



Dare County Waterways Commission

Minutes

May 13, 2024

Call to Order

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

Acceptance of Minutes: April 8, 2024

- Michael Flynn made the motion to approve the minutes. John Berquist seconded the motion. All in favor.

New Business

USCG Report

- Patrick Tallant reported the Coast Guard placed 3A through 7 in Sloop last month and have made minor movements of the buoys recently. Hatteras Inlet buoy 1 was reported off station and found 80 yards off station. It is still marking good water, so the current location will now be marked on station. Buoy 4 and 5 were addressed also. 1 through 5 at the Inlet should be on station at this point. Steve Coulter stated the Bar, Sloop, and the Connector Channel are all well marked.
- Barton Grover asked for an update on the discussion last month in relation to the Coast Guard administratively naming the area Sloop Channel instead of identifying that area as Barney Slough as they currently do. Patrick Tallant said that there have been conversations and the Coast Guard is continuing to internally consider the name change.

Corps Report

- Joen Petersen updated the Commission that Erin Weller is no longer in project management and is now in Todd Horton's former position in surveys. Joen asked for any comments on

Sloop Channel. Steve Coulter said there has been some shoaling in the area and it is no longer 100ft wide. Joen said the channel has held up well. A new survey was performed that showed it at 100ft wide other than one spot. The Corps will return in a couple weeks to survey and monitor. Michael Flynn asked if the previous channel orientation was surveyed along with the current channel. Joen did not believe so, but will look into it. Michael said it would be good for documentation purposes and monitoring shoaling rates to make the case why the emergency channel should be the preferred channel moving forward.

- Joen Petersen reported no dredging is scheduled in Dare County in the next month. The Merritt may return to Teaches Hole in July. The Merritt is finishing up in Bogue then has Lockwood Folly and New River after that. Ken Willson asked if the Currituck or Murden will be in the area within 90 days. Joen said the Murden will be heading north soon to Maryland and Maine. Steve Coulter asked when the Currituck will be back. Joen said his best guess was 18 months
- Natalie Kavanagh asked about conditions of the channel near the breakwater. Steve Coulter said we have seen some shoaling from the ferries. Joen said the Murden wouldn't be back until August if that channel needed to be addressed.
- Ernie Doshier asked about widening the channel beyond 100ft. Joen Petersen responded they can do an advanced widener with pipeline dredging, but would have to defer to others for the process of a permanent widener. Ken Willson commented that would be an issue to address with legislators. Dare County has obtained permits to dredge Sloop to 200ft, but the emergency declared channel is only 100ft. Ken said we will have to look into whether that emergency channel could be widened to 200ft for Dare County in the short term. Steve Coulter commented the ferry division has stated the ferries are 45ft wide, so a 100ft wide channel is very narrow for two ferries to pass each other.

NCDOT Ferry Division Report

- No comments

Public Comment

- No comment

Old Business

- Ken Willson reported they are working on multiple permit modifications. There was a modification request submitted on April 12th. The longest part of that review process will be the 408 review to ensure the permitted action will not impact the federal action that overlays the channel. There are a few more boxes to check that may take more than a month. This modification will allow for placement of material in the flood channel deep

scour hole inside the inlet, so dredging can continue to occur when ocean conditions are rough. That modification also includes removing the moratorium language.

- A separate modification to the same permit will be a major modification that will allow for dredging of the Ocean Bar. The reason that this is separate is because the major modification process would take more than 6 months, whereas the disposal area and moratorium modification is a minor modification that will take significantly less time to receive. A meeting with the agencies was held this morning regarding the major modification and there were no significant comments.
- The third modification is for the permit which includes Sloop Channel. There have been multiple meetings with Hyde County, NC DOT, Dare County, EJE, and CPE to determine the path moving forward. Hyde County gave CPE the green light to begin working on the permit modification. This will allow dredging in the emergency declared channel at Sloop. Barton Grover commented there will be a MOU defining the roles of Hyde County and Dare County for Hyde County to dredge under Dare County's permits. Hyde County will be submitting a shallow draft cost share application. KP Scott asked if the Task Force was aware a request for the Miss Katie would be coming soon. Barton confirmed they did and the Task Force had asked that the Hyde County request remain on their agenda so they can continue to be updated on the status.
- Ken said they have been monitoring the shoaling at Sloop. He said the Corps dredged 41,000 cubic yards. In reference to what Michael mentioned earlier about monitoring and observing shoaling rates, comparing the two surveys it appeared 4,600 cubic yards shoaled in since the Merritt event. Joen said they will continue to monitor the surveys to observe shoaling rates. The Commission reviewed the post dredging survey and recent Sloop survey. There has been narrowing of the channel near 5A and 6A. Steve Coulter said it narrowed there quickly after dredging was completed, but we have had multiple hard blows since the Merritt left.

