New Hampshire Dredge Management Task Force  
Meeting Minutes – October 19, 2016

The meeting was held on Wednesday, October 19, 2016 from 1:30 PM to 2:50 PM at the 
New Hampshire Department of Environmental Services, 222 International Drive, suite 175, 
Pease Tradeport, Portsmouth, NH 03801.

Introductions and Announcements:

Chairman Chris Williams asked members to introduce themselves. The list of attendees 
follows.

Attending members in alphabetical order:

Matthew Flanders, Senator Ayotte  
Olga Guza-Pabst, EPA (via conference call)  
Mark Habel, Army Corps of Engineers (ACOE)  
Chris Holt, Portsmouth Pilots  
Michael Johnson, National Marine Fisheries Service (NMFS)  
Eben Lewis, NH Department of Environmental Services (NHDES) Wetlands Bureau  
Ed O’Donnell, ACOE  
Chris Scott, Senator Shaheen  
Tracy Shattuck, Pease Development Authority – Division of Ports and Harbors (PDA-DPH)  
Michael Walsh, ACOE  
Chris Williams, Chair, NHDES Coastal Program  
Staff: Mary Power, NHDES Coastal Program

Guests:

Ben Emery, ACOE  
Clark Freise, Assistant Commissioner, NHDES  
Bob Landry, NH Department of Transportation (NHDOT)  
Erika Mark, ACOE  
Cassandra O’Brian, Normandeau Associates  
Alex Pelczar, Senator Susan Collins  
Bonita Pothier, Senator Angus King  
Dan Robbins, Appledore Marine Engineering, LLC

Legislative Update:

Matthew Flanders of Senator Ayotte’s office stated that the Water Resources Reform and 
Development Act (WRRDA) is currently moving through Congress. The Senate and the House 
passed versions that are not identical so they will be sent to Conference Committee where the 
differences will be reconciled. Mr. Flanders also stated that Senator Ayotte sent a letter to the 
Army Corps of Engineers regarding constituent concerns about shoaling on the Seabrook side of 
Hampton Harbor.
Chris Scott from Senator Shaheen’s office stated that the Senator’s office has been contacted by
the users of Hampton Harbor who are concerned about the shoaling. Chairman Williams stated
there will be further discussion about Hampton Harbor later in the meeting.

Chairman Williams said the Senate version of WRRDA includes language to extend the life of
the Cape Arundel Disposal Site (CADS) to five years from the passage of WRRDA, with some
conditions. He added that similar language wasn’t included in the House version of WRRDA.

Bonita Pothier of Maine Senator King’s office stated that both the Maine and New Hampshire
Congressional delegations are in agreement with extending the life of CADS because there are a
number of proposed dredging projects in the region that will likely require offshore disposal.
She also spoke about the Harbor Maintenance Trust Fund (HMTF) and the stipulation in the
Senate version of WRRDA that extends the current 10% set aside from the HMTF for
emerging/small ports and harbors.

**Project Updates**

- **Piscataqua River Turning Basin Improvement Project**

  Erika Mark, ACOE Project Manager, stated that rock investigations were completed during the
  summer of 2016 and the ACOE is currently awaiting the results. She stated that the ACOE is
  also in the process of establishing tidal elevation data for the project. With regard to disposal
  alternatives, Ms. Mark stated that the communities of Newbury, Newburyport and Salisbury,
  Massachusetts continue to pursue placement of the sand for beach nourishment. However, since
  the ACOE hasn’t yet finalized the rock and sand disposal alternatives, the ACOE is moving
  forward under the assumption that all the material will be placed at the proposed Isles of Shoals
  North disposal site. The environmental assessment for the Isles of Shoals North site was
  scheduled to be completed this winter, however, due to a request to conduct lobster and winter
  finfish surveys, it is now scheduled to be completed in the spring of 2017. Discussion followed.

