

ADCNR / ADEM Public Information Meeting on Requested Beach Project Permit for Town of Dauphin Island's East End Beach and Dune Restoration Project

Town of Dauphin Island, Alabama

September 12, 2022

6:00 PM

Dauphin Island Sea Lab, Shelby Hall



Purpose of the Meeting

- Provide information about the Town of Dauphin Island's proposed East End Beach and Dune Restoration project.
- Provide opportunity for public comment related to the proposed project and associated Beach Permit submitted by the Town.



Meeting Overview

- State Beach Act Permit Requirements
- Project Funding
- Project Goals
- Project Design
- Borrow Area Location
- Town's Beach Permit Application
- Project Limits
- Mean High Tide Line

Alabama Beach Act

- Alabama State Law requires that the Town identify the landward and seaward project limits and location of the mean high tide line for the project area via public hearing.
- Beach Act Requirements
 - The Town shall adopt a proposed mean high tide line and project limits.
 - The Town shall obtain easement agreements for construction and maintenance of the beach project.
 - Town submits Beach Permit Application to ADCNR.
 - ADCNR reviews permit application in consultation with ADEM.
 - If approved, ADCNR Commissioner issues a Beach Permit approving the project (including the MHTL designation) and the release of state-owned sand necessary for use within the project area at no cost.
 - Upon issuance of the Beach Permit, Town records the designated project mean high tide line with the Probate Judge in Mobile County.

Code of Alabama 1975
§ 9-15-54 to 56
§ 11-47-250 to 252

Project Funding

- Funding for the beach and dune restoration project is being pursued from the National Fish & Wildlife Foundation's (NFWF) Gulf Environmental Benefit Fund (GEBF).
- An application for the construction funding from NFWF was submitted in June 2022.
 - NFWF Announcement of funding awards anticipated November 2022

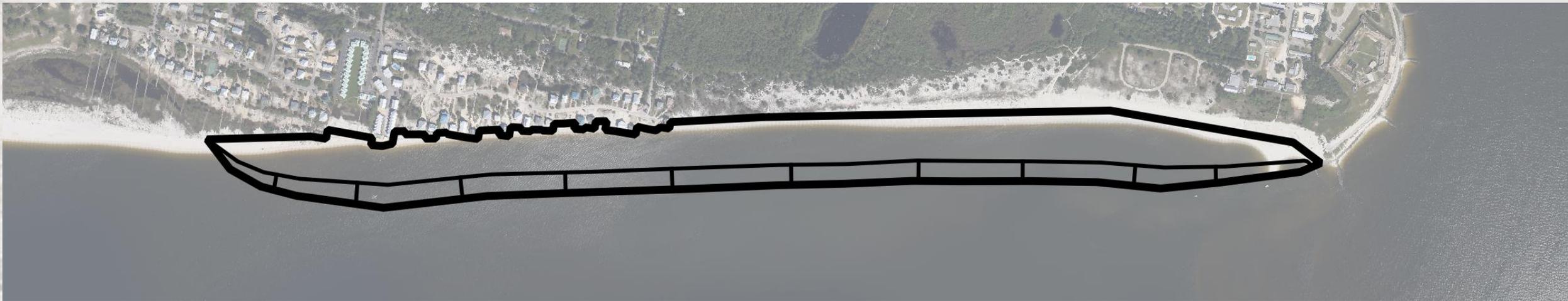
Project Goals

- To improve and restore the East End beach and dune habitat including Gulf-front foraging and nesting habitats for seabirds, shorebirds, neotropical migratory birds, and sea turtles.
- Will also:
 - Reduce the risk of saltwater intrusion into the freshwater lake in the bird sanctuary
 - Introduce beach sands into the littoral drift of the barrier island
 - Extend and increase the longevity of the 2016 beach nourishment and 2017 dune enhancement
 - Meet requirements for potential future FEMA funding assistance for qualifying post-storm restoration as to the engineered beach

