Raeline O'Neil

From:	Brenda Therrien
Sent:	Wednesday, August 14, 2024 1:33 PM
To:	Myles Greenway
Subject:	New obligation date? FW: Final signed - PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award Fiscal 8-16 G & C 8-30-24
Attachments:	PDA_ARPA_acctUnit2803_Amend_to_Exend_Fis_GC_08_02_2024.pdf; Design Schedule_Rye Harbor Platform.pdf; Design Schedule_Portsmouth Fish Pier.pdf

If this item is approved, does that mean we would have until Jun 30, 2025 to obligate the funds, and if so, should there be any adjustments made to the proposed schedules?

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Friday, August 2, 2024 1:46 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Subject: RE: Final signed - PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award Fiscal 8-16 G & C 8-30-24

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Anytime Brenda!

Christopher Shea at the LBA asked us to bring your item over, so it will be on the agenda at the 8/16 Fiscal Committee meeting, at 10am at the Legislative Office Building (LOB), Rm 210-211, here in Concord, and the Friday 8/30 G&C meeting, which will be in Wakefield, NH, don't know exactly where yet. There are six (6) G&C meetings each summer/fall that are held one each in the five (5) Executive Council districts, and one held at a location the Governor selects. The Friday 8/30 G&C meeting is in Councilor Kenney's district, and he told us today it will be in Wakefield, he just doesn't know where the breakfast meeting and the G&C meeting will be held yet. When I know I'll let you know.

https://www.das.nh.gov/comm/DAS_G&C_Schedule.pdf

https://www.gencourt.state.nh.us/lba/budget/fiscalCommittee.aspx

JOINT LEGISLATIVE FISCAL CC

The following meetings of the Joint Legislative Fiscal Committee are scheduled for:

Friday, August 16, 2024, at 10:00 a.m. to be held in Room 210-211 of the Legislative Offic on YouTube, and,

Friday, September 13, 2024, at 10:00 a.m. to be held in Room 210-211 of the Legislative livestreamed on YouTube.

- Fiscal Committee Details
- Fiscal Committee Agendas, Items, Quick Results, Minutes and Transcripts

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, August 2, 2024 12:35 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anzalone, Susanne <S.Anzalone@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Subject: RE: Final signed - PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award Fiscal 8-16 G & C 8-30-24

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thanks again Steve!

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors

555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Friday, August 2, 2024 11:27 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Subject: RE: Final signed - PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award Fiscal 8-16 G & C 8-30-24

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank-you Brenda!

I will print this and the original Fiscal/G&C approved item, and make copies for each of the meetings. Our due date and time to get 8/16 Fiscal Committee items to the LBA was yesterday, but we have reached out to Christopher Shea and Michael Kane of the LBA to confirm they will still accept your item (it will be one of a few we are asking them to accept for the 8/16 Fiscal meeting). If I need anything, I'll let you know.

I'll send you an electronic copy of your item as it will appear on the Fiscal/G&C public meeting agendas.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, August 2, 2024 10:42 AM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anzalone, Susanne <S.Anzalone@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick,

Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Subject: Final signed - PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award Fiscal 8-16 G & C 8-30-24

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning Steve,

Please see attached for the signed request. One of us will be at the meetings (Fiscal 8/16, G & C 8/30) to answer any questions that may come up.

Thank you, as always, for your help. Please let us know if you need anything else.

Otherwise, have a great weekend everyone!

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

July 31, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority, Division of Ports and Harbors (the "Division") to amend Fiscal Committee item FIS 24-115, approved April 19, 2024, and Governor and Council item #76, approved May 1, 2024, to extend the end date from September 30, 2024 to June 30, 2025, effective upon Fiscal Committee and Governor and Council approval through June 30 2025. **100% Federal Funds.**

This is an allowable use of ARPA SFRF funds under Section 602(c)(1)(C) for provision of government services to the extent of the reduction in revenue.

EXPLANATION

The Division received ARPA funding approval of $1,000,000 for each task listed below for a total award of $2,000,000 to complete these projects:

- Portsmouth Fish Pier - costs of engineering study, design, permitting, and construction for a replacement building
- Rye Harbor Retail Platform - costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations

The end date extension requested will allow the Division to bid these projects (bid opening is anticipated October 5, and October 17, 2024, respectively) and, after completing the bid review and approval process, obligate the ARPA funds between November 14 and December 2, 2024. This extension, if authorized, will have no impact on cost or funding accounts.