  Chair asked if the ACOE had completed an eelgrass survey in the vicinity of the proposed
  project this past summer. Ms. Mark stated that an eelgrass survey was completed but she hasn’t
  received the final report. Mike Johnson, NMFS, requested a copy of the report once it’s
  finalized. Ms. Mark agreed.

  Chair stated that at the May 16th DMTF meeting Peter Whitman of the Kittery Port Authority
  stated that there was renewed interest from the Town of Kittery to use the rock from the project.
  Mr. Habel, ACOE, stated that the ACOE has not heard from the town of Kittery regarding use of
  the rock. Chair then asked whether the ACOE was still interested in placing the rock at the base
  of one or more of the breakwaters at the Isles of Shoals. Mr. Habel stated that because the rock
  would be placed outside the footprint of the breakwaters, both Maine and New Hampshire
  indicated that a 401 Water Quality Certification would be required. As a result, the ACOE chose
  not to pursue this option.
Bonita Pothier of Senator King’s office stated that there have been some personnel changes at the Town of Kittery, so there isn’t a point person in place currently. She then asked about the likely timing of the project. Mr. Habel stated that if WRRDA authorizes the project, the ACOE would only need to finalize project design and secure an appropriation to fund construction. If this were the case, the ACOE could begin construction next fall/winter or, more likely, the fall/winter of 2018-2019. In order for that to occur, the ACOE would have to solicit bids in late spring or early summer before beginning construction. The Town of Kittery would need to have all necessary permits in hand to enable the ACOE to include the Town’s work into the solicitation.

- **Sagamore Creek and Portsmouth Back Channels Maintenance Dredge**

Mike Walsh, ACOE Project Manager, stated that the ACOE has solicited the contract to remove one particularly hazardous shoal at the confluence of Sagamore Creek and the Back Channels. The ACOE has determined that the low bidder does not meet their criteria and is not qualified to complete the job. As a result, the ACOE must refer the matter to the Small Business Administration (SBA) for review. If the SBA concurs with the ACOE’s decision, the ACOE will award the contract to the second low bidder. If the SBA disagrees with the ACOE’s decision, the ACOE has the option of awarding the contract to the low bidder or canceling the solicitation and starting the bid process again. Mr. Walsh expects the SBA to make a decision by October 25th. Mr. Walsh stated that the ACOE believes the second lowest bidder, who has done work for the ACOE in the past, is better qualified. Discussion followed.

Chair asked what the price difference was between the two lowest bids. Mr. Walsh stated that lowest bid was approximately $450,000 while the second lowest bid was approximately $550,000. Chair then asked, given the two proposed bids, if the ACOE has the money to construct the project. Mr. Walsh stated that they have enough for the lowest bid and could likely get the extra money needed for the higher bid.

Michael Johnson, NMFS, expressed concern that due to the proximity of eelgrass beds to the dredging site, a lesser experienced contractor may not be able to avoid impacts to the eelgrass beds. Discussion followed as to when the project would begin if the SBA were to concur with the ACOE. Mr. Walsh stated that he believes the contractor could begin sometime in December, 2016 and should be able to dredge approximately 300 cubic yards a day given the bridge restrictions. Chair asked if the funds will remain dedicated to this project even if ACOE moves to reject the possible decision of the SBA to approve the lesser qualified low bidder. Mr. Walsh stated the current funds will remain dedicated to the project.

- **Hampton Harbor Jetty Repair**

Ed O’Donnell, ACOE, stated that the repair work is complete and is currently being reviewed by the ACOE to determine if the work was done the ACOE’s satisfaction.
• **New Castle-Rye Bridge (US Route 1B over Little Harbor) Replacement**

Bob Landry of the New Hampshire Department of Transportation (NHDOT) gave a short presentation about the project. He stated that the Town of Rye supports the fixed bridge alternative because the Town is in need of a new water line that would be attached to the bridge. The Town of New Castle is also leaning toward a fixed bridge alternative but hasn’t made a final decision. A fixed bridge would cost approximately $10 million less to construct than a lift bridge and be less expensive to maintain. Mr. Landry stated that the current bridge is raised approximately three times a year. Clark Freise, NHDES Assistant Commissioner, asked if NHDOT considered sea level rise in the design of the bridge. Mr. Landry stated that NHDOT did not. Discussion followed.

