

New Hampshire Dredge Management Task Force Meeting Minutes – May 22, 2019

The meeting was held on Wednesday, May 22, 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:

Ken Anderson, Riverside & Pickering Marine
Stefanie Giallongo, NH Department of Environmental Services (NHDES) Wetlands Bureau
Olga Guza-Pabst, Environmental Protection Agency (EPA)
Mark Habel, Army Corps of Engineers (ACOE)
Kerry Holmes, Senator Hassan
Chris Holt, Portsmouth Pilots
Michael Johnson, National Marine Fisheries Service (NMFS)
Richard Kristoff, ACOE
Eben Lewis, NHDES Wetlands Bureau
Erika Mark, ACOE (via call-in)
Cheri Patterson, New Hampshire Fish & Game Department (NHF&G)
Chris Scott, Senator Shaheen
Coral Siligato, ACOE
Mike Walsh, ACOE
Chris Williams, Chair, NHDES Coastal Program

Guests:

Leo Axtin, Pease Development Authority – Division of Ports and Harbors
Anthony Blenkinsop, Pease Development Authority
Don Blouin, Town of Rye
Marcia Brown
Clark Freise, Assistant Commissioner, NHDES
Mark Gearreald, Town of Hampton
Wendy Gendron, ACOE (via call-in)
Jennifer Hale, Town of Hampton Department of Public Works
Kate Hill, Senator Shaheen (via call-in)
Bill Hurley, Town of Rye
Vincent Iacozzi, Hampton River Marina
Melissa Paly, Conservation Law Foundation
Alex Pelczar, Senator Collins
Bonita Pothier, Senator King
Kristine Reed, ACOE
Byron Rupp, ACOE
David Trubey, NH Division of Historical Resources
Chris Veinotte, ACOE (via call-in)
Frederick Welch, Manager, Town of Hampton
Phil Winslow, Town of Rye Board of Selectmen

Legislative Update:

Kate Hill of Senator Shaheen's Office in Washington stated that the Senator, as a member of the Appropriations Committee, has requested increased resources for the Army Corps of Engineers (ACOE) to help support New Hampshire's priority projects, including the dredging of Rye Harbor and the Piscataqua River Turning Basin Improvement Project. The President's Fiscal Year 2020 budget included \$200,000 for Rye Harbor, however the money will need to be secured in the Army Corps of Engineers' FY2020 workplan.

Chris Scott of Senator Shaheen's Office stated that the Senator recently received a letter from the Town of Rye expressing the urgent need for dredging in the harbor.

Kerry Holmes of Senator Hassan's Office stated that the Senator continues to advocate for New Hampshire's priorities in Washington and asked that members reach out to her directly with questions or concerns.

Portsmouth Harbor/Piscataqua River Navigation Improvement Project:

Erika Mark, ACOE Project Manager, stated that the ACOE is still awaiting funding to construct the project and that the ACOE has submitted a request for construction funding in its FFY20 workplan. In addition, the ACOE is also working to coordinate the maintenance dredging of the Simplex/Tyco shoal so that it can be dredged at the same time as the navigation improvement project.

Mark Habel, ACOE, added that discussions between the ACOE, the State of Maine, and the National Marine Fisheries Service (NMFS) continue regarding how to mitigate for impacts to eelgrass resulting from the improvement project. The ACOE would prefer to use Maine's in-lieu fee program to mitigate for eelgrass impacts. He continued by stating that the ACOE and EPA also continue to work on the designation process for the proposed Isles of Shoals North (IOSN) disposal site.

Mike Johnson, NMFS, stated that to his knowledge the ACOE has not reached out to NMFS regarding the eelgrass mitigation efforts for the turning basin improvement project. He also stated that he's aware of other proposed federal dredging projects in Maine that will impact eelgrass. He stated that if the ACOE wants to use Maine's in-lieu fee program to mitigate for eelgrass impacts for not only the turning basin improvement project but the other proposed federal projects as well, NMFS should be present during the discussions.

Mr. Johnson also inquired about the footprint of the proposed IOSN disposal site. Specifically, he stated that NMFS had requested removal of two high relief rocky areas in the Northwest and Southeast corners of the site because they include high quality fish habitat. Olga Guza-Pabst, EPA, stated that footprint of the IOSN disposal site has been modified to avoid the high relief areas.

