



CITY OF NORTH WILDWOOD

901 Atlantic Avenue
North Wildwood, NJ 08260-5778
(609) 522-2030

Patrick T. Rosenello
Mayor

Nicholas Long
City Administrator

October 3, 2023

Via e-mail (Shawn.LaTourette@dep.nj.gov)

Shawn M. LaTourette, Commissioner
New Jersey DEP
Mail Code 401-07
401 East State Street
PO Box 402
Trenton, NJ 08625-0420

RE: City of North Wildwood, Cape May County
Shore Protection Emergency Authorization

Dear Commissioner LaTourette:

I am in receipt of Colleen Keller's September 27, 2023 email on behalf of the Division of Land Resource Protection (Division) responding to the City's proposal to address the sand mitigation requirements of the Department's May 17, 2023 Emergency Authorization (EA). The EA authorized the completion of emergency grading of eroded dune scarps between 12th and 16th Avenues as a means of mitigating public safety hazards and restoring public access to the beach prior to the Memorial Day weekend and opening of the summer tourist season.

The EA included a condition requiring the City to supplement the dune with additional sand volume to mitigate for any loss of sand resulting from the regrading. The City was willing to undertake that effort, but as you know, the chronic erosion along this portion of the City's oceanfront, which accelerated dangerously over this past weekend, has made it impossible to satisfy this condition consistent with the Division's specifications. Simply stated, the Division's suggested solution is unworkable in the absence of a beach/dune complex on which to build, which is where we find ourselves. Any imported sand would immediately wash away. Were the City to proceed in the manner directed by the Division, we would simply be wasting taxpayer funds without any corresponding benefit. The City cannot in good conscience proceed as directed, and therefore, I am seeking your engagement in this matter so that an effective and beneficial solution may be achieved.

As you and I have discussed previously, and in the absence of a robust beach nourishment project, the breach of the City's dune system by the Atlantic Ocean was only a matter of time, and that time arrived this past Sunday morning. At 9:56am on September 30, 2023, the last remnant of the dune in a section of the City's beach between 15th and 16th Avenues gave way, and wave run up from high tide entered the Beach Patrol facility parking lot and flooded into the staging area for construction of the short section of bulkhead just recently approved by the Department for emergency installation. The City has been attempting to install more suitable lengths of bulkhead (initially requesting from 15th Avenue south to 16th Avenue, then requesting from midblock between 12th and 13th Avenues south to 16th Avenue) since October 5th of last year, when it became plain to see that erosional forces from the Atlantic Ocean would soon outpace implementation of



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the long-awaited and still pending USACE/NJDEP Hereford Inlet to Cold Spring Inlet project. These structural shore protection requests were repeatedly denied by the Department, despite multiple rounds of topographic survey updates and photographic evidence of accelerated sand losses in this section of the City's dune system. Until last week, the only Emergency Authorization that was approved by the Department specific to these dire concerns was the regrading of steep, unstable dune scarps, which threatened public safety, as referenced above.

The sand mitigation condition of the most recent EA required that the City place 1,881 cubic yards of sand within, and not landward of, the zone of the dunes where the authorized grading had occurred. Furthermore, the condition specified certain dune crest heights. What the EA condition failed to recognize is that this dune system is not a static feature, and the dynamic forces that caused the severe scarping in the first place are the same that would now immediately erode away any supplemental sand placement, especially given the Division's stipulation that the sand not be placed landward and out of harm's way. Within a week of the City's efforts to regrade the dune scarp, another significant erosional event occurred, and the activities approved and completed via the EA were nullified by even more sand losses in this area. As a result, the area within which the authorized grading occurred, and where the Division is now requiring the sand to be placed, became part of the intertidal zone. In other words, it is subject to wave action twice daily.

The City has, because of this, twice submitted mitigation proposals to the Division for review and approval with what the City believes are more thoughtful and effective solutions than to deposit 1,881 cubic yards of sand into areas that have been repeatedly subject to wave run up and ongoing erosion. These proposals included not only the supplemental placement of sand (even in excess of the volume required), but also requested authorization to allow the City to relocate sand reserves which were destined to be lost as the limit of erosion advanced further into the beleaguered dune system. Both proposals were denied by the Division, and now the sand reserves that could have been relocated further west and out of harm's way have now been largely lost to the ocean over the past week.

The Division, in its most recent denial of the City's sand mitigation proposal, acknowledged the fact that oceanfront beaches are dynamic systems and noted that, by placing sand in areas subject to wave action, storm damage could be reduced by allowing this sand to erode. Without the benefit of an expansive beach berm, as is designed into the federal project, the Division's recommendation to rebuild dunes in an area of active erosion is an act of futility that provides virtually no benefit to the dune system, wildlife habitat, or the public and private property that the dune system is meant to protect.

Commissioner, with all due respect, that approach is antithetical to reason and common sense, and is incongruous with a logical shore protection plan. In short, it is a measure that plans for and is accepting of failure.



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Instead, I invite you to meet with me to reinspect the present condition of what remains of the City's dune system so that you can fully appreciate the magnitude of this shore protection crisis. The Department's more recent willingness to collaborate with the City on shore protection measures, even acknowledging the need for and approving the installation of a bulkhead between 15th and 16th Avenues this past week, is far more representative of the progressive solutions that can remedy this public safety hazard and protect City infrastructure and taxpayers' assets until the federal project can be fully implemented. It is in this same vein and broader understanding of the challenges at hand that I ask you and the Division to reconsider the sand mitigation requirement of the May 17, 2023 Emergency Authorization. Rather than attempt to force compliance of a condition that only makes sense on the four corners of the page it was written, blind to the existing conditions of the City's oceanfront and breached dune, I invite the Department to join the City in implementing a more effective solution that will place sand in a manner that it can be relied upon for some measurable period of time, not simply deposited into the sea. We stand ready to move forward with the NJDEP in a cooperative manner.

Sincerely,

Patrick Rosenello
Mayor