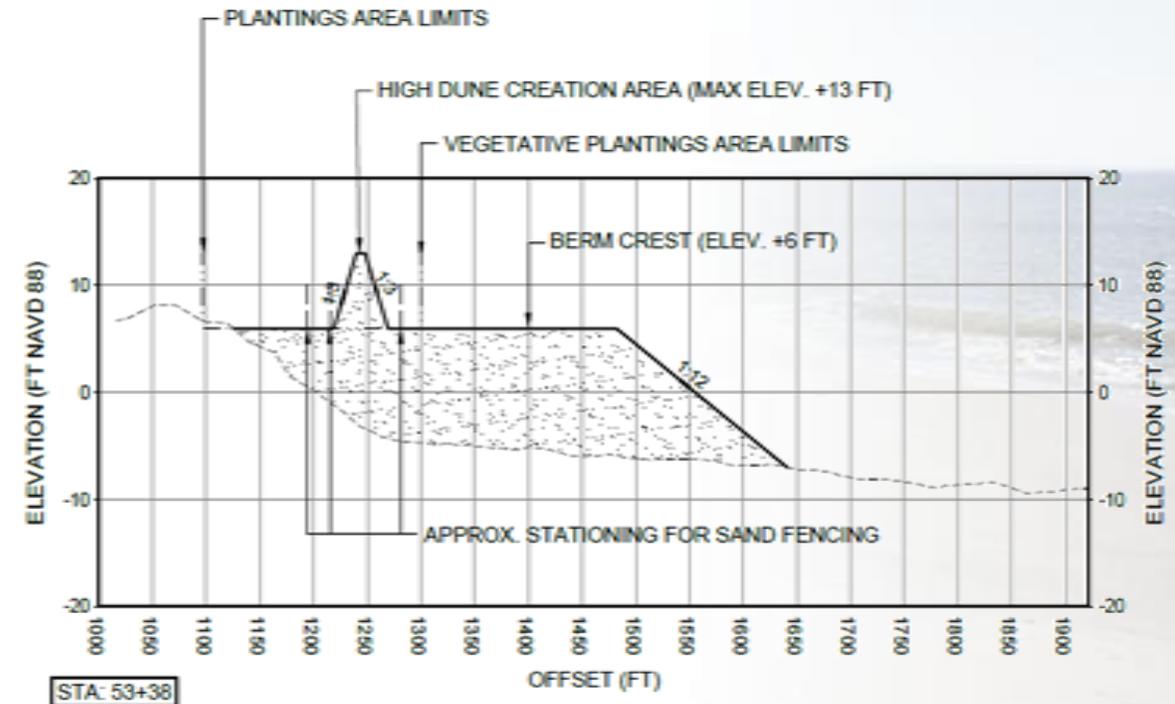
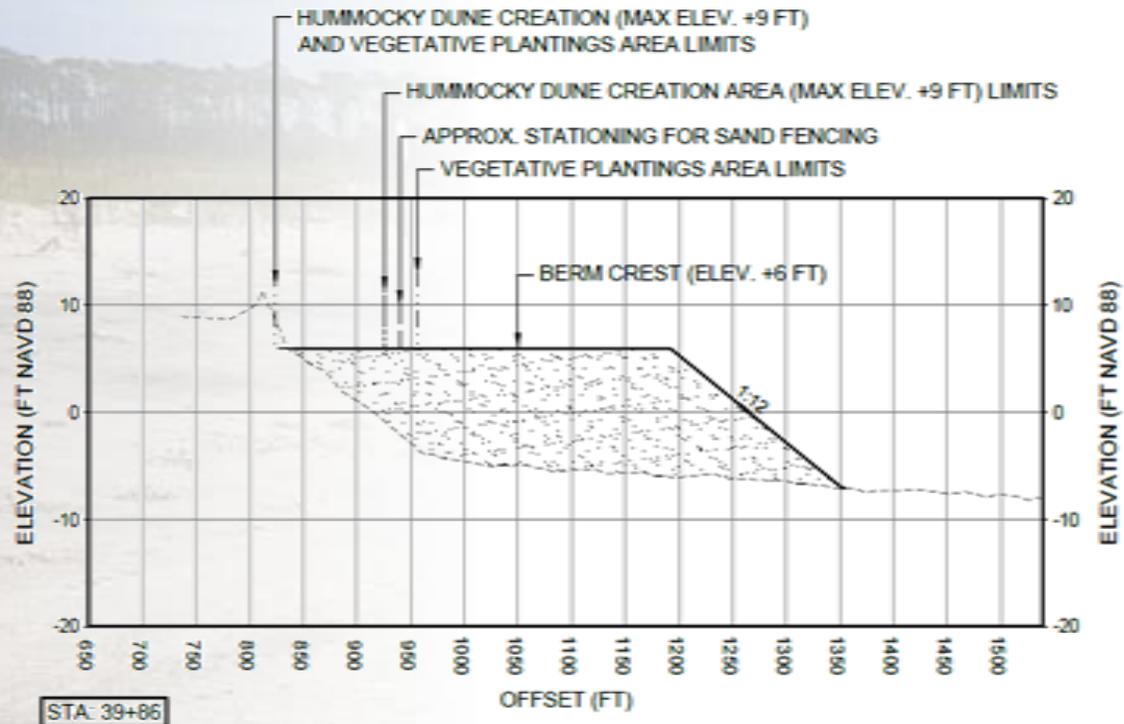
Beach Project: *The placement and maintenance of sand, vegetation, and access structures on coastal beaches for the purpose of maintaining or restoring the beach and providing storm protection for the upland properties.*