Respectfully submitted,

Paul E. Brean
Executive Director

FIS 24 115

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		$0	$2,000,000	$2,000,000
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		$0	$2,000,000	$2,000,000

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

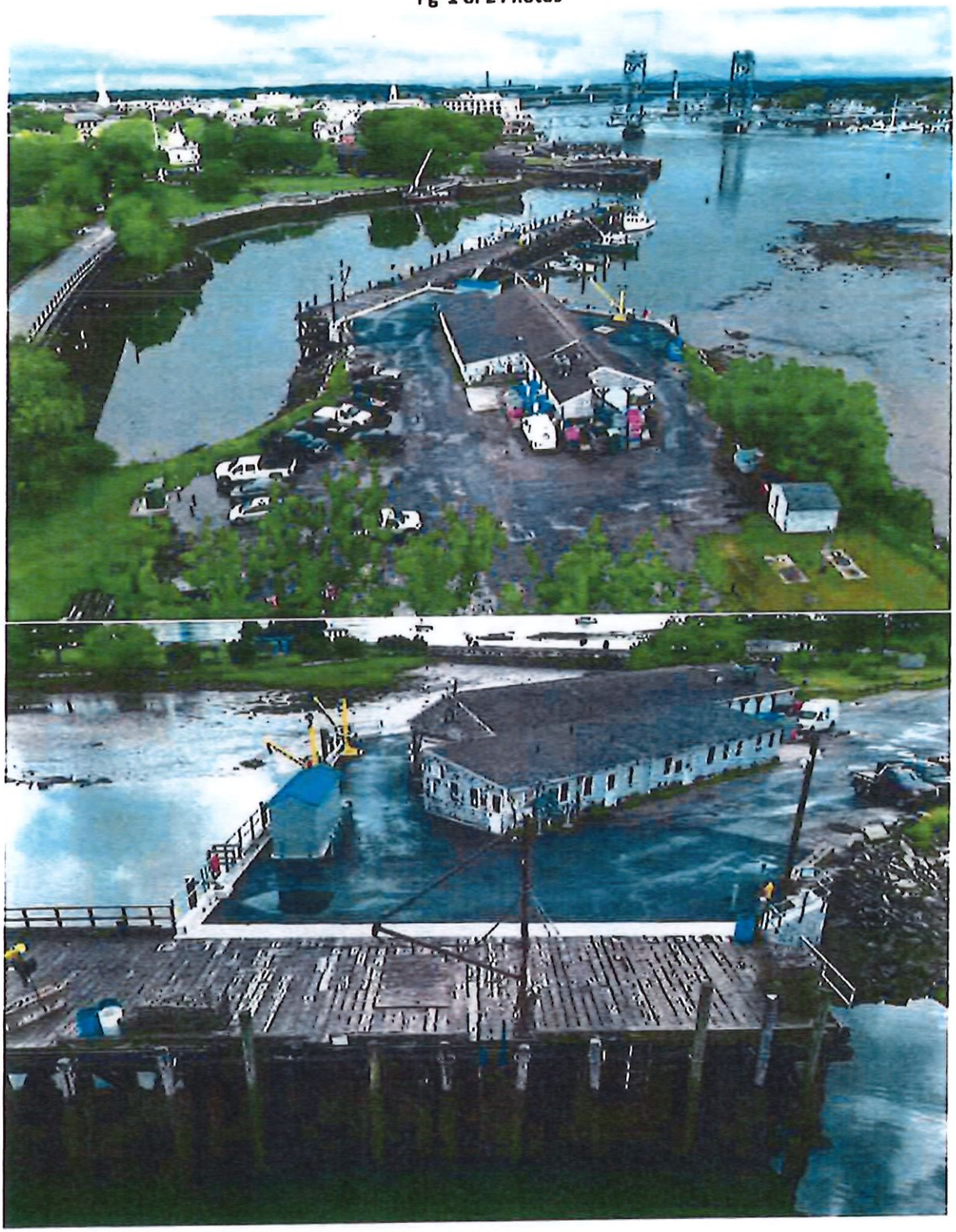
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

