



Dare County Waterways Commission

Minutes

February 12, 2024

Call to Order

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

Acceptance of Minutes: January 8, 2024

- Natalie Kavanagh made the motion to approve the minutes. John Berquist seconded the motion. All in favor.

New Business

USCG Report

- Patrick Tallant reported the schedule for Cape Hatteras Lighthouse renovation includes approximately 14-30 days where the light would be off until May 2025.
- Steve Coulter said fixed aids 4 and 8 in the sound between Rollinson Channel and the boatyard are no longer there. Patrick said there should be temporary buoys, so he will have the crew investigate.

Corps Report

- Bob Keistler stated the Corps has submitted the emergency declaration as of last week. The request was denied by the State Historic Preservation Office. They have required a geophysical survey of the new channel. The Corps has reached out to the Jacksonville office to do the work, but the timeline is approximately 2 months before that can be done. A cultural resource survey was performed for the Rollinson Realignment, but it did not include this area.

- Danny Couch asked if there was any specific detail that caused SHPO to deny. Bob responded he did not believe there was any reason to suggest there were wrecks in the area, but SHPO did not want to make it a standard procedure to allow dredging without a survey. Bob said after the initial survey is performed for the emergency declaration, the Corps will perform a survey over a larger area near both Sloop and Barney in case the channel shifts more. Steve Coulter said SHPO has allowed this before. Dredging was allowed in the Hatteras Connector before Dare County could finalize a cultural resources survey. Steve said they also allowed dredging to occur west of the bridge at Oregon Inlet before a survey was performed.
- Bob said the request reduced the authorized dredge depth to 7ft plus 2ft before the cultural resources survey could be finalized, anything below 7ft plus 2ft was not adequate for the ferries. Erin Weller stated the Corps has been coordinating with DOT on the issue and the Ferry Division is determining if they can perform a survey quicker to allow for dredging to commence. Catherine Peele with the Ferry Division stated they are looking to determine if they can hire a consultant to do the work faster. Cat said SHPO has reviewed the consultant's proposed scope of work and will have an answer in a couple of days if it meets SHPO standards.
- Steve said this needs to be done, the shoaling in Sloop will begin damaging ferries as it has done at Barney Slough. Cat confirmed that the channel is very narrow and weather systems have made it worse. The ferries have to wait on either side of the channel for the other ferry to pass through, causing delays. The ferries have been using Rollinson due to shoaling in Barney. Sloop needs to be opened to ensure the ferry system can stay on schedule during the upcoming season. Steve asked if SHPO knows that the proposed channel used to be utilized by the ferry division. Bob stated they have showed SHPO the previous ferry route. Natalie Kavanagh asked what SHPO is specifically looking for and who can do this work other than the Corps. Cat said they are looking at magnetic anomalies that would indicate a wreck. They have a consultant doing this work in another area that they have contacted. Barton Grover said the timeline for Dare County to perform this work with setting up cost share and performing the survey would be 4-6 months, longer than the Corps timeline.
- Michael Flynn asked if the current Sloop Channel could be dredged in the short term. Bob Keistler said the current shallow conditions on either side of the channel and dredge availability would prevent the Merritt from making much progress. Ernie Dosier asked how long it would take to analyze the survey once it is done and determine what is there and if it is significant? Ken Willson said the contractor can determine what is there based on the type of magnetic anomalies. He said they could interpret this data in a couple of weeks to a month after the survey.
- Steve asked if the survey was quickly done and SHPO approved, how soon could the Merritt return. Bob said if we received clearance and the Merritt was in North Carolina, then it would likely be immediately directed to Hatteras Inlet.

NCDOT Ferry Division Report

- Catherine Peele said she has previously touched on a majority of the issues with Sloop. The DOT dredge is still in repair. The entrance to south dock is very narrow and a survey team will be heading there soon to assess shoaling issues. If it is shoaling in, they may need to contract out the work if the state dredge is not repaired in time. Sand from south dock would be useful for the road. There is only a small amount of sand in the disposal area and not enough to cover the sand bags on NC 12. Ernie Dosier said the road is the worst he has seen in that area. Steve said we have the sand in the channels to put on the beach and on the sand bags, but it seems the issue is the funding for the Corps to place there. John Berquist asked how much water the ferries need. Cat responded at minimum 6ft.
- Steve asked how quickly their consultants working on Nine-foot could work in Sloop. Cat said they could have it done in two weeks once mobilized. Ernie said the Corps timeline of 60 to 120 days will be past Easter and will have a significant effect on Ocracoke. Currently the ferry takes about an hour and 15 minutes, when they were running Barney it was an hour and 10 minutes if they didn't run across another ferry going the other direction. Once Sloop is straightened, the route will be the same or quicker even if the ferry is taking the Rollinson route instead of Barney.

Public Comment

- No comment

Old Business

- Ken Willson reported the permit application for Rollinson was submitted in July. We have the state permit, but have not yet received the Corps permit. The permit applications for the channels near Oregon Inlet were submitted prior to Hatteras. Conditions on those permits are being worked out. The Corps project manager wanted to clear up any issues on those permits before issuing the Hatteras permit. If those conditions are not resolved soon, the Project Manager will go ahead and provide the Hatteras permit for review. The only item we are unsure of on the Corps permit is that the state permit does not have a moratorium due to the new legislation. However, the Corps is likely to align the Dare County permit with the Corps conditions. The application submitted mimicked the Corps permit, so the federal agencies reviewed it based on that information. Meaning Sloop would be anytime dredging, but Barney and Rollinson would have a moratorium. Ken said the permits match the Corps corridor, so would not include the emergency declaration area. But, we were informed the emergency authorization names the Miss Katie as a dredge that can work under the authorization. Steve asked when the corridor was modified if Dare County

- would automatically have approval to dredge. Ken said there would need to be a permit modification, but the Corps would have done all the leg work needed.
- The Connector Channel is a separate permit and the Corps now has anytime of year dredging for that channel. The agencies had directed the Ocean Bar be added to the Connector Channel, so at the same time Dare County will request anytime of year dredging and permission to place in the additional disposal areas permitted in the Rollinson permit. Ken asked Barton if DEQ has finalized a cost share amendment to allow for CPE to begin that modification work. Barton stated he has reached out to DEQ and is awaiting a final answer.

Administrative Business

- Barton Grover asked Erin Weller if there was a new Connector Channel survey scheduled. She stated she would look into it. Ken said it would be helpful to see the channel location and how much volume is needed to be dredged, but the November survey can be used if the Waterways Commission anticipated an event before March 31st.

Board Member Business

- KP Scott motioned for a dredge event in the Hatteras Connector Channel before March 31st. Danny Couch seconded. All in favor.

Adjournment

- Danny motioned to adjourn. Natalie seconded.