Administrative Business

- Barton Grover asked for confirmation that the Waterways Commission wanted to pursue a MOU with Hyde County and to modify the permit to allow for dredging of the emergency channel at Sloop. The MOU would allow Hyde County to utilize Dare County's permit to dredge. The MOU also would include conditions ensuring Hyde County follows permit conditions and requiring they pay for dredging activities and associated work in Sloop and any other area where they request dredging. The Board of Commissioners would need to authorize the MOU. Steve Coulter said it is important for safety and for recreational, commercial, and ferry vessels that Sloop remains open, so he is in favor. John Berquist motioned to support Dare County modifying the permit at Sloop to include the emergency channel and recommended Dare County enter into a MOU with Hyde County. Steve Coulter seconded the motion. All in favor.

- Barton discussed the project at Stumpy Point. The Corps has available funds to pipeline dredge the federal channel. This does not include the emergency ferry channel, which is maintained by the State. The emergency channel is currently 6ft and federal channel 6-8ft in the shallowest portions of the channel. A local partner is required to maintain the disposal areas for Corps pipeline projects. Current capacity of the disposal area is approximately 50,000. Originally the Corps stated they would need capacity between 150,000 to 175,000 to dredge to 10ft. Dare County has worked to produce a design and has bid a project out to raise the berm at the disposal site to provide that capacity. The bids came in more than originally budgeted, at approximately \$1.2 million.
- Barton reached out to the Corps to determine their plans. The Corps stated they were no longer dredging to 10ft, instead down to 7ft plus 2ft, around 45,000 cubic yards, or 8ft plus 2ft, around 115,000 cubic yards. Therefore, if the \$1.2 million dollar disposal area project is completed, the Corps will dredge to 8ft. There will be remaining capacity for a future event. If it is not, the Corps will dredge to 7ft. Funds for these disposal projects and Hatteras Inlet are part of the same budget. There is over \$900,000 in the budget, which can be used as matching funds for the state 75% cost shared shallow draft grants.
- Steve said the question is essentially do we utilize emergency dredging funds in the amount of \$1.2 million to get an extra 1ft of depth in the channel. Natalie Kavanagh asked what depth the ferries need. Barton responded they would like 6ft or more, but have been able to get in at shallower depths depending on tide. John Berquist commented that the Corps dredging to 7ft plus 2ft would be enough then. KP Scott said if the disposal site is filled to capacity with this event, we could continue to have discussions about improvements moving forward. Ken Willson said the price is fair and these projects are not turn key. If the project is not done right now, it will take time to redesign and rebid in the future. John Berquist commented that the Ferry Division is not dredging their channel this year. Barton confirmed that they do not currently have plans to dredge their channel to the emergency ferry docks. John asked if they used the emergency funds for this project, will those funds be replenished. Barton stated the Board of Commissioners moved \$900,000 into that budget a couple of years ago but that does not occur often. \$250,000 is allocated each year. Michael Flynn asked if there were restrictions on the funds use, could they be used for booster pumps on a Hatteras Inlet project. Barton responded the funds are for Hatteras Inlet dredging and disposal area activities throughout the County. Ken Willson asked if the Corps has mentioned allocating additional funds to dredging, because he has heard they received additional funds via their work plan. Barton said he has not heard anything related to additional pipeline dredging funds.
- Natalie Kavanagh expressed her concerns that if the road is closed and the emergency ferry channel is needed, then by not doing this project there will be issues. Steve and John commented that the Corps will still dredge to 7ft and that will only be the federal channel. The \$1.2 million would be spent to dredge an extra 1ft to a dead-end road, because DOT is not dredging their channel to the emergency ferry docks and that channel is 5ft to 6ft. Steve said it would be a different conversation if they were dredging to 10ft. Michael Flynn

motioned to abstain from funding the proposed project with the understanding the Corps will still dredge the federal channel to 7ft + 2ft. Steve Coulter seconded. All in favor.

Board Member Business

- Barton informed the Commission that Ernie Foster confirmed he would like to serve another term. Barton has informed the Board of Commissioners that Steve Coulter, Danny Couch, Natalie Kavanagh, and Ernie Foster would like to be reappointed.

Adjournment

- Steve Coulter motioned to adjourn. John Berquist seconded.

DRAFT