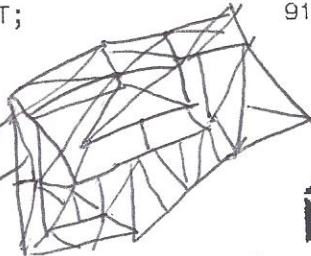


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North Carolina Department of Environment and Natural Resources
Division of Coastal Management
Donna D. Moffitt, Director

Jan 16,

William G. Ross Jr., Secretary

Michael F. Easley, Governor

December 19, 2002

Ms. Kim Williams
Land Management Group
PO Box 2522
Wilmington, NC 28402

eastern.com

Dear Kim:

This letter is in response to your recent Environmental Assessment submittal for The Ocean Club project located in Carteret County. Division of Coastal Management (DCM) staff has reviewed the draft document. The document will require revisions prior to submittal for Departmental review. DCM staff noted the following comments:

Future copies of this EA and other environmental documents should be printed double sided to promote DENR's efforts for environmental sustainability.

Page 2

The marina proposes an 8-foot wide main dock and two 8-foot wide piers; however, the rules for coastal development limit these structures to 6-feet wide unless a need for public safety or water dependent usage can be demonstrated.

The proposed gazebo, shown in Figure 5, is octagonal, not circular.

The proposed 29 slips measuring 12-feet by 18-feet will allow access for boats larger than kayaks, jet skis, and jon boats. Also referenced on Page there will be restrictions on boats greater than 21 feet in length. This length restriction will become a mitigative commitment by the applicant and incorporated into the CAMA Major permit and enforced by the DCM if issued. Will the size restriction also be incorporated into a restricted covenant?

Page 6

Provide the delineated coastal wetlands survey and confirm if that survey has been approved by DCM.

Public Trust areas (those occurring below normal high water) of the site should be discussed in the Public Lands section.

The fifth and sixth sentences of the Water Resources paragraph should read "The Coastal Shoreline Area of Environmental Concern exists 575 feet landward from NHW of Bogue Sound because of the ORW classification. Coastal Resource Commission rules state that impervious cover is limited to 25% within this AEC."

Page 8

Figure 12 is referenced but not included in the document.

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Page 11

Have any SAVs been identified inside the project area? Provide a survey of the SAVs including their location to the proposed development.

Page 13

Discuss proposed wetland fill in the topography and soils section.

Confirm if the information discussed in the Land Use section is included in the Town of Indian Beach 1996 Land Use Plan Update.

Page 14

DCM staff calculated 29,511 square feet (as compared to the referenced 29,532 sf) for the maximum allowance to usurp public owned bottom.

Page 15

How much impervious surface is proposed to occur within the 575-foot ORW shoreline AEC?

Page 16

Discuss the proposed impacts to the Maritime Shrub Swamp and Maritime Evergreen Forest habitats in the Forest Resources section. Delete the last sentence of that section which states "Therefore, impacts to forest resources will be insignificant". The document should allow the reader and review agencies the opportunity to determine if 60% removal of the existing forest vegetation is insignificant.

Discuss the location of SAVs in the project area and discuss how the proposed locations of the pier/slips are designed to avoid these areas. The survey or a figure showing their location would be helpful.

The document should also address the existing water depths and how the boats will access the existing channel of the AIWW in Bogue Sound. Confirm that no future dredging will be necessary for the marina patrons to access the channel.

With these corrections, please submit 13 copies of the revised document to this office so that I can initiate the Departmental review process. You will be advised as to any comments, suggestions, objections or necessary revisions that result from this Departmental review. Upon satisfactory completion of the Departmental review, you will be notified that an additional 11 copies of the document, including any subsequent revisions, should be submitted to this office to satisfy the requirements of the State Clearinghouse review process.

Please feel free to contact me by phone (919/ 733-2293, ext. 247), fax (919/733-1495) or e-mail (kristie.corson@ncmail.net) if you would like to discuss these matters further.

Sincerely,

Kristie F. Corson
Assistant Permits and Consistency Coordinator

cc: Ted Tyndall – DCM, Morehead City
Tracey Wheeler – DCM, Morehead City