



Dare County Waterways Commission

Minutes

October 15, 2024

Call to Order

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

Acceptance of Minutes: August 12, 2024

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

New Business

USCG Report

- Patrick Tallant reported buoy 6 was lit. Steve Coulter asked if another red lit buoy would help between 10 and 14. If 12 was lit, that would be helpful. Steve stated between 15, 13, and 11 the shoal bends out and boaters are looking for a red buoy as a reference. Patrick Tallant stated he will light 12 and 13 and shift 13. Chief Matuska concurred with the need to light and move buoys in that area and will speak with Patrick tomorrow. Michael Flynn asked if the survey still represented current conditions, since it is one month old. Steve Coulter and KP Scott commented conditions are still very similar.

Corps Report

- Corps not in attendance. Barton Grover commented he had received an email that two Corps representatives who typically attend these meetings are out of state at a conference. The Corps did provide an update earlier today that the Merritt is working in Bigfoot Slough.

NCDOT Ferry Division Report

- Catherine Peele confirmed the Merritt is working in Bigfoot Slough for the next 14 days. The dredge Manteo has completed its required credit dry dock and will be at South Dock in early to mid- November to finish dredging the basin. Division 1 will remove sand out of the pit to place in sand bags along NC 12. The Ferry Division is happy with conditions at Sloop Channel right now.
- The contractor selected to dredge Stumpy Point basin has completed dredging and a test run of the Stumpy Point and Rodanthe emergency ferry channel will be completed within a week. Catherine Peele said the Ferry Division expects to dredge the state channel at Stumpy Point next year, assuming there is remaining capacity at the disposal site. Natalie Kavanagh asked if the Ferry Division has made changes to how often they will check the emergency ferry channel to ensure it is open. Catherine responded they will test it each quarter.
- Michael Flynn asked if funds should be set aside for periodic maintenance of the emergency ferry channel at Rodanthe. Steve Coulter said that is a federal channel maintained by the Corps, so money has not been set aside by Dare County to dredge the channel previously. Barton Grover commented that the Corps of Engineers has available non-federal funds to dredge Rodanthe that were transferred to them by Dare County approximately 5 years ago. However, they no longer have the equipment to dredge the channel due to the Snell replacement vessel drafting 8ft. The Corps would need to contract out a project, however cannot advertise a bid if the channel is at authorized depth as it is now. Also, typically the Corps can only pipeline dredge during the winter months. So, if shoaling is seen during the Spring and Summer, the Corps could not get in there before hurricane season begins.
- Steve Coulter asked what the authorized depth is. Barton responded 6ft + 2ft, but the over depth can only be dredged if the channel is shallower than 6ft. John Berquist asked when the channel was last dredged. Barton responded around 2018, but that was when the Corps had the Snell which could access the channel when it was shallower than 6ft. Ken Willson commented that the County Manager reiterated to the Corps this issue with timing of dredging Rodanthe. Ken stated that bucket and barge operations do not have the same environmental impacts as pipeline dredging, so it was asked if the Corps could modify their Environmental Assessment to allow for bucket and barge operations anytime of year. That option should be pursued. Barton Grover also asked the Corps if the authorized depth could be changed, because the 6ft authorized depth is the minimum the ferry vessels require. Any shoaling closes the channel to the ferries. If the channel was authorized to 8ft and shoals in a foot, the ferries could continue to access. Ernie Foster commented that when the wind is blowing NE for weeks, that channel can get shallower.
- Ernie asked what we can do to get this authorization changed. Ken responded this needs to be brought up to the Corps at each meeting or more often. Ken said the change in authorized depth is much harder for the Corps to do versus changing dredge window and

type of dredge. Michael Flynn suggested this Rodanthe authorization be placed on the agenda next month to bring up with the Corps.

- Barton Grover stated the County will have contractors on site in Stumpy Point before November 1st to mow, mulch, and repair the walkway in preparation for a pipeline dredging event in the federal channel at Stumpy Point. A contractor has been selected to dredge Old House Channel 2 and with the option to dredge West of the Bridge and dredge Stumpy Point. Steve Coulter asked if there has been an update on dredging in Hatteras. Barton commented that there was a request for approximately \$7 million in funding to dredge the Rollinson project and the Corps is hoping to finalize modifying the environmental assessment before advertising the bid during summer 2025.

Public Comment

- No public comment

Old Business

- Ken Willson said the two items we are working on is the permit to dredge the ocean bar and modifying disposal areas. For the State, this was separated into two different permit modifications. The minor permit modification to add the disposal areas has already been received. They are reviewing the permit application to allow for dredging of the Bar and hope to issue the CAMA Major permit within the next month or so. However on the federal side, Corps Regulatory is considering both of these actions under one permit modification. National Marine Fisheries has had issues with placement in the deep water scour holes inside the inlet.
- Based on recent conversations with the Corps, the Corps has paused review of the permits while all Dare County permits are suspended. Once one of the permits is reissued to allow Dare County to dredge, it is our understanding the Corps will continue reviewing permits. Steve Coulter asked why the suspension of the permits is impacting review of the permit modifications. The permit modification should continue to be reviewed so that it can be issued when permits are turned back on. The permit modification is for a channel that has never been dredged and therefore has no violations. These permit modifications were requested before the suspension. Ernie Foster asked if the permit specifies Miss Katie only.
- Ken Willson said it does appear the State is continuing to review the permit modification. John Berquist asked when the initial permit will be reissued. Ken Willson stated that the permit originally expected to be issued earlier this week included a channel that the Corps may soon contract with a pipeline contractor to dredge. This would mean federal funds could be used to dredge west of the bridge, however the pipeline contractor has the discretion to dredge that channel anytime between November and March. The Corps has informed us that if the pipeline contract is issued for west of the bridge, the Miss Katie could not dredge that channel. That could be a major issue if the channel shoals to 5 or 6ft before

the pipeline contractor gets in there. Those are the discussions that have been held, but for now the Task Force has requested the Walter Slough and the Crack permit be turned on. Ken Willson said he expects that to be issued by this weekend.

- KP Scott asked would they also turn on the Hatteras Connector and Sloop Channel permits soon. Steve Coulter said those will only be turned on once surveys show the channel has shoaled in and dredging is needed. Once a notification and plans are submitted requesting dredging, then the permit would be issued on a as needed basis. Steve Coulter asked if the permit is turned off after the event. Ken Willson said it will remain on, but Dare County will need to continue the established protocol of providing surveys, number of days expected for dredging, estimated total cubic yards to be dredged, and a plan at minimum 7 days in advance. KP Scott said he hoped the Corps would be here today to talk over this process and the removal of permits. The Commission discussed the dredging data presented in the notice of violation and difference between loads in violation versus points in violation.
- Ken Willson said this dredging process is not too dissimilar from what Dare County has previously done in Hatteras and is most similar to other established Corps procedures.
- Ken Willson said they are also working with Hyde County to modify the Dare County permit to widen Sloop Channel to 200ft and utilize the additional disposal area near Sloop. This process to gather the required data is approximately 90% complete. Ken expects to submit the modification next month.

Administrative Business

- Barton Grover stated there is a new project manager with the Corps, Ronnie Smith. Barton stated he has reached out about the return of non-federal funds.
- The Connector budget reflects funding available after the August dredging event, approximately \$535,000.

Board Member Business

- Next meeting will be the Tuesday, November 12th after Veteran's Day.

Adjournment

- Natalie Kavanagh motioned to adjourn. John Berquist seconded.