

# New Hampshire Dredge Management Task Force Meeting Minutes – October 12, 2022

The meeting was held in-person at the New Hampshire Department of Environmental Services  
Portsmouth Office, 222 International Drive, Suite 175, Portsmouth, NH.

## Participants (in alphabetical order):

Ben Belanger, Senator Hassan  
Bob Boeri, Massachusetts Office of Coastal Zone Management  
Jean Brochi, Environmental Protection Agency (EPA)  
Mike Dionne, New Hampshire Fish and Game Department  
Jennifer Hale, Department of Public Works, Town of Hampton  
Alex Holderith - Senator Collins  
Aaron Hopkins, U.S. Army Corps of Engineers (USACE)  
Luke Hurley, Gove Environmental Services, Inc.  
Vincent Iacozzi, Hampton River Marina  
Mike Johnson, National Marine Fisheries Service  
Rick Kristoff, USACE  
Sue Lambert, New Hampshire Department of Environmental Services (NHDES) Coastal Program  
Eben Lewis, NHDES Wetlands Bureau  
Jordan Macy, USACE  
Maureen Madray – Normandeau Associates, Inc.  
Bonita Pothier, Senator King  
Todd Randall, USACE  
Christine Reed, USACE  
Chris Scott, Senator Shaheen  
Kaitlyn Shaw, National Marine Fisheries Service  
Coral Siligato, USACE  
Alexa Sterling, EPA  
Ted Trippi, Senator Shaheen  
David Trubey, NH Division of Historical Resources  
Chris Williams, Chair, NHDES Coastal Program  
Phil Winslow, Board of Selectmen, Town of Rye  
Steve Wolf, EPA

## Announcements:

Chairman Williams acknowledged Mark Habel of the U.S. Army Corps of Engineers (USACE) for his efforts in support of the New Hampshire Dredge Management Task Force (DMTF) and dredging activities in New Hampshire and the region. Mr. Habel recently retired from the USACE after 46 years of federal service. Chairman also acknowledged Alex Pelczar, formerly of Senator Collinses' staff, for her participation in the DMTF.

### **Legislative Update:**

Ted Trippi of Senator Shaheen's office in Washington stated that yesterday the 2022 Water Resources Development Act (WRDA) bill was included in the National Defense Authorization Act (NDAA), which is the federal authorization for military programs. The Senate will likely vote on the NDAA in November followed by a vote in the House of Representatives. WRDA continues to include a number of Senator Shaheen's and the NH Congressional Delegation's priorities, including expediting the maintenance dredging of the Simplex Shoal in the Piscataqua River and expediting the surveying and dredging of those areas in Sagamore Creek that weren't dredged in 2017.

Ben Belanger of Senator Hassan's office, Bonnie Pothier of Senator King's office, and Alex Holderith of Senator Collinses' office had nothing additional to add.

### **Portsmouth Harbor/Piscataqua River Federal Navigation Improvement Project:**

Chairman reminded members that the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project, which widened the existing turning basin located at the upstream end of the federal navigation channel in the Piscataqua River from 800 to 1,200 feet, was completed in mid-April.

Todd Randall, USACE, then reminded members that in the summer of 2021, in an effort to mitigate for the loss of eelgrass from the project, the USACE harvested eelgrass from the project site and transplanted it at three test sites within the Piscataqua River estuary. None of the transplanted eelgrass at the three test sites survived. All of the eelgrass was fouled by macro algae. Since then, the USACE has been working with eelgrass experts from the University of New Hampshire, the Piscataqua Region Estuaries Partnership, and the Conservation Law Foundation to develop a new eelgrass transplanting plan. The USACE had intended to conduct eelgrass transplanting again this past spring, using a low-profile burlap disc methodology developed by the Massachusetts Division of Marine Fisheries (Mass DMF). Unfortunately, the eelgrass donor beds located in the Great Bay Estuary were in poor condition so transplanting did not occur. However, the condition of the donor beds improved over the summer, perhaps due to the drought, and on September 20<sup>th</sup> the USACE conducted limited transplanting of approximately 200 plants in subtidal areas around Fishing Island in the lower part of the Piscataqua River in Kittery, Maine using the Mass DMF methodology. The USACE is scheduled to visit the areas in the next couple of weeks to determine the condition of the transplanted eelgrass. The USACE is hopeful that the lower profile of the Mass DMF methodology will minimize macro algae growth. Mr. Randall stated that the USACE is committed to finding a successful eelgrass mitigation option. To that end, the USACE recently participated in a call with eelgrass experts from the Maine Department of Environmental Protection and the Maine Department of Marine Resources to discuss potential eelgrass mitigation alternatives.