Project Design

- Placement of 1.15 million cubic yards of sand across nearly 1.5 miles of shoreline
- Maximum Active Restored Shoreline Width: ~350 feet
 - Restored shoreline width will vary along much of the project length
- Dune creation
- Sand fencing
- Native beach vegetation
- Proposed Project will restore ~14 acres of dune habitat and ~72 acres of beach habitat



Project Design



Project Design

2016 Beach Fill Construction



Borrow Area Location



Beach Fill Area

⊕ **Sand Island Lighthouse**



Borrow Area
~4 miles offshore in State waters

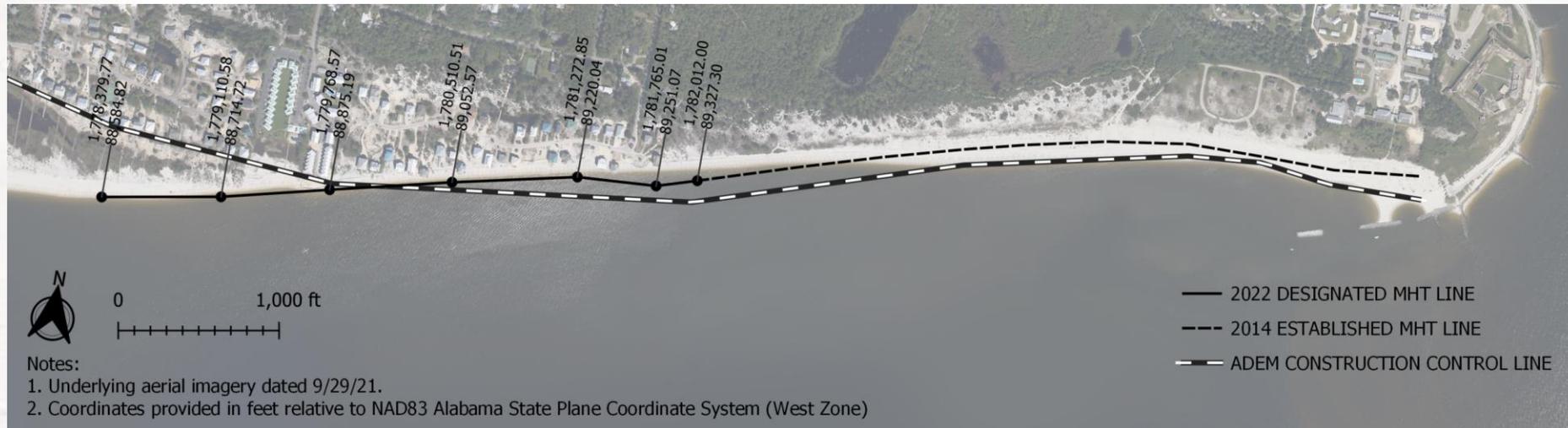


Town's Beach Permit Application

- A project Mean High Tide Line (MHTL) is proposed and adopted by the Town of Dauphin Island as part of the Beach Permit Application submitted to ADCNR.
- The MHTL requested by the Town in its Beach Permit Application is reviewed by the State in addition to other items required to be submitted under the Beach Act, such as illustrations of landward and seaward project area limits.
- Prior to State approval, ADCNR & ADEM conduct a public information meeting (*this meeting*) during which the Town describes the Beach Project Application, which includes maps and documentation showing the location of the requested landward and seaward project area limits and mean high tide line.
 - Same process as established for the 2014 East End beach restoration project
 - Current Beach Project Application seeks approval for two alternative project area limits
- Establishment of a designated MHTL approved by the State is required by state law before construction of a beach restoration project and as a condition for the State to release sand without charge for use within the project area.

