

Meeting Summary
Maine Dredging Team
March 7, 2022
On-line only
10:00 A.M. – 12:00 P.M.

I. WELCOME AND INTRODUCTIONS.

The chair, Matt Burns, Maine Department of Transportation (MaineDOT), welcomed attendees who, at his request, introduced themselves.

II. UPDATE ON STATUS OF ACTIVE UNITED STATES ARMY CORPS OF ENGINEERS (USACE) DREDGING PROJECTS.

A. Navigation improvement projects.

Mark Habel (USACE) gave an overview of USACE's authorities regarding navigation improvement, outlining the USACE's definition of activities which are considered "commercial navigation" under those authorities. Mr. Habel introduced Byron Rupp, the USACE/New England Division's new Chief of Navigation and Planning. Mr. Habel provided the following updates on USACE navigation improvement projects currently active in Maine:

1. Small harbor projects:

Great Chebeague Island. Construction began on March 4, 2022. Weather-related issues delayed the start of construction. April 1, 2002 is the deadline for completion under state authorizations. Dredged materials are to be placed in at the Portland Disposal Site.

Blue Hill. USACE approved the feasibility report in February 2022. The next step, execution of the project participation agreement with the Town of Blue Hill, is anticipated to be completed in the summer of 2022. USACE is planning to construct the project, which includes a CAD cell, during the 2023-24 dredging season.

Patten Bay. This project remains in the study phase. The federal interest determination, the first step in the USACE's process, is underway. The Town of Surry requested study of this proposed new federal project which focuses on providing a channel to the town landing.

Buck Harbor (Betsy's Cove), Brooksville. This project is at the federal interest determination stage. USACE is evaluating whether the anticipated economic benefits are sufficient to justify a federal feasibility study.

Saco (Camp Ellis) (Section 111 project). USACE reactivated its work on this project following receipt of the requisite letter from the local project sponsor, the City of Saco (City). In the spring of 2022, USACE anticipates completion of an addendum to revise cost estimates in the final report produced in 2019. Subsequently, USACE intends to work with the City on a project participation

agreement which would address cost-sharing for the project which involves construction of a spur jetty and improvements and beach nourishment.

2. Large harbor projects:

Mr. Habel noted that the USACE has no active large harbor improvement projects in Maine.

B. Small habitat improvement and coastal protection-related projects. Mr. Habel provided a brief update on the following projects which USACE is undertaking under the several Water Resources Development Act program authorities noted:

Royal River (Section 206). On October 1, 2021, USACE began the feasibility study, a key component of which is modelling of sediment movement if one or both dams on the lower river were removed to facilitate fish passage. The quality of sediment and how it may affect the downstream Royal River Federal Navigation Project are among the issues to be addressed in the feasibility study.

Stratton Island (Section 204). National Audubon Society is the non-federal sponsor of this project which involves dune reconstruction and beach restoration to improve shorebird habitat conditions. The USACE is planning for construction of this project in coordination with maintenance of the Scarborough River FNP. It would use about 12,000 cubic yards (cy) of dredged material generated from that operations and maintenance project.

Half Moon Cove (Section 203). At the request of the Passamaquoddy Tribe, USACE has initiated a feasibility study regarding changes to the causeway built in the 1930s (The Quoddy) to improve tidal exchange and environmental conditions. The causeway cut off Half Moon Cove from Passamaquoddy Bay and has altered tidal and sedimentation patterns, habitat, and passage of marine organisms among Passamaquoddy Bay, Cobscook Bay, and Half Moon Cove.

Cherryfield (Section 1135). The USACE is currently doing modelling to determine how a dam on the river may be modified to improve fish passage without unduly compromising the dam's current ice control function. This project remains in the investigative stage.

Pleasant Point (Section 14). In November 2021, USACE completed the emergency shoreline protection project which involved construction of a 1,500-foot rip-rap revetment to address on-going erosion at the Pleasant Point Reservation. The USACE is discussing with the Passamaquoddy Tribe an extension of the revetment to protect the Reservation's wastewater treatment works.