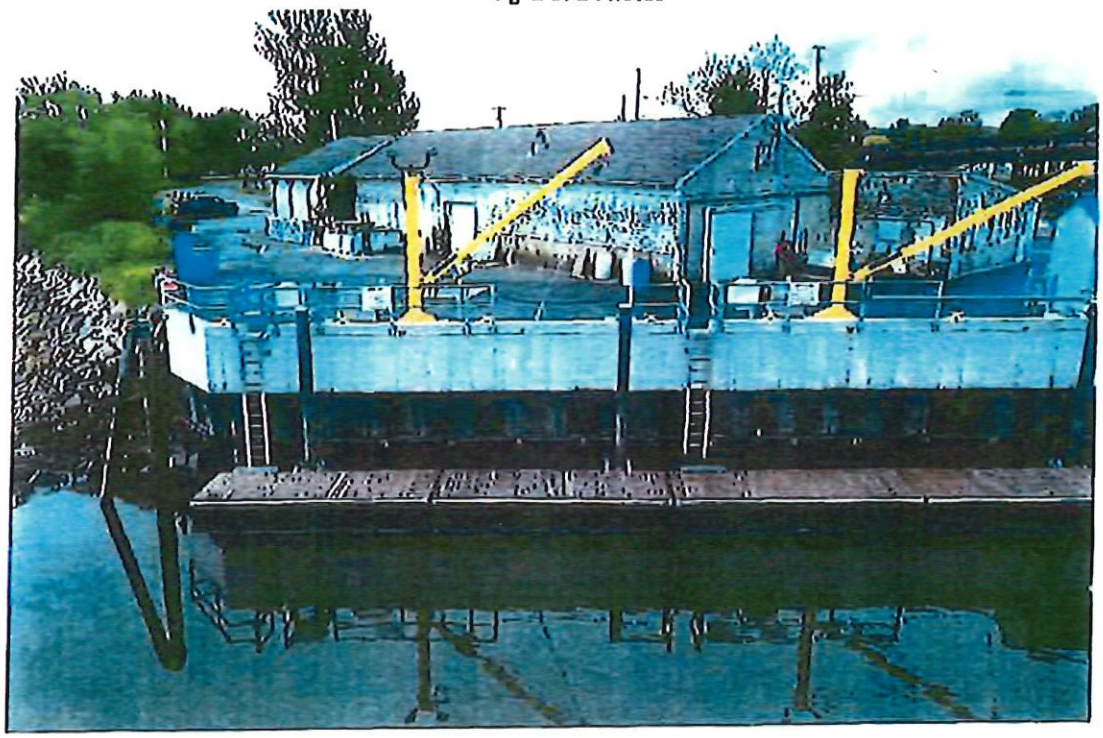
Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos



Appledore Marine Engineering, LLC

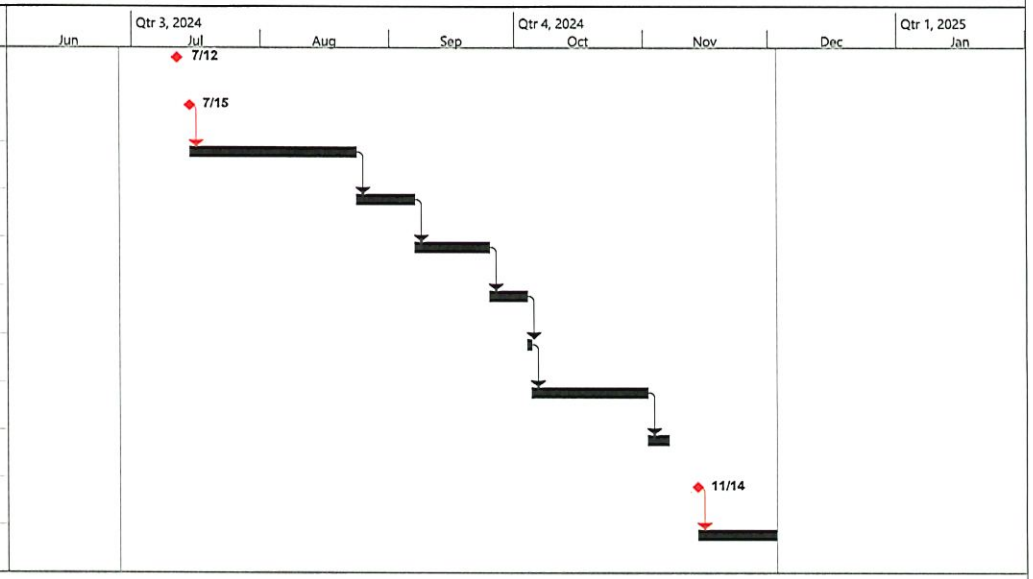
Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Portsmouth Fish Pier

