FREQUENTLY ASKED QUESTIONS

DAUPHIN ISLAND WEST END BEACH AND DUNE RESTORATION PROJECT

ALABAMA BEACH ACT PROCESS

Q. What is the application process for nourishing beaches under the Alabama Beach Act?

A. It is the responsibility under this Act for the Town of Dauphin Island to provide the following information to apply for the beach renourishment project:

1. A detailed description of the location, dimensions, and design features of the proposed beach project.
2. The location of the designated mean high tide line and project limits (landward and seaward extent of the proposed beach project) relative to the designated mean high tide line and the construction control line. This must be presented and adopted through a public hearing.
3. Adequate engineering, geological or other scientific data concerning shoreline topography, stability, and potential impacts.
4. A description of the quantities of sand needed from public water bottoms of the State of Alabama.
5. Any other supporting information reasonably required to evaluate the design.

Once the Alabama Department of Conservation and Natural Resources (ADCNR) has obtained a complete application and the Town has adopted the locations of the designated mean high tide line and project limits, the ADCNR Commissioner, in conjunction with the Alabama Department of Environmental Management (ADEM), will schedule and conduct a public hearing about the proposed beach project.

If all of these requirements are satisfied and all required permits are obtained (e.g., USACE Individual permit), the Commissioner may issue a permit for the proposed beach project which shall constitute a ratification and confirmation on behalf of the State regarding the location of the mean high tide line as identified in the application for the proposed beach project.

Upon issuance of the Alabama beach renourishment permit, the Town of Dauphin Island will record the designated mean high tide line with the office of probate in Mobile County. ***(Act 2000-676, p. 1365, §1.)***

ESTABLISHING A **DESIGNATED** MEAN HIGH TIDE LINE

Q. What is a mean high tide line?

A. The natural mean high tide line is the boundary between state owned submerged lands and upland property owners along tidal waters. Typically, this is the line that gets wet during the course of an average day. The designated mean high tide line is set by the state prior to an engineered beach project to as the separation between private property (landward of the line) and state-owned property (seaward of the line).

Q. Who owns the land south of the mean high tide line? My property is underwater; do I still own it?

A. All property lying seaward (south) of the designated mean high tide line, as recorded, is owned by the State of Alabama.

Q. How does a DESIGNATED Mean High Tide Line get established?

A. As dictated by Alabama State law, the state can **DESIGNATE** a mean high tide line. The State will recommend a Designated Mean High Tide Line based on science and engineering knowledge of the geomorphological processes of barrier islands. The State Law process for establishing the recommended Designated Mean High Tide Line requires the Town of Dauphin Island to hold a public hearing and then adopt the resulting Designated Mean High Tide Line. The State of Alabama will then also hold a public hearing. After these public hearings, the Designated Mean High Tide Line will be recorded with the Mobile County Probate Office and Secretary of State. All property lying seaward (south) of the Designated Mean High Tide Line is owned by the State of Alabama.

Q. Why is it important to set a Designated Mean High Tide Line?

A. Having a Designated Mean High Tide Line establishes an 'engineered' beach which would then become FEMA-claim eligible after major storms. This would mean that the nourished engineered beach can receive funding for future renourishment events.

Q. Will I still be able to access the beach from my private property if the State owns the land south of the Designated Mean High Tide Line?

A. Yes, private landholders will still have their littoral rights to access the beach and water.

Q. Will the Town of Dauphin Island / State of Alabama allow people to build back houses on renourished beaches north of the Designated Mean High Tide Line?

A. This will depend on the resulting size of your parcel and the location of any permanent maintenance easement. In order for any parcel to be buildable, it must meet certain minimum lot size and front, rear, and side setback requirements, and only certain types of structures (i.e., dune crossover, pier, etc.) may be built within the permanent easement area.