C. Maintenance dredging projects.

Jenifer Thalhauser (USACE), with input from other USACE staff, provided a brief overview of the FNPs in Maine and the following updates on the status of active USACE dredging and other operations and maintenance projects:

Piscataqua River (Turning Basin). The project is under construction. To date, about half of the estimated 600,000 cy of dredged material has been dredged and about 75,000 cy of that dredged material has been placed at nearshore locations in northern Massachusetts for beach nourishment and the balance at the Isles of Shoals North Disposal Site. With about five weeks remaining in this year's work window, which was extended to April 15, 2022, USACE intends to concentrate on disposal at

the nearshore sites. In-river blasting work has been completed. As noted at the prior dredging team meeting, the three eel grass test plots USACE planted as part of its proposal for mitigation of the project's adverse effect on about one acre of eel grass failed. USACE believes that the failure of the tests plots was related to macroalgae and intends to re-design the test-plot project to address the problem. USACE plans to meet with eel grass experts to refine and finalize its revised plans for the test plots. Knowledge and information from the test-plot project will also help inform decisions regarding eel grass mitigation for the Chebeague Island improvement dredging project.

In response to a question about whether and how the USACE's criteria for considering the suitability of eel grass restoration areas address tidal velocity, USACE staff said it not sure off-hand and would follow up on that, noting that the river's velocity is relatively high in the turning basin area.

Piscataqua River (Simplex Shoals). This maintenance dredging project is in the early stages. There is \$1.685 million in the federal Infrastructure Investment and Jobs Act to support this project. USACE anticipates contracting for the construction of the project in 2023.

Searsport. The USACE continues to evaluate the federal base plan for disposal of dredged materials from planned maintenance dredging of the project. The project was last dredged in 1964, when constructed. USACE staff explained that sampling indicates that dredged materials are not suitable for standard open water disposal; that the maintenance dredging project would generate about 22,000 cy of dredged material with a one-foot over dredge and about 45,000 cy with a two-foot over dredge (standard for this channel type); and that it appears that the federal base plan will involve construction of a CAD cell. In response to a question, USACE staff clarified that the location of the CAD cell under consideration is immediately adjacent to the proposed dredging area. USACE acknowledged that the local project sponsor, MaineDOT, has a strong interest in upland disposal of the dredged materials as opposed to construction of a CAD cell. Matt Burns (MaineDOT) confirmed the State's interest in and intent to move forward with an upland disposal alternative. USACE staff further explained that they anticipate the draft EA will be sent to USACE headquarters for review in the spring of 2022 and that there will be a three to four-week public comment period following its publication. USACE anticipates starting project construction in December 2023.

Georges River. This project is in the initial planning stages regarding maintenance dredging. USACE is updating the survey which when last done indicated about 78,000 cy may be dredged. USACE plans to begin sampling in the summer of 2022. The disposal location has not yet been determined.

Union River. As noted previously, USACE intends to propose construction of a CAD cell for dredged materials not suitable for standard open water disposal. In the summer of 2022, USACE will do borings needed to confirm that there is sufficient depth for the planned CAD cell. USACE does not envision initiation of construction until 2024, following further analysis of issues and options.

Scarborough River. The USACE has confirmed urgent need for dredging, especially in the entrance channel. USACE is proposing to address the project in two phases. Beginning in April/May 2022, using the government dredge, the *Murden*, USACE intends to dredge the entrance channel and place dredged materials near Little River Rock off Old Orchard Beach. In 2023, USACE intends to contract for dredging of the rest of the project which would include placement of dredged materials at Western Beach in Scarborough. As noted above, USACE intends to coordinate this project phase with the proposed Section 206 habitat improvement project at Stratton Island.

Wells Harbor. The USACE has determined the federal base plan which, like the approach taken in 2013, involves hydraulic dredging of the entire project (about 100,000 cy of dredged material) and placement of dredged material on Wells and Drakes Island beaches. Following project design, environmental coordination, and review and resolution of any real estate issues, USACE anticipates solicitation of bids for the project work in the summer of 2023. USACE is developing a memorandum of agreement with landowners regarding placement of dredged material on their property and anticipates that the proposed work window will reflect habitat requirements of the endangered piping plover. USACE is working on the draft EA. In response to a question, project manager Coral Silgato confirmed that USACE regulatory staff has been in touch with the Town of Wells regarding permitting required for dredging activities the Town intends to undertake in connection with the federal project.