Mike Johnson, NMFS, asked when the USACE intends to implement full-scale eelgrass restoration efforts. Mr. Randall stated that full-scale restoration would not occur until the USACE is satisfied that the Mass DMF methodology is successful at the Fishing Island site.

Chairman then reminded members that the dredged material from the Portsmouth Harbor and Piscataqua River Federal Navigation Improvement Project was placed at the Isles of Shoals North Dredge Material Disposal Site (IOSN) and at two nearshore locations in Newbury and Salisbury, Massachusetts. At the last DMTF meeting in May it was stated that there was a "short dump" (dredged material disposed of in the wrong location) of dredged material outside the boundary of the IOSN. Chairman asked Aaron

Hopkins of the USACE's Disposal Area Monitoring System (DAMOS) Program to provide an update on the short dump.

Mr. Hopkins stated that the short dump occurred in March at a location approximately 400 feet west of the IOSN boundary at a water depth of about 300 feet. The dredging contractor reported the short dump, which appears to have been operator error - the dredged material was released from the scow prematurely. The USACE estimates that approximately 4,700 cubic yards of silty material was released in an area where the bottom is comprised predominantly of silt. The DAMOS Program performed an acoustic survey of the IOSN and the short dump area in August. The survey depicts a low-relief crater spread out over an area of several hundred feet with a raised ridge of 1-2 meters. The DAMOS Program also performed sediment profile imaging within the IOSN, including the short dump area. Sediment profile imaging of the short dump area shows evidence of dredged material varying from trace amounts to upwards of 15 cm in thickness. The DAMOS Program will share the data collected with EPA. EPA will take the lead on any enforcement action against the contractor.

Steve Wolf, EPA, stated that the short dump is a violation of the Marine Protection, Research, and Sanctuaries Act. In determining the scope of any proposed enforcement action EPA will use the data from the DAMOS Program to help assess the extent of environmental impacts and the likely time it will take for the benthos to recover, in conjunction with other factors, including the fact that the contractor self-reported the incident.

Chairman then asked Bob Boeri of the Massachusetts Office of Coastal Zone Management for an update on the nearshore disposal in Massachusetts. Mr. Boeri stated that Massachusetts was permitted to receive approximately 150,000 cubic yards of sand at both the Newbury and Salisbury locations. Due to equipment and weather-related issues, less than 150,000 cubic yards was placed at both locations. There were 47 disposal events at the Newbury site for a total of approximately 130,706 cubic yards. Sand was placed at the deeper end of the Newbury disposal site, which was further seaward, to improve access for scows. Because the material was placed in deeper water, it will likely take longer for the material to migrate onshore. At the Salisbury site, there were five disposal events totaling approximately 12,575 cubic yards. The Salisbury site was problematic due to the presence of hard bottom and shallow water, which made maneuvering the scows particularly challenging. Mr. Boeri stated that he's unaware of any concerns raised during or post disposal by waterfront property owners or beach goers at either location.

#### **Piscataqua River Simplex Shoal Maintenance Dredging:**

Todd Randall, USACE, stated that the Simplex Reach maintenance dredging project is part of the Portsmouth Harbor-Piscataqua River Federal Navigation Project. He stated that shoals form in the river every 7-10 years. Shoaling at the Simplex Reach is a safety issue for the vessels servicing the terminals along the river. The USACE has determined that approximately 42,000 cubic yards of predominantly sand (with small fractions of gravel) will be dredged and placed in a deep spot downriver in Maine waters that's been used to place dredged material from the project in the past.

