. If additional data collection is required, ATM will coordinate with the Town to develop an appropriate scope of work.

The analysis will include development of a contour map of thickness, or isopach, of beach compatible sediments. The elevation of underlying undesirable material (rock, mud, etc.) will also be displayed where surveyed. The analysis will also include a calculation of composite grain size based on horizontal and vertical influence areas. A summary letter report will be prepared to document our findings and recommendations.

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## **TASK 1.2 – PROJECT PERMIT MODIFICATION APPLICATION**

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This task is required to update the Town's existing state and federal permits. It is anticipated that a major modification of the Town's existing permits will be required for this effort. ATM will develop a comprehensive permit modification application that includes:

- Permit modification forms
- Beach fill design
- Dune restoration design
- Borrow area information
- Project summary
- Alternatives analysis
- Permit drawings of beach and borrow area

This task includes services through submittal of the application. Once submittal occurs and the project is placed on public notice, the level of effort required following public notice and agency review can vary significantly. ATM believes that the existing permit mechanism (including the comprehensive 2009 Final EIS) should be adequate for several items including Essential Fish Habitat (EFH) and cumulative impacts analysis. However this cannot be ruled out and any items identified during this process will be handled in Task 1.3.



ATM will ask for a modification to allow for hopper dredging however it is anticipated that significantly more effort and time may be required, including significant re-analysis and updating of biological studies as well as mitigation/avoidance measures. This re-analysis may even require additional biological data collection. The hopper dredging modification process could potentially delay permit issuance and project construction.

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### **TASK 1.3 – PERMIT REGULATORY REQUESTS AND COORDINATION**

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Once the permit modification application submittal has occurred, the project will go out on public notice and will be sent to reviewing agencies (e.g., US Fish & Wildlife, NC Wildlife Resources Commission, National Marine Fisheries Service, NC Division of Water Quality, etc.). This project permitting will adhere to all NEPA and SEPA procedures.

The State or the USACE may request additional data or studies at any point in the permitting process, and any permitting requests for additional information (RAIs) will be addressed in scope and costs as they occur. As such, the effort required for this task remains to-be-determined (TBD).

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### **TASK 1.4 – BID PACKAGE DEVELOPMENT**

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This task includes finalization of the existing plans (i.e., from permit level to construction level detail), revisions to the project plans, volumes, typical sections, and construction details based on the most recent site conditions and surveys at the time plans are finalized. Final borrow site dredging boundaries will be determined through an evaluation of permit conditions and quantity required while also taking into account buffers and future usage.

ATM will attempt to provide for the most efficient borrow area dredging arrangement to maximize dredging efficiency/production. If timing and scheduling allow, updated surveys of the beach (i.e. annual monitoring) will be incorporated. Otherwise, the most recent surveys will be used for bidding purposes and plans will be updated immediately prior to construction (i.e., following the pre-project survey under that task).

Two (2) Bid Packages will be developed and issued based on the two placement methods:

- 1) Engineered beach placement along Phase 5 (and part of Phase 4)
- 2) Stockpiling dredged material and trucking this material along Phases 1 through 4

The engineered beach bid package will be awarded to an offshore dredging company while the trucking project bid package will likely be awarded to a local earth moving company.

Project plans, specifications, and bid documents for construction of the Category B and Category G sections of beach will be developed in coordination with the Town, to include:

- Aerial photography overlays with project details
- Construction baseline and dune vegetation line
- Staging and access area(s)
- Borrow area partitioning (plan and typical section views)
- Beach fill template (plan and typical section views, including construction berms and toe of fill locations)
- Dune nourishment (plan and section views, where needed)

- Technical and environmental protection specifications
- Permits
- Bidding instructions, draft Contract Document, and supplementary conditions
- Rock screening specs and alternatives
- Timelines and environmental windows

Rock screening and potential mitigation specifications will be included in both bid packages. ATM believes that rock screening on the beach will be required for the entire project, regardless of dredge type. Rock screening for the entire project will minimize the need for any post-placement mitigation or monitoring. ATM will coordinate closely with Town staff and dredgers to ensure that effective rock screening is in place at all times.

