

New Hampshire Dredge Management Task Force Meeting Minutes – February 6, 2019

The meeting was held on Wednesday, February 6, 2019 at 10:00 AM at the New Hampshire Department of Environmental Services, 222 International Drive, Suite 175, Pease Tradeport, Portsmouth, NH 03801.

Attending members in alphabetical order:

Meredith Collins, NH Dept. of Natural & Cultural Resources, Division of Parks & Recreation
Elizabeth DeCelles, Army Corps of Engineers (ACOE)
Stefanie Giallongo, NH Department of Environmental Services (NHDES) Wetlands Bureau
Robert Graham, Senator Hassan
Olga Guza-Pabst, Environmental Protection Agency (EPA)
Mark Habel, ACOE
Carol Henderson, New Hampshire Fish & Game Department (NHF&G)
Chris Holt, Portsmouth Pilots
Michael Johnson, National Marine Fisheries Service (NMFS)
Richard Kristoff, ACOE
Robert Landry, NH Department of Transportation (NHDOT)
Eben Lewis, NHDES Wetlands Bureau
Duncan Mellor, Tighe and Bond
Seth Prescott, NH Dept. of Natural & Cultural Resources, Division of Parks & Recreation
Todd Randall, ACOE
Wyatt Ronan, Congressman Pappas
Chris Scott, Senator Shaheen
Tracy Shattuck, Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Coral Siligato, ACOE
Matt Tessier, ACOE
Mike Walsh, ACOE
Chris Williams, Chair, NHDES Coastal Program

Guests:

Leo Axtin, PDA-DPH
Don Blouin, Town of Rye
Tim Boodey, NHDOT
Oscar Boreth, Hampton River Marina
John Carter, Town of Wells, ME
Steve Couture, NHDES Coastal Program
Mike Dionne, NHF&G
Mark Gardner, Pease Development Authority
Vincent Iacozzi, Hampton River Marina
Chris Jacobs, Town of Hampton Department of Public Works (DPW)
Aboul Khan, Town of Seabrook Board of Selectmen
Theresa Kyle, Town of Seabrook Board of Selectmen
Regina Lyons, EPA
Jay Mackay, ACOE

Guests cont...

William Manzi, Manager, Town of Seabrook
Alex Pelczar, Senator Collins
Bonita Pothier, Senator King
Jennifer Reczek, NHDOT
Kristine Reed, ACOE
Pete Reynolds, Granite State Whale Watch
Dan Robbins, Appledore Marine Engineering
Paul Schumacher, Southern Maine Planning & Development Commission (SMPDC)
Abbie Sherwin, SMPDC
David Trubey, NH Division of Historical Resources
Bruce Valley, Town of Rye
Chris Veinotte, ACOE
Frederick Welch, Manager, Town of Hampton
Phil Winslow, Town of Rye Board of Selectmen
Steve Wolf, ACOE

Legislative Update:

Chris Scott Senator Shaheen's Office stated that the Senator continues to remain abreast of what's happening with Hampton-Seabrook Harbor.

Wyatt Ronan of Congressman Pappas' Office stated that the Congressman has been assigned to the House Transportation and Infrastructure Committee and the Subcommittee on Water Resources and Environment, and looks forward to working the members of the Task Force on dredging and dredge material management issues.

Portsmouth Harbor/Piscataqua River Navigation Improvement Project:

Mark Habel, ACOE, stated that the project was not included in the President's budget nor was it included in the ACOE's FFY19 work plan. Based on information provided by ACOE Project Manager, Erika Mark, the ACOE will request that the project be included in the FFY20 work plan and in the FFY21 budget request. Chris Scott of Senator Shaheen's Office asked if the delay in federal funding for the project would impact state funding. Tracy Shattuck, PDA-DPH, stated that state funds for the project have already been appropriated.

Todd Randall, ACOE, stated that the ACOE completed an eelgrass survey of the area in September 2018 and recently completed processing the survey data. The survey data indicates that eelgrass has expanded in the vicinity of the proposed project. The ACOE recently met with the Maine Department of Environmental Protection (MEDEP) to discuss options for mitigating for the loss of eelgrass. Mr. Randall stated that eelgrass mitigation discussions with MEDEP are ongoing. Mike Johnson, NMFS, asked Mr. Randall for the most recent estimate of proposed eelgrass impacts. Mr. Randall stated that the ACOE currently estimates that approximately 0.8 acres of eelgrass will be impacted. All of the proposed eelgrass impacts are associated with the sideslopes of the proposed dredging footprint. Mr. Randall then stated that in December 2018 the ACOE and EPA convened a meeting with the states of Maine and New Hampshire and with other federal agencies to discuss the findings of the Draft Environmental Assessment (EA) for Designation of the Isles of Shoals North (ISN) Disposal Site. The ACOE

and EPA had hoped to release the Draft EA for public comment by mid-February, however the government shutdown delayed that schedule.

Regina Lyons of EPA stated that EPA is also required to issue rulemaking for the designation of the ISN Disposal Site. The rulemaking document, which was also delayed by the government shutdown, will be issued concurrently with the Draft EA. She stated that EPA and the ACOE are working to release the Draft EA and proposed rule as soon as possible. Both will have a 30-day comment period. Ms. Lyons encouraged Task Force members to review and provide comments on both documents and to distribute them to interested parties. The ACOE and EPA anticipate that it will take approximately two months to review public comment before issuing a Final EA.