Q. What criteria were used to set the location for the Designated Mean High Tide Line?

A. There are several factors that were considered in setting the designated mean high tide line.

1. Coastal Processes - the input of the engineering team, in their 30+ years of understanding of the coastal processes of our barrier island, was critical for setting this line. From an engineering perspective, the designated mean high tide line should be similar to the natural mean high tide line. The location of the natural mean high tide line and the major northerly barrier island rollover migration we have experienced due to decades of major hurricanes (e.g. the 1915-1930s and 1995-2005) all indicate that sand will not come back naturally without intervention. The designated mean high tide line was developed using engineering analysis, shoreline data, public input, and regulatory guidance received during the permitting process. In several areas, the final designated mean high tide line reflects compromises made during the public process and is located landward of natural alignments originally evaluated by the project engineers.

2. Costs - the establishment of the designated mean high tide line and an engineered beach comes with maintenance responsibilities for the Town of Dauphin Island. This must be considered, as maintenance of the project comes with high costs.

3. State of Alabama input - The Town has been working collaboratively with ADCNR to ensure we meet all of their stipulations per the Alabama Beach Act. For example, guidance from the State indicated that the designated mean high tide line should not run under existing houses.

The designated mean high tide line is drawn in a location that is seaward of the location of the current natural Mean High Tide Line. In every case, the designated mean high tide line is located seaward of the historical shoreline in the past five years. The designated mean high tide line is also seaward of any currently emergent sand or residential structures. The distance at which the designated mean high tide line is moved south from the current natural shoreline is

limited by several factors: project budget limitations; funding source requirements; 'Estimated Useful Life' of the project.

Eastern Section

East-West: The designated mean high tide line begins at the eastern limits of the project boundary, near Ryan Ct, at the existing shoreline. From this point the designated mean high tide line runs west to the western boundary of 2625 Bienville Blvd.

North-South: The designated mean high tide line is positioned no less than 10' seaward of the north boundary of the POA West Surf Beach, or at least 10' seaward of the natural mean high tide line, whichever is further seaward. In every case, this positioning adds property back where it is currently under water.

Eastern Section Discussion: The north-south designated mean high tide line placement preserves the POA's exclusive North-South right of access through the existing platted easements. This includes the current Town/ POA permit-only parking areas. The parking areas are at Raphael Semmes, Saint Stephens, Sam Houston, and Sehoy. These four streets represent are where most full-time residents, property owners & their guests can go to the beach and enjoy "permit only" parking privileges. No aspect of this project changes any existing north-south rights of access. No new public access points are created by the project. The general public will still have the rights of access they currently have to the WSB, by walking east or west along the shoreline.

Middle Section

East-West: From the west property line of 2625 Bienville Blvd, the designated mean high tide line runs west to the eastern boundary of the Town's West End Beach Property.

North-South: The designated mean high tide line is positioned 10' seaward of all residential structures. The line connecting the structure follows the approximate current shoreline.

Guidance from the State indicated that the designated mean high tide line should not run under existing houses. Instead of drawing the lines around the residential structures, the line is drawn in a straight line connecting the existing homes that are furthest seaward.

West Section

East-West: The designated mean high tide line connects to the line at the western extent of section two and runs west to the end of the project footprint

Q. Why is it important to set a designated mean high tide line?

A. State law requires the designation of a mean high tide line before a beach nourishment project can be constructed. This project simply could not move forward without a designated mean high tide line. Once completed, this project will create what FEMA considers to be an "engineered" beach, which is eligible for disaster assistance funding in the wake of major storms and other declared disasters. This means that the nourished, engineered, monitored beach will be eligible for funding for future renourishments, ensuring that the Town of Dauphin Island can maintain the wide sandy beach and prevent erosion from threatening private property and built infrastructure.

Q. Can we move the designated mean high tide line south?

A. One of the project's primary goals is to reduce overwashing of the West End, which is both a constant economic burden for the Town and a driver of beach erosion in decades past. To accomplish this goal, the project includes a large sand dune with a wide, sandy beach in front of it. This is the fundamental design concept of the project; it's success is directly associated with the resilience of the sand dune and the width of the beach south of the dune.

