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Lisa Barbeau visited our home today and informed me that she had received notice of the application for a Major CAMA Permit proposed by BLE development with Coastal Sciences & Engineering in Morehead with James Forman Jr., P.E. Being the senior engineer with authorization to act on the behalf of BLE development for the Major CAMA Permit for the project entitled "James Creek Boat Slips". She enlisted my thoughts and sought my cooperation in notifying the people of the community of this proposed project. She was the only person notified by mail so no one else had a clue this is going on. Your comment as a citizen of North Carolina and residing in the area owning waterfront property which would have consequences by the fulfillment of this project **MUST MAKE YOUR COMMENTS, SUBMITTED TO:**

**Heather Styron
C/O NC DIVISION OF COASTAL MANAGEMENT
400 COMMERCE AVENUE
MOREHEAD CITY, NC 28557**

Their phone number is **252-808-2808**.
Heather's email is Heather.M.Styron@ncmail.net

This project is proposed for the purpose of providing water access, boat slips, and docking facilities, plus launching trailers for a development being built on property divorced from the property for which the application is made. Being a resident in close proximity to the projected project and examining the written application To the NC Division of Coastal Management, Morehead City regional office, I have formed the following opinions based on my observations over the more than thirty years I have been a resident of the area and having my abode directly on the waterway that this project would impact:

This property was originally filled by dragline at the direction of Mr. Owen Fulford, of Harkers Island. Mr Fulford had this work performed without the benefit of any permits by the Federal or State agencies in charge of such permits. The marsh was dug up and dumped on adjacent marsh in a pile approximately 12 feet high, 25 feet wide and 200 feet long. It would appear that Mr. Fulford undertook similar projects in the area under like conditions. A stop work order was issued at the time to Mr Fulford enjoining him from further work on this project.

Mr. Fulford undertook the sale of property in the area which was known as West Mouth Bay Subdivision. However the property under discussion was not included in the subdivision because it was of unsuitability for development. Subsequently the property was sold to Mr. Daryl Allred of Otway who used it for the docking of his commercial small shrimp trawler. The period of time after Mr. Allred gained ownership of the property was marked with certain events as thus:

The 12 foot high mound of dirt somehow gravitated over the marsh and became perhaps 3 foot high over MHW and became about 75 feet wide.

The original mound migrated northward perhaps 75 feet or so, also covering marsh consisting of both juncus and spartina growth and being intertidal subjected to flooding on high tide and hosting a sizeable colony of Fiddler crabs and other minute marine organisms. This action when bulk headed and the installation of a boat ramp, resulted in the destruction of about 5 to 6 hundred feet of tidal marshland 250 feet behind the pile and 250 feet in front(shoreward) of the pile, and approximately 100 feet on the northern border of the now greatly expanded but lower than original pile.

It is unknown to me under what conditions, circumstances, or arrangements the property grew. It is now bulk headed, has a concrete boat launching ramp which enters navigable waters, Has a dock protruding from the bulkhead some distance, and has 2 poles set into the navigable portion of the waterway. The bulk heading has been backfilled with a sand with seashells intermixed and it would appear that further of that material has also spread to some other parts of the property. I have no knowledge as to whether or not permits were necessary or applied for or granted for any of the work on this property which now has been deemed valuable for the purpose of providing water launching, parking, and docking for up to perhaps 85 lot owners who are not adjoined to this parcel.

The ecology of this area is fragile, with very little water flow and little flushing action except for one 50 foot wide opening which serves as the entrance for boating serving at present about 45 waterfront lots existing on 5 canals served by this waterway. The area is closed to shell fishing even though the bottom thrives with oysters, clams, mussels, crabs, fish, and shrimp and turtles. To double the boating impact of this system with the additional possible use of 85 or more boats would be disastrous to the marine ecology and the birds which also depend on this system for survival. The map of the proposed project does not show it but there is a tidal waterway existing and abutting the proposed project on the west side.

The canal serving access to the waterway from this project is already impassable because of shoaling and erosion and it is now only used by a total of 8 canal front property users. To expose it to a possible additional use of up to 85 watercraft would be disastrous. The waterway is so narrow in the navigable part that 2 boats have difficulty in passing in a head to head situation. The additional boat traffic would impact the shoreline in the existing canals that the project users would have to traverse, that it would cause escalated erosion and breaking off of the soft ditch bank further clogging and reducing the width of the canals.

The property in question has been over flooded in virtually every named hurricane and strong northeaster that has occurred since the canal system was constructed 35 years ago. I and the affected property owners are in strong opposition to this project, because it would seriously impact the ecology, cleanliness, non commercial nature of the areas affected. The additional waterway traffic would cause erosion and dangerous boating conditions with the increased traffic. This area is subject to severe wind conditions and the hurricanes of the past have overflowed this property. In the event of 10 boats with oil and fuel being damaged at the dock in one little area, severe ecological damage would occur. There is insufficient room to park the vehicles for the number of boat slip proposed. The area is too small to turn a trailer with a boat about to be launched to turn around and would cause congestion on the roadway serving the residents of the area. Insufficient means for protecting the surrounding marsh and water are not proposed nor is there room to implement this safeguard if the property were fully utilized for the intended purpose.

This area that was part of the legal subdivision entitled West Mouth Bay, has been the subject of protective covenants created on October 20th 1975, and recorded in book 378, Page 256 in the register of deeds office of Carteret County NC. This piece of property was not on the subdivision map because it was not a lot at that time. It was just a piece of marsh with an illegal fill pile. All other lots and the residents thereon are subject to this covenant and to allow a Marina that would adversely affect all these homeowners to come about would be a disaster for them. I for one am prepared to take whatever legal action possible to halt this project, and I strongly object to the approval thereof. A copy of this covenant is posted on this website under the subject "restrictive covenants" ([Click here to view](#))