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/12/24	Fri 7/12/24
2	Port Committee Meeting	0 days	Mon 7/15/24	Mon 7/15/24
3	Pre-Final Design Submission	40 days	Mon 7/15/24	Fri 8/23/24
4	PDA to Request Legal Review of EJCDC specs	14 days	Sat 8/24/24	Fri 9/6/24
5	Final Submission	18 days	Sat 9/7/24	Tue 9/24/24
6	PDA Review	9 days	Wed 9/25/24	Thu 10/3/24
7	Advertise Contract Documents for Bidding Public	1 day	Fri 10/4/24	Fri 10/4/24
8	Bids Due	28 days	Sat 10/5/24	Fri 11/1/24
9	Bid Summary AME Recommendation to DPH	5 days	Sat 11/2/24	Wed 11/6/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24



Appledore Marine Engineering, LLC

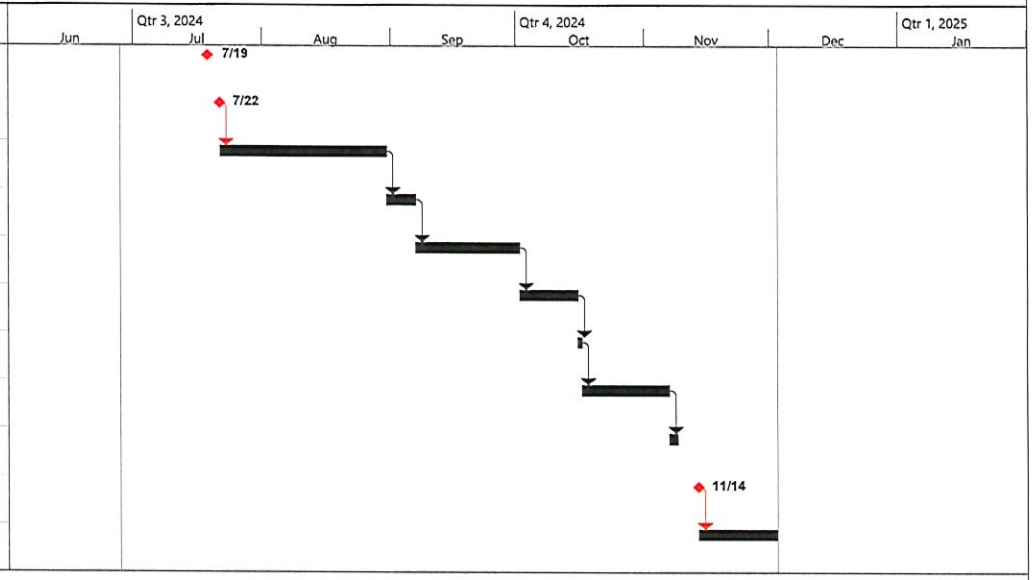
Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Rye Harbor Platform

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/19/24	Fri 7/19/24
2	Port Committee Meeting	0 days	Mon 7/22/24	Mon 7/22/24
3	Pre-Final Design Submission	40 days	Mon 7/22/24	Fri 8/30/24
4	PDA to Request Legal Review of EJCDC specs	7 days	Sat 8/31/24	Fri 9/6/24
5	Final Submission	25 days	Sat 9/7/24	Tue 10/1/24
6	PDA Review	14 days	Wed 10/2/24	Tue 10/15/24
7	Advertise Contract Documents for Bidding Public	1 day	Wed 10/16/24	Wed 10/16/24
8	Bids Due	21 days	Thu 10/17/24	Wed 11/6/24
9	Bid Summary AME Recommendation to DPH	2 days	Thu 11/7/24	Fri 11/8/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24