Moving the designated mean high tide line (and thus the buildable areas) southward would have necessitated also moving the dune southward. For the dune to be resilient, the constructed beach must also widen to the south into deeper and deeper water, which would have required more sand and significantly increased the overall cost.

Furthermore, once construction of the engineered beach is complete, maintenance of the beach will be the Town of Dauphin Island's cost responsibility. The Town is striving to make Dauphin Island resilient as a barrier island system that both protects our MS Sound resources (oysters beds) and our neighbors on the mainland.

Q. In *United States v. Louisiana, et al.*, (the "Alabama and Mississippi Boundary Case"), the U.S. Supreme Court established a permanent 3-mile seaward boundary for the State of Alabama in the Gulf.

a. Does that case have any impact on the Town's establishment of a designated mean high tide line for this project?

b. Does the federal preemption doctrine prevent the Town from designating a mean high tide line?

Answer:

a. No. In 1992, the U.S. Supreme Court authorized an agreement between the United States and the State of Alabama that established a permanent (i.e., non-ambulatory)

line identifying where Alabama's territory ends and the U.S.'s territory begins. That line was established with precise coordinates, and bears no relationship to the location of the mean high tide line on the Island.

b. No. The federal preemption doctrine does not apply when a state law and a federal law can coexist without conflict. If the state law does not impede, contradict, or undermine the objectives of the federal law, and both laws can operate independently, preemption is unnecessary. This principle allows states to legislate in areas traditionally under their authority unless Congress explicitly or implicitly intends federal law to fully occupy the field or there is a direct conflict between the two. The 3-mile boundary is a function of federal law that identifies what portion of submerged lands, waters, and natural resources belong to the State, with everything *beyond* that 3-mile boundary belonging to the federal government. The mean high tide line is a function of State law that has no impact on the location of the federal 3-mile boundary. Moreover, the permanent location of the 3-mile boundary is not a "law" passed by Congress, but is instead a Court-authorized agreement between Alabama and the U.S., and there is no provision in that agreement that would be breached by the Town's establishment of a designated mean high tide line for this project.

PRIVATE PROPERTY AND SUBMERGED PROPERTIES

Q. Will I still be able to access the beach from my private property if the State owns the land seaward of the Designated Mean High Tide Line?

A. Yes, private landholders will still retain all littoral rights and privileges of access as prior to the project.

Q. Will the Town of Dauphin Island allow people to build back houses on renourished beaches <u>landward</u> of the designated mean high tide line?

A. Yes, as long as the structure does not unreasonably interfere with the use or purpose of any necessary and/or required easements, and the proposed construction is in compliance with applicable Town Ordinances.

Q. Who owns the land seaward of the mean high tide line? My property is underwater, do I still own it?

A. Questions concerning ownership of coastal property can be complex and depend on the specific facts and legal circumstances involved. Under Alabama law, the natural mean high tide line generally serves as the boundary between privately owned uplands and state-owned submerged lands. The Alabama Beach Project Act also provides a process for establishing a designated mean high tide line in connection with an engineered beach project.

Property owners with questions regarding the ownership, boundaries, or legal status of a particular parcel should consult their own legal counsel or title professionals. The Town cannot provide legal advice regarding private property rights. The West End Beach and Dune Restoration Project does not itself adjudicate competing ownership claims, but instead proceeds pursuant to the permitting and regulatory framework established by Alabama law.

Q. Are the submerged properties being taken by eminent domain?

A. No. The recording of the designated mean high tide line only affirmed the State's ownership of submerged land seaward of the line that mother nature had already claimed. In other words, the State *already owned* all submerged land by operation of law – the recording of the designated mean high tide line simply documents the precise boundary of what the State does and does not own for purposes of having accurate land records, and fixes the designated mean high tide line as recorded as the dividing line in perpetuity.

