

Dare County Waterways Commission

Minutes

Monday, November 8, 2021
7:00 PM (Virtual Meeting)

Call to Order

Roll Call: Steve Coulter, Ernie Foster, Natalie Kavanagh, Michael Flynn, Danny Couch, KP Scott, Kermit Skinner

Acceptance of Minutes: October 11, 2021

- Natalie Kavanagh made a motion to approve the minutes. Michael Flynn seconded the motion. All in favor.

Welcome: Chairman Steve Coulter

- Steve Coulter thanked everyone for attending.

Public Comment

- No public comment

New Business

USCG Report

- John Ahlen stated the Coast Guard will be back down in South Ferry Channel once the bridge opens to realign the buoys moved by the storm. All the green buoys at the Bar have moved. They anticipate moving the buoys back in place by the weekend. Steve does not know of anyone who's gone through there in the past few days to see conditions.
- John Matuska said they went out in the 47 to check the buoys. During high tide the South Ferry Channel was 7 feet in the center of the channel. Normal tides return on Wednesday, so they will again go out to observe conditions. He believes all buoys in the South Ferry Channel are still there.

Corps Report

- Brennan updated the Commission on the Rollinson Realignment. It is an April timeframe that they believe the Rollinson Realignment will be finalized. Todd said they surveyed Barney Slough October 14th and 15th and the South Ferry Channel on the 20th. South Ferry Channel will be surveyed again this upcoming Thursday once the bridge is open. Todd confirmed the new survey will include the western route.
- Joen explained that weather has prevented the dredge from accessing the South Ferry Channel. Today, they are working on the Hatteras side of the inlet. Once the survey is received, the Corps will begin dredging South Ferry Channel. Steve was concerned about the

weather this weekend, but stated the weather was looking good the next few days for the dredge to work. Joen responded that without the survey, they did not feel comfortable sending the Merritt into the channel the next few days due to the risk of unknown conditions.

- Ken spoke about the meeting between himself, Dare County, Steve, and the Corps about alternative options to begin dredging the western route. The Corps was hesitant about dredging across the shoal of the western route due to shallow conditions. The alternative option discussed was dredging parallel to the shoal. These “lanes” were proposed to the agencies to run perpendicular to the western route, allowing the dredge to stay in deep water and cast into deep water. This allows the dredge to operate more safely and prevent issues with creating dry shoals, at which point dredging must stop. Ken received confirmation from the Corps, and should receive confirmation from the State agencies within the next couple days allowing the dredge to carve off some of the shoal. Steve said the western route will allow for a straighter channel that will hopefully have a better flow.
- Danny Couch said the Chairman of the Board of Commissioners and County Manager were able to pass through earlier on Route 12 today. DOT is re-establishing dune lines and hopefully the road will be open tomorrow around noon.
- Steve asked Brennan if the April timeframe was for completion of the realignment process or the finalization of the EA. Brennan said the EA would be completed by April, then administrative items must be finished. Most likely late April or May.

NCDOT FERRY Report

- Catherine Peele from the Ferry Division provided a written report before the meeting to the Commission. Barton Grover read the following written report:
- We are currently shutdown at several operations (Hatteras/Ocracoke, Cherry Branch/Minnesott Beach, Cedar Island, Ocracoke, Swan Quarter, and Currituck/Knotts Island). Once conditions improve and channel conditions can be checked, we will begin to resume normal operations.
- With the passing of the infrastructure bill, our team is beginning to look into what funds are available for capital improvements.
- The NCDOT budget has not yet passed and we continue to operate under a continuation budget.
- The Dredge Manteo is still at the Shipyard for its haul out period which continues to be on track to finish at the end of the year.
- We are working with Barton and the USACE to determine if/when the Rodanthe can be dredged.

Old Business

- Dare County received a complaint from a resident last year concerning water safety issues near Big Island and Mill Creek in Avon. This complaint was relayed to the North Carolina Wildlife Resources Commission (WRC). WRC performed an investigation of the area and found there to be safety issues caused by boats and PWC’s operating at greater than no wake speeds, with obstructed views, near swimmers and manually propelled vessels. Therefore, WRC recommended the current No Wake Zone be extended. The next step would be for the Waterways Commission to vote on a motion to recommend the Dare County Board of

Commissioners submit an application requesting rulemaking for the extension of the No Wake Zone. If the Commissioners pass a resolution in favor of the extension, the application would be submitted to WRC, who would then open a 60 day public comment period before holding a meeting to adopt the no wake zone rule. Michael Flynn concurred with all the findings in the report and spoke to local residents in the area. It is shallow once boaters get out of the channel and there are blind spots. Danny Couch believed it was a good precedent to set due to the Corps focusing on recreational uses going forward and improves the Commission's credibility by showing we are the voice throughout Dare County for all users of our waterways. Steve stated if it is a safety issue and there have been reports of incidents and it could be corrected by a No Wake Zone, then we should move forward with this.

- Ernie Foster asked who would be responsible for installing and maintaining the buoys. Barton responded that WRC will assist with the install and maintenance. Dare County would purchase two buoys at a cost of about \$200 a buoy.
- Michael Flynn motioned to recommend the Dare County Board of Commissioners pass a resolution to extend the current No Wake Zone, Steve Coulter seconded. All in favor

Administrative Business

- Current Budget
 - Non-Federal Funds with Corps for SFC: \$760,542
 - President's Budget FY2022 for Rollinson Channel: \$30,000
 - Dare County FY2022 Budget: \$250,000 (\$0 remaining)
- MOA/Permit Status
 - MOA- Expires 01/2022
 - CAMA – Expires 12/2024
 - Department of the Army Permit – Expires 03/2027
- Funds withdrawn from non-federal funds with Corps to reflect Murden event, approximately \$270,000 expended.
- Steve asked Barton about any other updates. Barton and Ken spoke about minor modification to the permit for Miss Katie to be able to dredge the South Ferry Channel in same location and manner that the Corps operates. Ken expects the modification will be in place by January.
- Steve asked if the Commission could have someone attend to provide an update on the dredge to answer questions about when it will be here, what it will be able to do, and how to schedule it. Barton stated the dredge is anticipated to be complete in late April and delivered in May. Ken spoke about his visit to the dredge and stated the hull is essentially completely constructed and there will need to be sea trials once delivered.
- Steve asked about the infrastructure bill. Barton asked Jeremy Smith if the Corps was notified of which projects had been funded. Jeremy said \$2 billion in funding was allocated for fiscal year 2022 and \$1 billion for each of the next two years Corps wide, but that is the extent of detail they have received.
- Danny spoke about the redistricting of the North Carolina House, in which the southern part of the County is now split from the northern part. Dare County has expressed its objection to splitting the County due to the economy being intricately bound.

Board Member Business

- Steve asked Michael about the status of abandoned and derelict vessels. 20 vessels have been removed. There are two near Pirates Cove. One is registered and not authorized for removal. The other further south is in the notification process with WRC. WRC had significant funding this fiscal year for vessel removal.

Adjournment

- Steve made the motion to adjourn, Michael seconded. All in favor.

Next meeting is December 13, 2021 at 7:00pm. The meeting will be virtual.

Respectfully submitted,

By: _____
Barton Grover
Grants & Waterways Administrator

APPROVED By: _____
Steve Coulter, Board Chair
Dare County Waterways Commission