Raeline O'Neil

From: Jill Hart <poweredbybrainlogic@gmail.com>
Sent: Wednesday, August 14, 2024 11:32 AM
To: Paul Brean
Subject: Re: Save our Rye Harbor Shacks

[You don't often get email from poweredbybrainlogic@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you Paul for the follow.
Well said. The multiple perspectives and objectives clearly are stated and provided important context.
I sincerely appreciate it.
Jill

Jill Hart, PMP, CPACC, CSPO
Product Owner / Accessibility Specialist
m: 603.209.5122

> On Aug 14, 2024, at 10:01 AM, Paul Brean <P.Brean@peasedev.org> wrote:
>
> Dear Ms. Hart,
>
>
> Attached for your reference is a recent correspondence to Rye Selectboard Chairman Epperson from Pease Development Authority's Chairman Stephen Duprey regarding potential improvements to Rye Harbor Facility.
>
> Regards,
>
> Paul Brean
> Pease Development Authority
>
> -----Original Message-----
> From: Jill Hart <poweredbybrainlogic@gmail.com>
> Sent: Thursday, August 8, 2024 6:27 PM
> To: Paul Brean <P.Brean@peasedev.org>
> Cc: Bruce Hart <bbhart54@gmail.com>; jcmcenemy@seacoastonline.com
> Subject: Save our Rye Harbor Shacks
>
> [You don't often get email from poweredbybrainlogic@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]
>
> EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.
>
>
>

> Hello.
>
> We recently heard that there is a discussion about eliminating the quintessential shacks from Rye Harbor.
>
> I am writing to ask for your help to ensure they stay as is. They offer a unique charm to our beautiful NH seacoast!
>
> Please vote for them to continue to be the inviting businesses that they are.
>
> Thank you.
>
> Jill
>
> Jill Hart, PMP, CPACC, CSPO
> Product Owner / Accessibility Specialist
> m: 603.209.5122
> <Rye Response Ltr (8-1-24).pdf>

Raeline O'Neil

From: Patricia Savage <postscripts49@gmail.com>
Sent: Tuesday, August 13, 2024 1:44 PM
To: Paul Brean
Subject: Fwd: Rye Harbor Redevelopment: an opposing voice

You don't often get email from postscripts49@gmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

---------- Forwarded message ---------
From: **Patricia Savage** <postscripts49@gmail.com>
Date: Tue, Aug 13, 2024 at 1:41 PM
Subject: Rye Harbor Redevelopment: an opposing voice
To: <P.bean@peasedev.org>, <sdurpey@foxfirenh.com>, <jmcmenemy@seacoastonline.com>

Hello to all those involved,

I hope I am not too late. It is summer after all and along with the whale watch captains and fishermen who operate out of the Rye Harbor, we are busy with summer livelihood. We feel a little caught off guard by the sudden movement towards talk of redeveloping the harbor. The harbor has stood for many generations as a place of significant local and independent activity.

It is a place which gives the NH seacoast a unique feel. I have taken my students and visiting relatives out to the Isles of Shoals on the Uncle Oscar or with the Granite State Whale Watch. The smallness of these operations has attracted locals and tourists looking for an authentic, intimate experience in our waters. Independent rod and reel fishermen have moored their boats here for generations. Some say 400 years.

The seacoast seems to be struggling to retain its identity. The influx of more hotels and expensive condos competes with the small city charm of harbor communities. Route 1A in the area between Sagamore Circle and North Hampton has been remarkably devoid of commercialism - except for two clam eateries, Petey's and Ray's, who are supported by the locals - and it would be a shame to lose this special space. It would be a hardship for those businesses currently manned by individuals, not corporations, who already compete with larger companies upstream to lose their current locale. The loss of moorings for the independent fisherman could be a death knell.

And what in its place. A strip mall? Really, New Hampshire? A strip mall? Hope I have got this wrong. Am I misinformed? I look forward to hearing from the Pease Development Authority.