Q. If a homeowner has been paying taxes on submerged property, do I still own that property?

A. It has long been held by courts that the State of Alabama has title to submerged lands in navigable waters. This is even true for land that was once private upland property but became submerged due to natural avulsion, such as a hurricane. Following an avulsion event, the property owner has 5 years to apply to the State for permission to perform reclamation activities. Ala. Admin. Code r. 220-4-.09(4)(b)(5). If the land is not reclaimed through a State-approved reclamation project within 5 years of the avulsion event, title to the submerged lands becomes fully vested in the State. However, unless such natural transfer of land from private ownership to the State is documented in some manner (e.g., quiet title action by State, recording of State-confirmed mean high tide line), the County Revenue Commissioner has no way of knowing that ownership of the property (or a portion thereof) has changed. If the private property owner does not inform the Revenue Commissioner that the boundaries of its property have changed due to natural avulsion, the Revenue Commissioner will continue assessing the property against the owner "of record." **Payment of taxes assessed against submerged property <u>does not</u>, however, give the taxpayer any rights or title to the submerged land.**

Q. For lots which are currently un-buildable (under water) – after the beach is rebuilt – can homes be built on the land?

A. Placement of sand or restoration of the beach does not, by itself, determine ownership, alter recorded property boundaries, or establish that a lot is buildable. Development eligibility must be evaluated on a parcel-by-parcel basis and depends on ownership and

survey information, Town zoning and building requirements, setbacks, floodplain regulations, environmental restrictions, and any other applicable permits or approvals. Generally, former lots that are currently completely submerged now belong to the State of Alabama and cannot be developed.

Q. What are the restrictions to prevent a home from being built on the new land?

A. Development eligibility and restrictions will be determined by applicable Town ordinances, zoning requirements, building codes, setback rules, floodplain regulations, environmental restrictions, and any other applicable requirements. Property owners should consult with the Town Building Department regarding specific parcels.

Q. Is there a set-back that new homes must be behind the dunes?

A. Setback requirements will be determined by applicable Town ordinances, building codes, and adopted design standards. Property owners should consult with the Town Building Department regarding applicable setback requirements for specific parcels.

CONSTRUCTION EASEMENT

Q. What is a Construction Easement and why do I need to sign it? Am I signing away my property rights?

A. A construction easement may be required for certain parcels to allow the placement of sand and/or dune structures on private property. Typically, the easement area does not cover the entire lot. Property owners who grant a construction easement will continue to own the property, but the Town would have certain rights to construct and maintain the project in the easement area.

Q. What rights are conveyed to others via the Easement?

A. It conveys to the Town of Dauphin Island the right to access the Easement area to build, monitor, and maintain the project in perpetuity.

Q. What is the Construction Control Line (CCL) and what affect does it have on land rights in the easement Area?

A. The Construction Control Line is a regulatory boundary independently established in the Alabama Code and administered by ADEM as part of the Alabama Coastal Area Management Program (ACAMP). Use of property in this area is already limited by ACAMP. All rights of access or littoral rights remain.

Q. Does everyone have to sign the easement for the project to move forward?

A. Construction easements will only be for private properties landward of the designated mean high tide line affected by the project. We hope that the private landholders will understand the importance of a whole and resilient project and that they are receiving sand with this easement. Within the footprint of the designed project, we would like 100% participation or the project will be compromised. If an individual easement is not signed, no sand will be put on your property which will leave a deficit of sand on your property.

Q. Who is responsible for the planned monitoring?

A. The Town of Dauphin Island will monitor the project and survey impacts as they occur.

Q. Will landowners be advised of planned dates for monitoring?

A. Monitoring will be ongoing, and notice will not be provided. The majority of monitoring activities will take place seaward of the designated mean high tide line. No routine monitoring activities will take place landward of the project area.

Q. In the event of loss of beach due to erosion or storm events, who is responsible to return the engineered beach to the original design?

A. After the project is completed, the Town of Dauphin Island will be responsible for future maintenance activities on the engineered beach. In the case of a FEMA-eligible event, any renourishment activities will be subject to review by FEMA.

Q. How would planning for such re-nourishment activities commence? How would landowners be notified of such a process?

A. The normal permitting process for the US Army Corps of Engineers and public notice requirements would apply. Any project would be announced at Council meetings. Also, when a permit is required, the US Army Corps of Engineers will advertise a public notice in the local newspaper.