Hampton-Seabrook Harbor Maintenance Dredging:

Coral Siligato, ACOE Project Manager, reminded members that ACOE estimates that 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 105,000 cubic yards on Seabrook Beach, approximately 25,000 cubic yards of sand on the beach at Hampton Beach State Park, approximately 10,000 cubic yards of sand adjacent to the southwest corner of the Route 1A bridge in Hampton, and approximately 10,000 cubic yards behind an existing sheet pile wall built in 2005 to protect the middle ground sand flat in Seabrook.

Ms. Siligato stated that the ACOE has completed all environmental coordination and anticipates having a signed Memorandum of Agreement with the Pease Development Authority Division of Ports and Harbors (PDA-DPH) by next month. The ACOE is also currently working on completing real estate coordination with the Towns of Hampton and Seabrook and individual property owners in Seabrook.

The ACOE anticipates releasing a contract for bids in mid-June and awarding a contract in August. Dredging is scheduled to begin October 15, 2019. Ms. Siligato stated that dredging the inner harbor must be completed by February 1, 2020. Given the large volume of material that needs to be removed from the inner harbor, she anticipates that it will take the majority of the October 15 through February 1 dredge window to complete the work.

Chair asked if the ACOE has coordinated with the NH Fish and Game Department (NHF&G) and the NH Department of Transportation (NHDOT) regarding accessing the area on the southwest side of the Route 1A bridge. Ms. Siligato stated that the ACOE has secured all necessary agreements with NHF&G and NHDOT to access this area.

Chair then asked Mark Habel of the ACOE about the status of the request by PDA-DPH to determine the feasibility of initiating a study, funded partially by the ACOE, to help identify long-term solutions to the shoaling issues in the harbor. Mr. Habel stated that the PDA-DPH has submitted a study request to the ACOE and the ACOE has recommended the request for funding. To date, the request has not been funded.

Rye Harbor Maintenance Dredging:

Mike Walsh, ACOE Project Manager, stated that the ACOE is moving forward with environmental coordination. He stated that a public notice was issued in February and the 30-day comment period has closed. He hopes to finalize the Environmental Assessment (EA) in October and have it signed in November. The EA includes two disposal options: Cape Arundel Disposal Site (CADS) and the proposed Isles of Shoals North Disposal Site (IOSN). The IOSN is the ACOE's preferred disposal location because it is closer to Rye Harbor. Because CADS is being considered as a disposal option, the ACOE has applied for a 401 Water Quality Certification and a CZMA federal consistency certification from the state of Maine.

Mr. Walsh estimates a total cost for construction and construction oversight of \$3.5 million, however, he will be requesting a revised cost estimate. The ACOE currently has money to complete environmental coordination, finalize the EA and develop plans and specifications. The ACOE does not have money for project construction. Pending construction funding, Mr. Walsh

anticipates that the ACOE could release a contract for bids in the summer of 2020 with construction beginning in the fall of 2020.

Mr. Walsh, reminded members that 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 PDA-DPH wants the state anchorage dredged and will work with ACOE to develop a Memorandum of Agreement (MOA) to complete the work. The ACOE will not begin development of the MOA until environmental coordination is complete and a revised project cost estimate is available.

Phil Winslow, Town of Rye Board of Selectmen, asked if additional survey work would be required if the project were delayed until 2021. Mr. Walsh stated that additional survey work would likely be required. Mr. Winslow then asked if the additional survey work would delay the ability to dredge the harbor in 2021. Mr. Walsh stated he did not believe the additional survey work itself, or any additional volume of material identified by the survey work, would delay the project.

Mr. Winslow then asked how long the IOSN site would be available for disposal of the dredged material. Mr. Walsh reminded members that IOSN has not yet been designated for disposal. Once designated, it would remain open in perpetuity, unless the capacity of the site is reached. Mr. Winslow asked whether the ACOE has sufficient funds to haul the material to CADS if IOSN has not been designated by the time project construction is ready to begin. Mr. Walsh stated that he believes the current budget estimate will cover the cost of hauling the material to CADS, however, the revised budget estimate will definitively answer this question. Mr. Habel reminded members that CADS is scheduled to close in December 2021, unless re-opened by Congress.

Chair asked about status of encroachments into the federal channel. Mr. Walsh stated that the ACOE would require all encroachment to be removed from the federal channel by the Spring of 2020. The ACOE and the Town of Rye agreed to work with dock owners to ensure encroachments are removed by next Spring.

Next meeting date: October 9, 2019 @ 10am

Meeting adjourned.