• **Sarah Mildred Long Bridge (US Route 1 Bypass over Piscataqua River)**

Bob Landry, NHDOT, gave a short presentation summarizing bridge construction to date. Bonita Pothier of US Senator Angus King’s office asked about construction delays. Mr. Landry stated that he’s raised this issue with the contractor and hasn’t received an answer. Mr. Johnson, NMFS, asked if there would be any further dredging at the Port Authority facility. Discussion followed.

**Other Business**

• **Hampton Harbor Shoaling and Sediment Sampling**

Mr. O'Donnell, ACOE, stated that the project is in its initial stages. The ACOE is seeking potential disposal options for the dredged sand from the project. The ACOE is also preparing to move forward development of an Environmental Assessment (EA) followed by agency coordination. Mr. O'Donnell stated that because Hampton Harbor is a shallow draft harbor, obtaining funding will be difficult. Chair asked if the ACOE has estimated the amount of material that needs to be removed. Mr. O'Donnell stated that approximately 40,000 cubic yards of sand needs to be dredged. Chair then asked if the dredged sand could be placed on the beach as has been done in the past. Mr. O'Donnell stated that there were difficulties with the receiver town the last time the dredged material was placed on the beach. He also reminded members that sand had been placed in the area behind the half-tide jetty in the past. Discussion followed.

Mr. Landry, NHDOT, asked about the timing of the project because NHDOT is considering replacing the bridge across the harbor. Chris Scott of Senator Shaheen’s office also inquired about the timing of the project given the concerns raised by users. Mr. O'Donnell stated that the project schedule would depend upon receipt of funding. Given the time required to find a suitable disposal site, develop the EA and conduct agency coordination, Mr. O’Donnell stated that construction may not take place for another 2-3 years. Discussion followed.
Chairman asked how the ACOE prioritizes funding for projects. Mr. O’Donnell stated that the ACOE considers a number of factors including, in part, tonnage, number of vessels, number of commercial vessels, and value of catch for fishing vessels to justify funding for a project. Chris Scott of Senator Shaheen’s office asked for details of how the economic value of a harbor could be justified. Mr. O’Donnell stated that he’d provide information to Mr. Scott that a town in Maine used to justify the need for dredging and secure funding for a project. Discussion followed.

- **Rye Harbor Sediment Sampling**

Mr. O’Donnell, ACOE, stated that sediment sampling is complete and the ACOE anticipates dredging approximately 50,000 cubic yards of material. The ACOE’s Environmental Resources Section is currently developing a suitability determination and will coordinate with EPA before developing an environmental assessment. The ACOE is considering open water disposal, including the Cape Arundel Disposal Site and the proposed Isles of Shoals North Site. Mr. O’Donnell stated that given that Rye Harbor is a shallow draft, relatively low use harbor, obtaining funding for the project would be difficult.

- **Other Items**

Dan Robbins of Appledore Marine Engineering provided an update on the Sprague Energy River Road project. The proposal, which was introduced at the September 17, 2014 DMTF meeting, involves dredging Sprague Energy’s existing 36-foot deep berth at its River Road terminal on the Piscataqua River in Newington. Proposed dredging would occur immediately adjacent to the proposed Piscataqua River Turning Basin Improvement project. Mr. Robbins stated that he expects to receive the necessary permits for the project within the next two months. He stated that Sprague Energy remains interested in conducting work concurrently with the Turning Basin Improvement project. Discussion followed.

- **Schedule Next Meeting**

The next meeting is scheduled for Wednesday March 8, 2017* at 1:30 PM at the NH Department of Environmental Services Office at 222 International Drive, Suite 175, Pease Tradeport, Portsmouth, NH 03801.

* The meeting was originally scheduled for January 18, 2017, but was rescheduled to March 8, 2017.