Q. What limitations exist for the landowner in the Easement area?

A. Property owners have the right to use their private property in their easement area as long as the use does not unreasonably interfere with the purpose of the easement. The easement will allow for access for construction, monitoring, and maintenance activities.

PUBLIC ACCESS

Q. Does the land seaward of the designated mean high tide constitute a public beach, and can people be on "my" beach?

A. The public will be able to traverse on the State-owned land (i.e., seaward of the designated mean high tide line) and use that beach area.

Q. How would the public gain access to the public beach?

A. The public can only access the State-owned beach through public access points, i.e., water or the west end beach, and Town road easements by foot or by permitted vehicle.

Q. What are some examples of managed access actions that will be taken by the Town of Dauphin Island to ensure access?

A. Managed access can take many forms. Signage will be used to inform people to remain off of the dunes. Property owners will collectively be encouraged to build dune walkovers to access the beach from their private property. They will need to use plans for these walkovers approved by the Town's planning commission. There will be sand fencing installed that also acts as a deterrent for access and to help form and maintain dunes.

BEACH NOURISHMENT ENGINEERING AND DESIGN

Q. What are the goals of the Project?

A: The primary goals are to restore beach and dune habitat along the Gulf beaches and protect West End infrastructure with beach nourishment, sand dunes, and vegetation. Secondary goals include: introducing beach sands back into the littoral drift of the northern Gulf barrier islands to restore the mainland protective functionality of our barrier island system; and improve West End beach and dune habitat including Gulf-front foraging and nesting habitats for seabirds, shorebirds, neotropical migratory birds, and sea turtles.

Q: How is the beach renourishment project designed?

A. It is designed to restore a healthy, functioning sand dune and beach south of the houses. Historically, there was such a beach and dune system just south of the houses (in the 1950s through the 1990s). The dune is designed to reduce island overwash and property damage in major hurricanes. The beach south of the dune is designed to protect the dune until the major hurricanes.

Q. Will landholders be updated with conceptual design and design milestones?

A. Yes. The design team will provide regular updates with the conceptual design and major design milestones at 30% and 90% design. These will be provided through the Town website and at individual requests.

Q. How wide will the new beach be?

A. The current design has varying widths of beach from 170' to 590' (this wider value is in the Town's West Beach Park). Generally, south of the houses, the new beach will be about 200' to 300' wider than today's beach. The new project will restore 40 acres of dune habitat and about 200 acres of beach habitat over a 3.5 mile stretch of the west end.

Q. Will the continuous dune be on private property?

A. The dune location will be determined by the final engineering design and may vary along the project length. The relationship between the dune footprint and any particular property boundary depends on surveyed conditions, applicable property interests, and easement participation. The designated mean high tide line does not automatically correspond to the boundary of every privately owned parcel.

Q. Will I have to build a dune walkover?

A. Whether a dune walkover is necessary, and who will be responsible for constructing, funding, and maintaining it, will depend on the final dune alignment, applicable Town ordinances, permitting requirements, property ownership, access rights, and any future Town decisions. Property owners should consult with the Town regarding applicable requirements for their specific parcels.

Q. Will the sand ever come back naturally?

A. No (with one exception discussed at the end of this paragraph). The sandy beach and dune system which existed south of the houses in the 1990's is permanently gone along most of the West End. Our detailed understanding of the West End beaches extends back to the 1850s. The West End historically has experienced major northerly barrier island rollover migration due to decades of major hurricanes (e.g. the 1915-1930s and 1995-2005). Shoreline recession rates were likely 200-300 feet in the 1915-1930's time frame due to a series of major hurricanes. The shoreline recession from 1957 to 2022 averaged 260 feet along the West End beaches due to the major hurricanes between 1995 and 2005. There has been no significant natural shoreline accretion along the West End beaches in the past century. The exception are the beaches east of Quebec Ct. They are accreting now due to the collapse of Pelican Island onto Dauphin Island that began in 2008. This project has been

designed to take advantage of that ongoing geological phenomenon. So, there is no scenario where sand will return at even a tiny fraction of what this directed project will do.