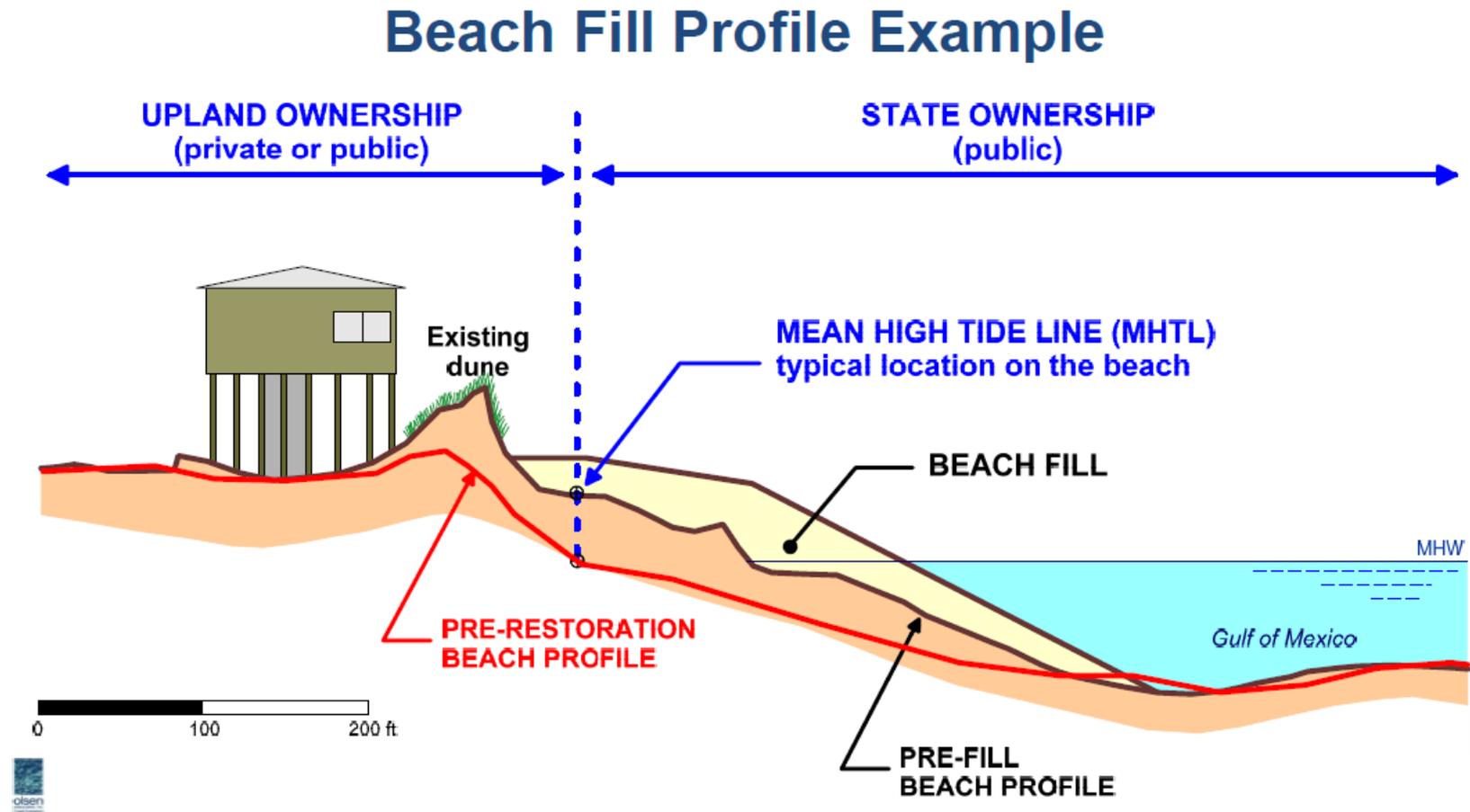
Project Limits - CCL & MHTLs

- Construction Control Line (CCL) – a regulatory boundary independently established in the Alabama Code and administered by ADEM as part of the Alabama Coastal Area Management Program (ACAMP).
- Town adopted a designated MHTL for its current Beach Permit on August 2, 2022.
- This MHTL relates only to this specific project area.
- The 2014 established MHTL will not be altered.



