



Dare County Waterways Commission

Minutes

March 11, 2024

Call to Order

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

Acceptance of Minutes: February 12, 2024

- Michael Flynn suggested the following edit. “Patrick Tallant reported the USCG will install a temporary light during the outages associated with the Cape Hatteras Lighthouse renovation restoration project. The two outages are expected to last includes approximately 14-30 days where the light would be off until May 2025 while the temporary beacon is installed between April - May 2024, and another month-long outage before the replica Fresnel lens is installed in June or July of 2025.”
- Danny Couch made the motion to approve the minutes with edits. John Berquist seconded the motion. All in favor.
- Natalie Kavanagh extended our heartfelt condolences to the families and friends of Charlie Griffin and Chad Dunn. Danny Couch asked for a moment of silence.

New Business

USCG Report

- Patrick Tallant reported work was completed in Barney, Rollinson, Connector, and Buxton Channel to reset select buoys.
- Current discrepancies include Hatteras Inlet lighted buoy 1 which is off station and will require service from Fort Macon. Hatteras Inlet lighted buoy 4 is missing and will be addressed at the end of the month. Hatteras Connector 3 is off station and 7 is missing.
- The Corps is currently dredging Sloop. Once completed, the new channel will be marked.

Corps Report

- Bob Keistler expressed his condolences to the families of Mr. Dunn and Mr. Griffin. Erin Weller is also on the line. The Merritt is currently working in the emergency channel at Sloop, but did have to dock in Wanchese due to weather conditions. Erin said the Merritt will resume dredging tomorrow. A progress survey will be completed tomorrow.
- Bob reported the Alternate Channel EA at Oregon Inlet is still in progress and he expected it to be signed in early April. Michael Flynn commented that the National Park Service is awaiting the Environmental Assessment for review to issue the FONSI. Bob indicated that Regulatory is reviewing the Walter Slough & Crack EA and Civil Works is producing a separate EA for the Alternate Channel. Michael stated that his understanding is both actions will require a FONSI from the National Park Service. Bob said he will reach out to Michael after the meeting.
- Bob stated they have begun work on the Rollinson EA to expand the corridor not only in Sloop, but also in other sections such as Barney. In addition, permitting more disposal areas, including deep water scour holes, like Dare County recently permitted, and upland disposal sites. This work will be completed over the next year. They will hold a scoping meeting with all entities to ensure everything is addressed. Steve Coulter asked Bob to confirm the Sloop corridor area will be widened. Bob stated it would be widened so when the channel shifts, the Corps will be able to immediately follow best water. The Corps will perform a Cultural Resources survey to clear any SHPO issues. Bob said he will send a map to the Waterways Commission showing the areas expected to be expanded.
- Barton Grover asked Bob to confirm the emergency declaration was 7 + 2. Bob confirmed.
- Danny Couch expressed his gratitude to Erin and Bob and Catherine with the Ferry Division for their quick action to get this emergency dredging done. Bob thanked the Ferry Division for turning around the Cultural Resources survey so quickly.
- Steve Coulter asked Bob if the Miss Katie is allowed to dredge under the emergency channel authorization. Bob said to his knowledge that is correct.
- Natalie Kavanagh asked if there was an update to the dredging schedule. Erin Weller responded the update received this morning was the Merritt would depart on the 28th.

NCDOT Ferry Division Report

- Catherine Peele commented she was thankful the cultural resources survey was able to be performed quickly. The Ferry Division does anticipate moving to the Spring schedule on March 26th. They are continuing to use Rollinson instead of Barney due to shoaling and the possible damages to the ferries were Barney to be used. South Dock still has shoaling and the DOT dredge is currently being repaired. They are looking into alternate options to have that dredged.

- Natalie asked about the sand bag situation. Catherine answered that she was not a hundred percent sure since it was a highway project, but there was not a significant amount of material at South Dock. Michael Flynn said DOT was beginning to work today and recover sand from the swash zone.

EJE Report

- Jordan Hennessy stated the Miss Katie arrived in Hatteras on March 1st. There were three weather days where no dredging occurred. So far 11,717 cubic yards have been dredged and 30 loads. They will assess conditions on Saturday to determine when the Miss Katie will depart.

Public Comment

- No comment

Old Business

- Ken Willson reported the federal channels permit for Rollinson has been received. Ken said CPE will need guidance which channels the Waterways Commission plans to dredge so preparations can be made.
- This new permit includes additional disposal areas, but the agencies will require updated surveys. They have begun developing a template for the placement in the Hatteras Inlet Flood Channel. These disposal areas will need to be added to the Connector Channel permit along with the Ocean Bar. We have talked about splitting that action into a minor and major permit mod. The disposal areas should be able to be added quickly, whereas the Bar is expected to take 6 months due to being a Major Modification. Once the Corps corridor EA modification is finalized, CPE will assist in modifying the Dare County permits to match the Corps actions.
- KP Scott asked Ken to clarify his comment about the disposal areas. Ken said that the permits state that additional authorization will be required for the interior disposal areas. We are running through the process up in Oregon Inlet. This included narrowing down the exact location of disposal and in some cases SAV and Shellfish surveys.
- Jordan Hennessy stated he listened to a presentation last week from Corps General Counsel and the Director of DCM about the 291 process, which provided a quicker pathway to obtain permits and asked why this was not done in Hatteras Inlet. He was informed the Corps requested that the 291 process not be followed for these permits. Ken said he's gone through the 291 process before and it did not speed up the CAMA process, but it would speed up the federal side. During the scoping meeting, these questions are asked to Corps Regulatory and the Division of Coastal Management. He would need to look through the minutes to determine why the decision was made.

Administrative Business

- Barton Grover said we need to establish the budgets for FY25. Establishing a cost share contract takes about 60 days and a Resolution needs to be approved at the Board of Commissioners meeting before the application can be submitted. With the 75% state match, the total budget for FY25 is \$1 million. These contracts can be modified during the year, but the contracts must be in place before the Miss Katie dredges. KP Scott clarified that if \$25,000 was allocated to Rollinson, that would be a total of \$100,000. That is a token amount for right now, but would provide the ability for the Miss Katie to address a shoaling issue in Rollinson in an emergency situation. Barton mentioned that with Sloop being located in Hyde County, Hyde County can set up a cost share contract with a 100% state match per legislation. KP Scott made the motion to allocate \$25,000 from the Dare County budget to Rollinson and the remaining \$225,000 to the Connector Channel. Danny Couch seconded. All in favor.

Board Member Business

- KP and Danny supported Hyde County's request for use of the Miss Katie to dredge within Sloop.
- Danny asked if Randal Mathews or Ernest Doshier from the Ocracoke Waterways Commission had any comments. Randal thanked the Waterways Commission for their efforts and progress made. They will be pursuing funding for the dredging of Sloop. Ernest Doshier commented the Hyde County Manager will be attending tomorrow's Oregon Inlet Task Force meeting to request the Miss Katie dredge in Sloop.

Adjournment

- John Berquist motioned to adjourn. Danny seconded.