Q: Can the dune be moved south, as currently designed?

A: We are happy to discuss this with the engineering team. The dune is strategically placed for the resilience of the project based on coastal engineering. We can move the dune south of the designated mean high tide line but will have to then also extend the beach template south to ensure project sustainability which increases cost of the project.

Q. There is currently a drainage problem on Bienville and the ditch next to the road after rainstorms – are there any drainage plans behind the dune – or will storm water retain behind the dunes similar to Bienville?

A. The dune is not anticipated to cause or materially contribute to the existing drainage problems. The drainage problem on the west end exists because of high ground water table, flat terrain, and lack of drainage infrastructure in this vulnerable part of the island. Reducing overwash and sand and water intrusion onto Bienville Boulevard is a stated design objective of the project, but outcomes are always dependent on storm characteristics.

DUNE RESTORATION AND DUNE WALKOVERS

Q. Where is the location of the dune?

A. The dune location is determined by the final engineering design and varies along the project length. The relationship between the dune footprint and any particular property boundary depends on surveyed conditions, applicable property interests, and easement participation. The mean-high-tide line does not automatically correspond to the boundary of every privately owned parcel. Dune placement in the western portion of the project may be influenced by whether easements are executed for particular properties.

Q. Will there be gaps in dune?

A. Planned dune gaps are currently proposed at certain Town road ends, subject to final design and emergency-access requirements. For parcels whose owners do not execute an easement, the project team will evaluate the final dune location. This will be based on engineering requirements, authorized construction areas, access needs, and executed easements. Continuity of the dune is an important feature for project resilience.

Q. How will traffic be restricted / kept off the dunes?

A. Signage and sand fencing are anticipated to deter unauthorized traffic on the dunes. The need for, location of, responsibility for, and approval of a private dune walkover will depend

on the final dune alignment, applicable Town ordinances, permitting requirements, property ownership, access rights, and any future Town decisions.

Q. How high will the dune be?

A. Dune height as experienced from adjacent properties will depend on existing grade elevations and final design, but will generally extend about 10 feet above the beach. The East End dune at Audubon Place may serve as a general visual reference, though final dimensions may differ.

Q. Dune Walkovers are the responsibility of the private property owner?

A. The responsibility for construction, funding, and maintenance of a private dune walkover will depend on the final dune alignment, applicable Town ordinances, permitting requirements, property ownership, access rights, and any future Town decisions. Property owners should consult with the Town regarding applicable requirements.

Q. Where can dune walkovers be positioned?

A. Walkover location, design, and approval requirements are subject to applicable Town ordinances, building and permitting requirements, and adopted design standards. Property owners should consult the Town regarding guidelines for their specific parcels.

Q. Where can owners "behind the front line homes" build a walkover?

A. Access rights may depend on recorded deeds, subdivision plats, easements, common areas, property owners association instruments, public rights-of-way, and other property-specific circumstances. Owners without direct Gulf frontage should review their recorded property interests and consult with the Town regarding available access routes.

Q. Can "back row" owners place their walkover in front of the front row home?

A. Whether a particular property owner may construct a walkover, and the location of any such walkover, depends on the property owner's ownership, recorded access rights, applicable easements, and Town permitting requirements. The characterization of "Gulf-front or littoral property" rights requires parcel-specific analysis.

Q. Are these "back row" homes restricted to placing their walkover at the end of the street?

A. Access rights are property-specific and may arise from recorded deeds, subdivision plats, easements, common areas, property owners association instruments, public rights-of-way, or other recorded interests. A determination of any particular owner's access rights requires review of their specific property documentation.

Q. Are there limits / restrictions / plans to the placement of walkovers?

A. Walkover design, placement, and restrictions are subject to applicable Town ordinances, building and permitting requirements, and adopted design standards. Property owners should consult with the Town regarding requirements applicable to their specific property.