Rye Harbor Maintenance Dredging:

Mike Walsh, ACOE Project Manager, stated that the results of the ACOE's bathymetric survey conducted in September 2018 indicate approximately 50,000 cubic yards of fine-grained material needs to be removed from the federal channels and anchorages and approximately 8,000 cubic yards of material needs to be removed from the state anchorage. The ACOE has completed a suitability determination and determined that the material is suitable for offshore disposal at the Cape Arundel Disposal Site or the proposed Isles of Shoals North Disposal Site. The material is too fine-grained for beach nourishment. The ACOE is currently working on the Draft Environmental Assessment (EA) and hopes to complete it by the middle of this month. Once the Draft EA is completed, the ACOE intends to proceed with coordination with state and federal resource agencies and issue a public notice by the end of this month. Coordination with state and federal resource agencies is expected to take up to four months. The ACOE hopes to then finalize the EA and issue a Finding of No Significant Impact (FONSI) in August.

Chairman Williams stated that at the last Task Force meeting, the ACOE requested economic data that could be used to support dredging the harbor. He asked if the Town or others have provided economic information regarding the harbor to the ACOE. Mr. Walsh stated that he wasn't aware of any economic data having been provided to the ACOE. Phil Winslow, Town of Rye Selectmen, stated that the Town did submit economic data to Ed O'Donnell at the ACOE. Mr. Walsh stated that Mr. O'Donnell recently retired and it's possible that information was submitted but that he hasn't seen it. He agreed to look into this matter further.

Discussion then turned to existing encroachments within the footprint of the federal navigation project. Mr. Tessier, ACOE, stated that encroachments (e.g., piers/pilings) in the federal channel or anchorage could result in significant project delays and could jeopardize project funding. As a result, he suggested private property owners with encroachments into the federal navigation project work with the ACOE to develop and plan and timeline for their removal. Finally, he stated that the ACOE typically requires removal of all encroachments before the contractor can begin work.

Hampton-Seabrook Harbor Maintenance Dredging:

Coral Siligato, ACOE Project Manager, reminded members that ACOE estimates that a total of approximately 150,000 cubic yards of sand needs to be dredged from the federal navigation project. This includes approximately 35,000 cubic yards of material located in Hampton and approximately 115,000 cubic yards of material located in Seabrook. She also stated that approximately 2,500 cubic yards of sand needs to be dredged from the

state recreational anchorage in Hampton. The ACOE's base plan includes placing approximately 25,000 cubic yards of material on the beach at Hampton Beach State Park, approximately 10,000 cubic yards adjacent to the southwest corner of the Route 1A bridge in Hampton, approximately 10,000 cubic yards behind an existing sheet pile wall built in 2005 to protect the middle ground sand flat in Seabrook, and approximately 105,000 cubic yards on Seabrook Beach.

Ms. Siligato stated that the ACOE issued a public notice for the proposed project on December 11, 2018 with a comment deadline January 9, 2019. The ACOE did receive some comments, including interest from a private marina in Hampton interested in conducting dredging.

The ACOE is currently in the process of negotiating real estate agreements with the Pease Development Authority – Division of Ports and Harbors (PDA-DPH), the New Hampshire Fish and Game Department (NHF&G), the Department of Natural and Cultural Resources (State Parks), the Towns of Hampton and Seabrook, and a handful of private property owners in Seabrook. The ACOE is also in process of negotiating a Memorandum of Agreement with PDA-DPH for proposed dredging work in the state anchorage.

The ACOE's environmental coordination with state and federal resources agencies is underway. The ACOE has developed a draft Environmental Assessment. It has also submitted a Coastal Zone Management Act federal consistency determination to the New Hampshire Department of Environmental Services (NHDES) Coastal Program and an application to NHDES for a Water Quality Certification. Ms. Siligato stated that the project remains on track for construction to begin in October.

Route 1A Hampton Harbor Bridge Rehabilitation/Replacement Project:

Jennifer Reczek, NH Department of Transportation (NHDOT) Project Manager, gave a presentation describing the proposal to rehabilitate or replace the Neil R. Underwood Bridge (Route 1A), which spans the Hampton River at the inlet to Hampton Harbor. The presentation included, in part, a discussion of project alternatives (e.g., rehabilitation, replacement with a fixed bridge, replacement with a bascule bridge), review of proposed alignment options and vertical and horizontal clearance options, and a summary of environmental and cultural resources work completed to date. A link to the presentation and other project documents can be found at NHDOT's Project Specific Information web page at <https://www.nh.gov/dot/projects/seabrookhampton15904/index.htm>.

Southern Maine Dredging Feasibility Study:

Abbie Sherwin and Paul Schumacher of the Southern Maine Planning and Development Commission (SMPDC) gave a presentation summarizing a study prepared for the SMPDC entitled *Examining the Feasibility of Purchasing and Operating Hydraulic Dredging Equipment in Southern Maine, July 2018*. The SMPDC partnered with the Woods Hole Group and 11 communities in southern Maine to assess the feasibility of purchasing and operating a regional dredge. The study used the regional dredge program in Barnstable County, Massachusetts as a model. SMPDC and its partners examined historical dredging and dredged material disposal activities and forecasted future dredging needs to help

determine whether purchasing a regional hydraulic dredge would be a cost effective and environmentally sustainable means of dredging tidal waters and nourishing beaches in southern Maine. The presentation and the study can be found on the SMPDC website at <https://smpdc.org/index.asp?SEC=E5B7EC86-99EA-4CBB-B0C7-25C632CC13F6>.