Kennebunk river jetty repair. As anticipated, USACE completed this project, which involved repairs to the east and west jetties and wingwalls, in January 2022.

Isles of Shoals breakwater repair. USACE has received requisite authorizations from Maine and New Hampshire which provide an April-November work window. USACE anticipated that the work, which involves repair of three breakwaters among the Isles of Shoals which straddle the Maine-New Hampshire boundary, will be done over two construction seasons. Difficulty in securing title insurance for easements for the Cedar Island work may delay start of the project until 2023.

Kennebec River. USACE staff noted that they are working with the Navy on its proposal for state authorization for periodic (every 2-3years) maintenance of the Kennebec River FNP over a ten-year period. Navy staff, unable to participate in discussion of this project due to technical difficulties, indicated they would follow up with additional information for sharing with the group.

Longer-term outlook. USACE staff identified the following operations and maintenance projects as in the initial stages of consideration: Josias River, Frenchboro Harbor, Narraguagus River, Isle Au Haut, and Bar Harbor (breakwater repair).

III. PRESENTATION: STATE SAMPLING AND TESTING REQUIREMENTS APPLICABLE TO BENEFICIAL USE OF DREDGED MATERIALS (DEP Rules Chapter 418)

Cyndi Darling (DEP) gave a presentation which provided an overview of DEP rules Chapter 418, which concerns beneficial use of solid waste, as applied to dredged materials. Ms. Darling explained that dredged materials are managed as a solid waste under this risk management-oriented rule; that DEP works with applicants to determine if one of the rule's exceptions applies to a proposed beneficial use; and the rule has a more streamlined procedure for authorization of certain proposed beneficial uses of dredged materials for beach nourishment. Ms. Darling further explained that two exceptions, Ch. 418(3)(E)(4 and 7), to the rule's permitting requirement may be applicable to certain proposed uses of dredged materials for beach nourishment; that DEP has more commonly seen the exception under paragraph E(4) proposed; and that the term "on the site of generation" as used in that exception is not defined in the rule. Ms. Darling advised that DEP is working with the Maine Geological Survey (MGS) to develop a policy and methodology for use of this exception which is based on scientific assessment of whether the location from which dredged materials are to be taken and that at which they are to be placed for beach nourishment are part of the same natural sand supply system (same "littoral cell"), and thus the same "site" for purposes of the rule as applied. Ms.

Darling outlined how DEP and MGS could establish an efficient process for working together on such an assessment using maps of littoral cells along the coast prepared by MGS and project-specific information provided by an applicant. State agency participants at the meeting expressed general agreement that such DEP-MGS collaboration could be productive and encouraged and endorsed further cooperation to address this issue.

IV. UPDATE: PORTLAND HARBOR WATERFRONT DREDGING AND CAD CELL PROJECT

Bill Needelman (City of Portland) provided an update on the on-going efforts to dredge wharfs and piers in Portland Harbor and to construct a CAD cell for dredged materials unsuitable for open water disposal. Mr. Needelman explained that the Cities of Portland and South Portland plan to apply again for federal funding for the project under the Rebuilding American Infrastructure with Sustainability and Equity (“RAISE”) Discretionary Grant program administered by the U.S. Department of Transportation (“USDOT”). Mr. Needelman explained that project proponents had a productive meeting with USDOT to de-brief on their unsuccessful 2021 RAISE funding application and have ideas on how to make their 2022 proposal more competitive. Mr. Needelman thanked Maine’s congressional delegation and MaineDOT for their on-going support. Mr. Needelman noted that project proponents will be seeking letters of support for the 2022 application for RAISE funding.

V. OTHER BUSINESS

No other business was suggested.

VI. DISCUSSION OF NEXT STEPS; ACTION ITEMS.

Distribution of the following was identified an action item stemming from discussion at the meeting:

- Information about the Navy’s Kennebec River maintenance dredging proposal to the group;
- USACE’s presentation slides, on request; and
- List of USACE civil works projects slated for funding under the federal Infrastructure Investment and Jobs Act.

VII. ADJOURN

Mr. Burns adjourned the meeting.