Q. For homes on the bay side of Bienville – homeowners and renters commonly walk straight to the beach from there home (do not go down to public beach access) – how will these people access the beach with respect to private walkovers?

A. Property owners and visitors should use authorized access routes to reach the beach. The legal status of particular corridors or pathways depends on recorded property interests, easements, public rights-of-way, and other applicable documentation. The Town encourages use of designated access points.

Q. Will the Town consider a "public" walkover at the end of streets which are multiple homes deep?

A. The project team is evaluating potential access points, including proposed dune gaps at certain locations for emergency-vehicle access and pedestrian use. Any proposed dune gap is subject to final design, emergency-access requirements, ownership or access rights at the location, and applicable permits. Any future public access improvements would require confirmation of ownership, authority, design feasibility, funding, and appropriate Town approval.

CONSTRUCTION FUNDING

Q. What funding is currently pending?

A. This project is being considered for funding under the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) Council-Selected Restoration Component (commonly referred to as "RESTORE Bucket 2"). These funds are administered by the Federal RESTORE Council, which is made up of representatives from the 5 Gulf States and 6 Federal agencies. When undertaking the planning process that designates projects for funding, the RESTORE Council works collaboratively with input from stakeholders across the Gulf to develop Funded Priorities Lists (FPLs). FPL funding decisions are guided by criteria set forth in the RESTORE Act, the Council's 2016 Comprehensive Plan Update: Restoring the Gulf Coast's Ecosystem and Economy, the Council's 2019 Planning Framework, and other policies. The Town has secured funding commitments; however, final disbursement remains subject to grant requirements, continued compliance with grant conditions, and applicable agency approvals.

Q. What are the constraints on federal funding opportunities?

A. Federal funding will not pay for the restoration of private properties.

Q. What other funding opportunities is the Town pursuing?

A. Other opportunities could include GOMESA grants, Congressional Appropriations, local funding, etc. The Town is actively pursuing all options to fund the entire designed project.

Q. Will the project be phased or segmented?

A. While it is the intention of the Town to construct the entire project, there are constraints with funding opportunities and with the amount of funding required. The Town will make every effort to fund the entire project.

CONSTRUCTION

Q. When will construction begin?

A. The Town currently anticipates that construction may begin in early 2027; however, the actual start date remains subject to final funding approvals, grant compliance requirements, permitting, weather conditions, contractor availability, and other project conditions.

Q. What is the estimated project duration?

A. Based on current project planning, sand placement and dune construction are estimated to take approximately 4-6 months, with dune planting anticipated to follow over an approximate 30-day period. These timeframes are estimates and may vary depending on weather, contractor operations, permit conditions, and other factors.

Q. Where does the construction zone begin?

A. The currently anticipated eastern project limit is Ryan Court.

Q. Where does the construction zone end?

A. The currently anticipated western project limit is Katrina Cut. Final construction limits remain subject to final design based on grant funding.

Q. Will my property be disturbed during construction?

A. Disruption on any part of the beach will only be in small sections at a time. Pumping the sand should take less than two months, and heavy machinery will rework this sand for a few additional weeks in small sections at a time. Exact timing is difficult to pinpoint right

now and will depend largely on the contractor, as well as timing for nesting wildlife species. Pre-construction activities will include discussions with the contractor to develop a construction process with a more precise timeline, which will then be provided to all adjacent landowners.

Q. How / Where will construction equipment get to the beach?

A. Sand is anticipated to be delivered primarily via pipeline from the water, with some construction equipment transported by truck or barge. Proposed staging areas are located on Town-owned properties. Contractor access, staging, and equipment placement will be governed by final construction plans, applicable permits, property rights, and executed easements.

Q. Once construction equipment is on the beach – will it need to come and go from the beach?

A. Construction equipment is expected to operate primarily on the newly constructed beach area and to be staged at designated Town-owned locations. Equipment will only access private property where an executed easement or other lawful authorization has been obtained.