It is assumed that the Town will provide requirements for the “front-end” documentation including the Form of Contract Document, insurance, bonding, supplementary conditions and other legal requirements, critical milestones, and any liquidated damage requirements. In addition, it is assumed that the Town’s legal counsel will review the bid package prior to dispersal of the final bid documents. Finally, it is assumed that the Town will obtain any easements required for (1) construction along the beachfront and (2) access to/from the beach at reasonable locations for the Contractor.

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#### **TASK 1.5 – BIDDING SUPPORT AND ANALYSIS**

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ATM will assist North Topsail Beach with bidding to determine suitable contractors for the nourishment project. ATM will coordinate and attend two pre-bid meetings with North Topsail Beach staff (i.e., each bid package will have a pre-bid meeting).

During the bidding periods, ATM shall communicate frequently with North Topsail Beach staff regarding receipt of prospective Contractor written inquiries seeking interpretation of the Bid Documents. Should ATM and North Topsail Beach receive such information within the stipulated time in advance of the advertised bid due date, ATM shall assist North Topsail Beach with preparation of bid addenda as appropriate by providing technical responses to items under ATM’s charge. Such items could include minor changes or clarifications to the contract drawings, specifications, or other construction-related issues as appropriate. It is assumed for budgeting purposes that no more than one (1) addendum will be required for each bid package.

Once the bidding period closes, ATM will obtain copies of bids from North Topsail Beach and review them for accuracy, completeness and Contractor qualifications. ATM will provide a written recommendation for award to the Town of North Topsail Beach based on ATM’s review of the bid submittals.

This task is costed as an allowance. If the Town of North Topsail Beach requests negotiations with bidders following the bid period, rebidding, or additional addenda, such services will be completed on a time and materials basis.

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#### **TASK 1.6 – MEETINGS AND COORDINATION**

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This task is required for ATM to continue coordination with anticipated Town representatives and consultants (as required), general project management, and for requested project-related meetings. Specific items included in this task are:

- Regular contact and communications with Federal (e.g., USFWS, USACE, NMFS), State (e.g., DCM, DWR, WRC, NC Archeology Office), and Local/Private interests (e.g., environmental organizations, island residents) as necessary
- Provide information as requested and advise Town of any additional studies or documentation required for consultant's review
- Attendance at meetings with Town and/or regulatory agencies
- Responses to storms and other significant erosion events.

This task is presented as an allowance amount, based on an estimated minimum effort (as described above), which will be expended as required/requested. ATM will provide the Town with the status of this task through our invoicing process, so that if and when additional ATM participation is required, extensions to the allowance can be made via incremental work authorizations.

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### SUMMARY ESTIMATE OF PROFESSIONAL LABOR FEES

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Table 1 presents the fee estimates for the described scope of services.

*Table 1: ATM Professional Fee Estimate*

Task	Description	ATM Professional Fee Estimate <sup>1</sup>
1.1	Borrow Area Review and Design	\$37,500
1.2	Project Permit Application Development and Submittal	\$28,000
1.3	Permit Application Processing	TBD
1.4	Bid Packages Development	\$55,000
1.5	Bidding Support and Analysis (Allowance)	\$22,000
1.6	Meetings and Coordination (Allowance)	\$10,000

1. Fee estimate includes labor and field equipment charges only, at ATM's 2019 Standard Rates.

The anticipated professional services associated with this addendum shall be billed to the Town on a time and materials basis. Professional services will be billed by the hour according to ATM's 2019 rate sheet.

Reimbursable expenses shall be billed in addition to professional labor indicated in the above table. Reimbursable expenses (i.e., printing, travel, phone, mail, subcontractor administration, etc.) are billed at cost plus 10%.