Mr. Randall stated that the Simplex Reach was last dredged in 2013. The USACE conducted sampling in 2018 and determined that the shoals were comprised primarily of sand with some gravel. The USACE also surveyed the Simplex Reach with side scan sonar this past spring. The USACE has nearly completed its environmental coordination with the states of Maine and New Hampshire and intends to solicit the project next summer with construction anticipated to begin in December 2023. The project typically takes a couple of weeks to complete.

### **Isles of Shoals Harbor of Refuge – Breakwaters Repair:**

The Isles of Shoals Harbor of Refuge federal navigation project consists of three breakwaters between four of the islands that comprise the Isles of Shoals. Two of the breakwaters are located in Maine waters, while the third breakwater, between Star Island and Cedar Island, is located in both Maine and New Hampshire waters. The Star Island-Cedar Island breakwater was last repaired in 1974.

At the May 25, 2022, DMTF meeting, Mark Habel, USACE, stated that the USACE couldn't demonstrate clear title to Cedar Island. Without a clear title, the USACE can't execute an easement. As a result, the USACE may have to terminate construction of the Star Island-Cedar Island breakwater at the mean high-water elevation on the southwest side of Cedar Island.

Coral Siligato, USACE, stated that the USACE is still in the process of obtaining the necessary real estate agreements and believes the Cedar Island title issue is nearing resolution. Todd Randall, USACE, stated that the USACE is working with the U.S. Fish and Wildlife Service regarding a conservation easement on Smuttynose Island for bird monitoring.

Ms. Siligato stated that the USACE hopes to issue a solicitation for the project in December 2022, award a contract in March 2023, and begin construction in April 2023.

Mr. Randall stated that due to the dangers of working at the site during the winter, the construction window will begin April 1 and end November 30.

Chair asked Mr. Randall to speak briefly about the presence of eelgrass at the project site. Mr. Randall confirmed the presence of eelgrass on the leeward side of the Star Island-Cedar Island breakwater. He stated that the eelgrass in this location is scattered and not particularly dense. The USACE surveyed the area for eelgrass in 2018 and 2019 and hopes to re-survey the area later this month. The USACE will let the contractor determine the methodology for repairing the Star Island-Cedar Island breakwater. If eelgrass impacts occur, the USACE has developed an eelgrass mitigation plan.

Mike Johnson, NMFS, stated that performing an eelgrass survey in October is not ideal because it will occur at the end of the growing season. The survey results may not be representative of the actual density and distribution of eelgrass at the site. Discussion followed.

Phil Winslow, Town of Rye Board of Selectmen, requested that once a contract is awarded, that the contractor contact Rye fire and rescue regarding medical and law enforcement support.

### **Hampton Harbor Jetty Repair:**

The project involves the repair of approximately 465 linear feet of the north jetty at the inlet to Hampton Harbor to restore its functionality. The jetty was constructed in 1965 and last repaired in 2016. Storm events and a vessel strike since 2016 have damaged the north jetty and it is again in need of repair.

Coral Siligato, USACE Project Manager, stated that the USACE was unsuccessful in awarding a contract for the project. There were several bidders, but due to a number of factors, the USACE canceled the solicitation. The USACE received feedback from several bidders who expressed concern with the August start date for marine-based work. Many of the stone quarries in the region close in the winter and contractors are concerned that they won't be able to complete the project before the quarries close. Due to concerns with working in the area during the winter, contractors would like to complete the

project by November. As a result, the USACE will be reaching out to New Hampshire resource agencies to discuss expanding the marine-based work window so that work can begin earlier in the year (e.g., April or May).

Ms. Siligato stated that the USACE needs to re-coordinate real estate agreements with both the Pease Development Authority and NH State Parks. The USACE hopes to issue another solicitation in February/March 2023 with construction to begin later in the spring.

Jennifer Hale, Hampton DPW, asked if project construction would occur concurrently with the proposed replacement of the Route 1A Bridge over Hampton Harbor, which is scheduled to begin in 2024. Ms. Siligato stated that she hopes the jetty repair project will be done no later than November 2023.