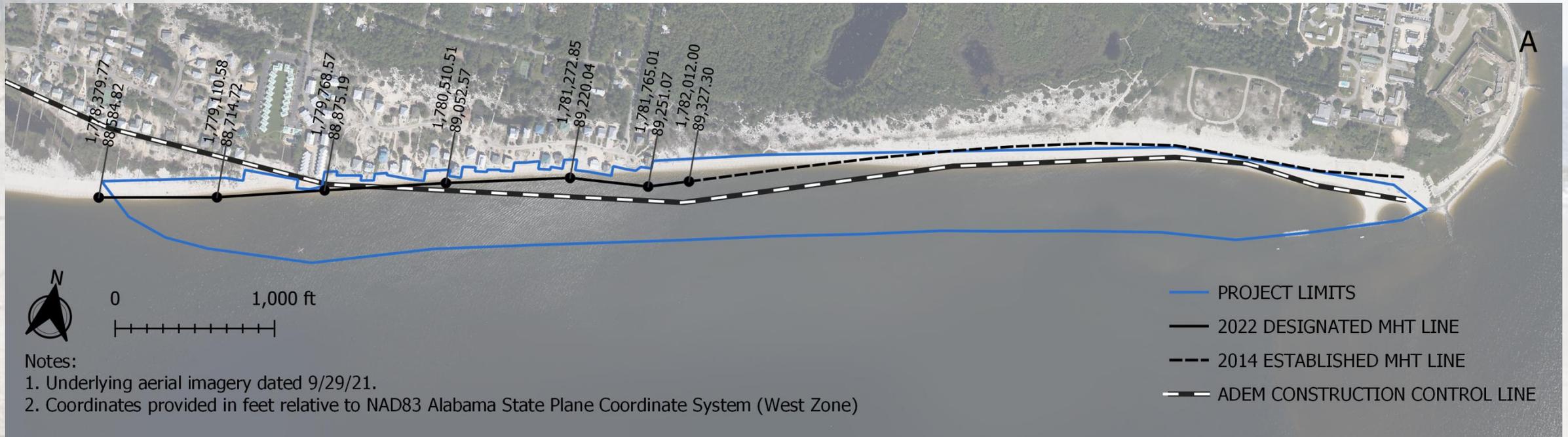
Mean High Tide Line

- Title to filled land lying seaward of the established MHTL is retained by the state.
- Affected landowners retain all “statutory and common-law riparian or littoral rights of access” to the filled land, “subject to reasonable regulation” by the Town.



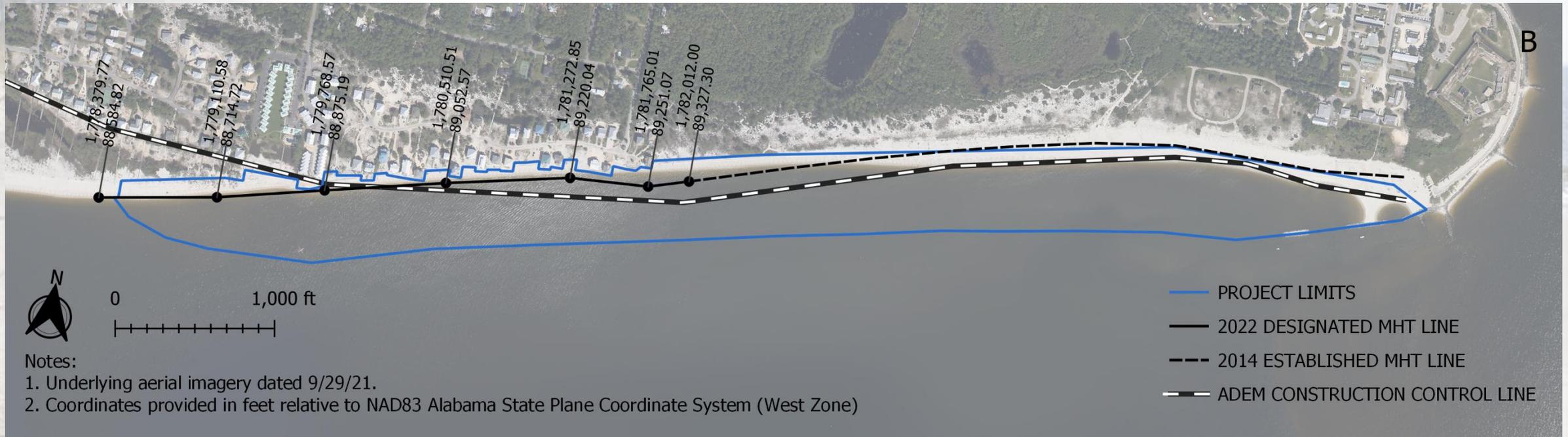
*Upland Public Ownership means upland property that is currently federal or state owned, i.e., non-private landowner acreage such as the U.S. Coast Guard and the Town of Dauphin Island properties.

Illustration of 2022 MHTL Designated by Town with "Alternative A" Project Area Limits



Project Limit Alternate A

Illustration of 2022 MHTL Designated by Town with "Alternative B" Project Area Limits



Project Limit Alternate B

Conclusion

- Approval of the Town's Beach Permit Application, which includes the requested 2022 MHTL designation, allows this project to proceed utilizing state-owned sand necessary for placement in the project area at no charge.
- Next steps include:
 - Finalizing permits
 - ADEM Permit
 - USACE permit
 - Anticipated receipt of award of NFWF grant funding
 - Bid advertisement and contractor selection
 - Issuance of notice to proceed by ADCNR
 - Construction start (anticipated Summer 2023)