



# Dare County Waterways Commission

## Minutes

Monday June 12, 2023

### Call to Order

**Roll Call:** Steve Coulter, Natalie Kavanagh, Ernie Foster, KP Scott, Danny Couch, Michael Flynn, John Berquist

**Acceptance of Minutes:** May 8, 2023

- Steve made the motion to approve the minutes. KP seconded the motion. All in favor.

### **New Business**

### **USCG Report**

- John Ahlen reported this will be his last meeting, change of command is next week. Steve thanked John for everything he has done for Dare County and wished him good luck at his next post. 3A was placed back in and other buoys have been serviced. The new employee will place another buoy in the inlet. Steve asked how Oregon Inlet is holding up. John said the channel is holding up well, but the recent blow moved a few buoys.

### **Corps Report**

- Jeremy Smith stated they are still working towards the pipeline project. The Merritt is in Wanchese until the crew returns from up north.
- The Corps did receive the Dare County request for emergency dredging adjacent to the Harbor. A survey will be performed later this week. He anticipates the Murden would be the dredge to operate. Barton clarified that an earlier email received stated the Coast Guard needed to declare an emergency. Jeremy said that they do need the Coast Guard's input after the survey. There are other shoaling issues up north which the Coast Guard is involved

- in, so they need to prioritize the dredging requests. Steve asked what the timeline for the project would be. Jeremy responded he would need to consult first with the Coast Guard due to other urgent dredging needs, before estimating a date.
- Ernie asked if the Miss Katie could work under the Corps authorization. Jeremy responded that it would be complicated and involve multiple agencies. There was a lot involved up in Oregon Inlet for the Miss Katie to operate there. Ken Willson said it is a little different because the Miss Katie has an existing permit matching the Corps authorization in Oregon Inlet, so once the Corps received emergency authorization the Miss Katie essentially obtained authorization. The permits applied for in Hatteras Inlet are different in that they will not be dependent on the Corps permits. Ken said we have submitted permits to allow for the Miss Katie to operate in this channel.
  - Ernie asked about the pipeline project addressing that area. Barton stated that the Corps has limited funds and it is unlikely the channel adjacent to the breakwater would be dredged unless the County contributed funds. The Corps has Dare County funds on hand, but there is only enough for either an emergency dredging event or a pipeline event. Not both. Steve asked if the pipeline project may not happen due to funding or if there is a chance it would be severely reduced. Jeremy said dredging is necessary in Barney and Sloop to make sure the ferries keep running. Steve, Danny, and KP all voiced that a lot of private vessels are moving through this channel and it needs to be dredged to ensure they can work, and the voice of that user group is not being heard. Steve said that essentially every federal dollar for operations this year was spent on the ferry route, then we are hearing now that the pipeline money is also going to them. Jeremy said the two top priorities for the Corps is the Coast Guard to ensure they can respond and the Ferry Division.
  - Steve said he doesn't believe the Coast Guard could run a boat under tow today and KP said he can barely get through with the Miss Hatteras. Steve said the Corps needs to look at more than just the ferry route. They need to look at safety, the Coast Guard, and the economic impact a closed channel would have on people who make a living out of transiting through this channel.
  - Greg Kennerley with the Coast Guard said they are tracking the issue and communicating with the Corps. Once they have the survey, they will meet with the Corps on the path forward.
  - Steve asked if the Corps is looking at modifying the permitted channel at Sloop to reduce the amount of dredging required. Jeremy said they are monitoring the situation, but have not yet begun any process to modify the channel. Steve said if the straight shot was permitted, it would save a mile, which would reduce DOT and Corps expenses.

## **NCDOT Ferry Division Report**

- No report

## EJE Dredging Report

- Barton reported the Miss Katie is working in Lockwood Folly and is making good progress. They will be returning to Dare County in approximately two weeks.

## Public Comment

- None

## Old Business

- Barton stated the lab report from Avon Harbor was received and material from the southern end of the harbor exceeded EPA limits of metals for placement in the water. The northern and western parts of the channel exceeded limits for only lead and diesel. The harbor material will not be able to be placed near Canadian Hole, but communications are ongoing with DOT and the Park Service for other options. Michael Flynn stated it could not be placed on the interdunal road due to adjacent wetlands. The channel material could still be placed on the beach if clean. John Berquist asked what are the alternate options for placement of the material. Barton stated right now the landfill is the only option, but trucking to Manns Harbor is cost prohibitive. Danny Couch encouraged Barton to look at all options and to continue to work with all the agencies.
- Stumpy Point design work is ongoing. A survey has been performed. Michael asked if there are concerns about the material at Stumpy Point. Barton stated because of those concerns, the Corps does not dredge the channel past where the DOT channel intersects with the federal channel. Jeremy reported that DOT will not be dredging the emergency ferry channel. Steve asked if funds from Stumpy Point could be moved to Hatteras since DOT is not dredging the emergency ferry channel. Jeremy said since it is IJJA funds, the funds can only be used for the project they were allocated to. He also mentioned that Stumpy Point is only an option on the contract. If the disposal site is not ready, the Hatteras Inlet pipeline dredging can move forward.
- Ken provided an update on the Miss Katie permits. The regulatory agencies have asked that the Ocean Bar permit be separated from the remaining permit and for that area to be included in a modification of the current Hatteras Connector permit. As mentioned previously, the permits are predominantly the same as the current Corps authorization. The difference being the expansion of where a hopper dredge could be used in areas the Corps only has authority to pipeline dredge. In addition, providing for additional disposal sites closer to the channel for the Miss Katie to more efficiently operate instead of going offshore to dispose of material. Steve asked who is requesting the permit be modified for the Bar. Ken said DCM, but we would be modifying the permit anyways to add additional disposal

areas inside the inlet to match the permitted disposal areas we are pursuing in the rest of Rollinson. Ken believes we'll have those permits in 6 months.

- Barton asked how the Waterways Commission would like to proceed in terms of utilizing the funds either for the emergency dredging request or pipeline dredging. Steve said we will wait for the results of the survey and to hear back from the Coast Guard.

### **Administrative Business**

- The full allotment of funding for the Miss Katie was not expended in FY23. The new budget year starts July 1<sup>st</sup> and a DEQ contract is established for \$1,000,000.
- John Berquist was appointed to the Waterways Commission at the Board of Commissioners meeting earlier this month. The Waterways Commission welcomed him to the board.

### **Adjournment**

- Michael motioned to adjourn. Natalie seconded.