Q. Where are the proposed staging areas located?

A. Proposed staging area locations include the West End Beach Parking Lot, Tampico Ct. Parking Lot, Surf Ct. Parking Lot, Sehoy St. Parking Lot, Sam House St. Parking Lot, and St. Stephens Parking Lot, all of which are Town-owned properties. Final staging locations are subject to permit approval and may be identified in the construction drawings.

Q. Will construction equipment reside on bay side or gulf side of the newly constructed dune?

A. Construction equipment is expected to be on site for approximately 4-6 months and to be positioned in front of particular sections of the project for limited periods. Once construction is complete, equipment will be demobilized. Any future maintenance requiring equipment access to private property would occur only on parcels where an executed easement authorizes such access.

Q. Are there restrictions on how close construction equipment may reside to residential houses?

A. Construction equipment will not be staged on residential properties. Equipment will access private property only for active construction where an executed easement or other lawful authorization has been obtained. Construction activity will conform to the authorized limits of the applicable easement and will not occur beneath existing structures.

Q. How will bulldozers get to the beach, and will they be going through my property?

A. Heavy equipment will be transported to the island by truck or barge and stored in an approved staging area. Contractors will only need to access private property to mobilize equipment for construction activities within the agreed upon limits of the easements. The contractors will not need to move equipment through driveways or under houses.

Q. How will you avoid disturbance to the healthy vegetation on my property within the construction easement limits?

A. Final design and construction will be conducted in coordination with ecologists specializing in native beach vegetation. Contractors will mark healthy vegetation to be avoided by heavy equipment. Sand may be placed in the vicinity of healthy vegetation if ecology consultants verify that the plants can survive or be replaced. This project does include the planting of new, native beach vegetation.

Q. Where is the sand borrow area? Will they be digging deep holes beside the project?

A. The sand for this project will be dredged from a location about 4 miles offshore in State waters, in the Sand Island Beneficial Use Area. No pits will be dug on the island for this project. The sand in this borrow area closely matches the native beach sand in both color and grain size. In other words, it will look and feel just like the sand already existing on the West End.

Q. Based on where the project ends, will water come around the end and scour out adjacent properties to the west?

A. No, the beach nourishment project should not cause erosion.

Q. What are anticipated work stoppages?

A. Storms / Hurricanes? -Yes. Construction may be suspended or delayed due to storms or hurricanes. The project schedule is designed to minimize hurricane-season exposure, but weather-related delays cannot be ruled out.
B. Turtle / Wildlife nesting? -The project has obtained applicable environmental permits; however, construction may still be subject to wildlife monitoring requirements, agency-imposed conditions, seasonal restrictions, or other environmental compliance measures that could affect scheduling.
C. Local Festivals? -Work stoppages for local festivals are not currently anticipated, although contractor operations and access may be coordinated with the Town as necessary.
D. Funding Process? - Project funding is subject to applicable grant requirements, approvals, and project administration. While the Town has secured funding

commitments, final disbursement depends on continued compliance with grant conditions and any applicable agency approvals.

LONG-TERM SUSTAINABILITY

Q. How will the project be sustained into the future?

A. The Town of Dauphin Island has been working closely with the US Army Corps of Engineers (USACE) to enter into a Memorandum of Agreement (MOA). This MOA will include a mechanism in which Dauphin Island can receive sediments that are dredged by the USACE. The MOA is being pursued to address long-term sustainability of several project sites including, but not limited to, the West End, East End, Graveline Bay, Aloe Bay, and Little Dauphin Island. Once the Town secures a programmatic permit and funding is available, these USACE dredge events can be beneficially utilized to place sediments on appropriate project sites dependent on sediment types and volumes.

Q. How do FEMA claims help the Town maintain projects?

A. This project will create what FEMA considers to be an ”engineered” beach, which is eligible for disaster assistance funding in the wake of major storms. This means that the nourished, engineered, monitored beach will be eligible for funding (cost-share) for future renourishments, ensuring that the Town of Dauphin Island can maintain the wide sandy beach and prevent erosion from threatening private property and built infrastructure.