### **Hampton Harbor Hydrodynamic Feasibility Study Federal Interest Determination:**

The USACE has received \$50K under its Section 107 (Small Harbors) Program to develop a federal interest determination (FID) regarding Hampton Harbor. The FID is the USACE's assessment of whether it makes economic sense to invest federal dollars in a hydrodynamic feasibility study to determine what's causing the recurring shoaling in Hampton Harbor and how to alleviate it, or to continue to dredge the harbor every 5-7 years. If the USACE determines that it's favorable to move forward with a hydrodynamic feasibility study of the harbor, the USACE will then execute a cost sharing agreement with the state sponsor, the Pease Development Authority Division of Ports and Harbors (PDA-DPH)

Jordan Macy, USACE, stated that the FID is complete. The draft FID has been submitted to the USACE's Division Office in New York for review and approval. The USACE has received some preliminary comments from the Division Office but is still awaiting concurrence from the Division. Once the FID is approved, the District will review it with PDA-DPH. The USACE will then conduct a scoping exercise for the feasibility study. The USACE has already engaged the University of New Hampshire (UNH) regarding existing hydrodynamic models of the harbor. Based on input from UNH and others, the USACE will develop a budget for the feasibility study. The USACE will then coordinate with PDA-DPH to execute a cost sharing agreement to share feasibility study costs 50/50. The USACE hopes to have the cost sharing agreement approved by next summer.

Jennifer Hale, Hampton DPW, stated that the models used by the USACE should take into account potential downstream effects, particularly with regard to shoreline erosion. Discussion followed.

### **Hampton River Marina Inner Basin Dredging:**

Luke Hurley, Gove Environmental Service, Inc., stated that Hampton River Marina is proposing to dredge approximately 14,000 – 15,000 cubic yards of material from an area of approximately 100,000 square feet within the marina's inner basin. Currently at lower low tides, the bottom is exposed and a number of boats rest on their hulls. Much of the dredging will take place from shore and be done using a mechanical dredge. Areas further from shore that can't be reached by the mechanical dredge will likely be dredged with a hydraulic dredge. The dredged material will be dewatered in an upland area in the marina's parking lot. Once the material is sufficiently dewatered, it will be trucked to a gravel pit in Raymond, NH. An application has not yet been submitted to the NHDES Wetlands Bureau.

Mr. Hurley acknowledged that there's been a fair amount of activity at the marina in recent years that's required state permits. Most recently, dredging was performed around the boat launch.

Chairman asked if the inner basin had been dredged in the past and if the applicant is proposing any dredging in the outer basin. Mr. Hurley stated that the inner basin was last dredged in the early 2000s and prior to that in the 1990s. Mr. Hurley stated that proposed dredging is confined to the inner basin with no dredging proposed in the outer basin.

Eben Lewis, NHDES Wetlands Bureau, recommended that prior to submitting an application, Mr. Hurley schedule a pre-application/mitigation meeting with the NHDES Wetlands Bureau, NH Fish and Game Department and EPA.

Rick Kristoff, USACE, stated that he would conduct a review of USACE files to determine what's been permitted at the marine historically.

Chairman recommended that the applicant coordinate with NHDES on sediment sampling and analysis. Chairman also stated that if the project requires an Individual Permit from the USACE, it will require a 401 Water Quality Certification from NHDES and be subject to Coastal Zone Management Act federal consistency review by the NH Coastal Program.

Mike Johnson, NMFS, asked if there are mussel beds present within the inner basin. Mr. Hurley stated that there are no mussel beds in the inner basin, however there are mussel beds present in the outer basin. Mr. Johnson stated that dredging in the inner basin should be conducted in a manner so as to avoid indirect impacts (e.g., turbidity) to the mussel beds in the outer basin.

Mr. Johnson also asked if the applicant has any plans to dredge the outer basin in the future. Mr. Hurley stated that dredging is only proposed in the inner basin and there are no plans to dredge the outer basin.

**Other Business:**

Phil Winslow, Town of Rye Board of Selectmen, asked about the status of the replacement of the Route 1B Bridge over Little Harbor in Rye/New Castle. Chairman stated that he had spoken with Jennifer Reczek at NHDOT, and she did not believe an update was warranted at today's meeting because there had not been a lot of progress made on the project. NHDOT is still pursuing project alternatives with US Coast Guard. Chairman stated that he'd reach out to NHDOT prior to the next meeting to determine if enough progress has been made to warrant an update at the next meeting.

Meeting adjourned at approximately 11:45am

Next meeting: March 1, 2023