Sincerely,
Pat Savage

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, August 13, 2024 9:05 AM
To: Myles Greenway; Paul Brean
Subject: Reply? FW: New submission from Contact Form

Just popping on to check emails, I'll be back in the office tomorrow. Let me know if I should reply to this. Also, these emails used to go to Tracy as well, but I don't see him on here.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Pease Development Authority <info@peasedev.org>
Sent: Saturday, August 10, 2024 9:41 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: New submission from Contact Form

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Name

Cynthia Coughlin

Email

coughlin29@gmail.com

Area of Interest

NH Port Authority

Message

Please DO NOT remove the fishing "shacks" from Rye Harbor! This is one of the few quintessential spots remaining along the seacoast that still offers a glimpse into our maritime history. You can't measure it's worth just by how much money it produces for the bottom line. It clearly supports many other aspects of the town and state economy and tourism. We don't need more waterfront development. Preserve this coastal treasure!

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, August 13, 2024 9:05 AM
To: Myles Greenway; Paul Brean
Subject: Another one FW: New submission from Contact Form

Please let me know if I should reply to this,

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Pease Development Authority <info@peasedev.org>
Sent: Thursday, August 8, 2024 8:02 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: New submission from Contact Form

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Name

Lorraine Murphy

Email

lormurphy@gmail.com

Area of Interest

NH Port Authority

Message

Good Morning,
I just read about a proposed PDA proposal to improve pier and structures at Rye Harbor. I would like to see Rye Harbor remain small and safe. How about planning for improvements improvements at HILTON PARK!
To whom should I address my concerns about the dilapidated and dysfunctional infrastructure at Hilton, gateway to our beautiful State of NH. Thank you
Lorraine Murphy
40A Emerson Rd
Durham NH 03824
602 491 3153

Raeline O'Neil

From:	Myles Greenway
Sent:	Tuesday, August 13, 2024 8:41 AM
To:	Paul Brean
Cc:	Anthony Blenkinsop
Subject:	Rye Harbor - Request for Confirmation of Direction
Attachments:	Design Schedule_Rye Harbor Platform.pdf; Rye Harbor Concept Floor Plan_8-2-24.pdf

Good Morning Paul

I spoke briefly with Anthony yesterday regarding Rye Harbor...just wanted to touch base with plan moving forward – see if there was any additional discussion/guidance with Board etc. I still have Appledore /Oak Point working towards current schedule (attached).

For your VIS – attending FISCAL ARPA Fund Extension Request Friday @1000/Concord.

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Appledore Marine Engineering, LLC

Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Rye Harbor Platform

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/19/24	Fri 7/19/24
2	Port Committee Meeting	0 days	Mon 7/22/24	Mon 7/22/24
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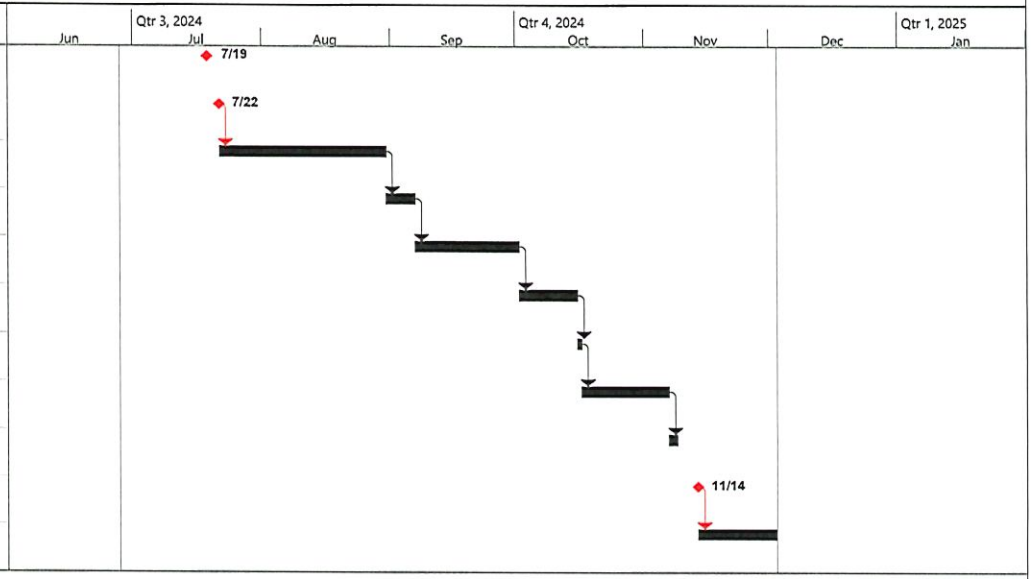
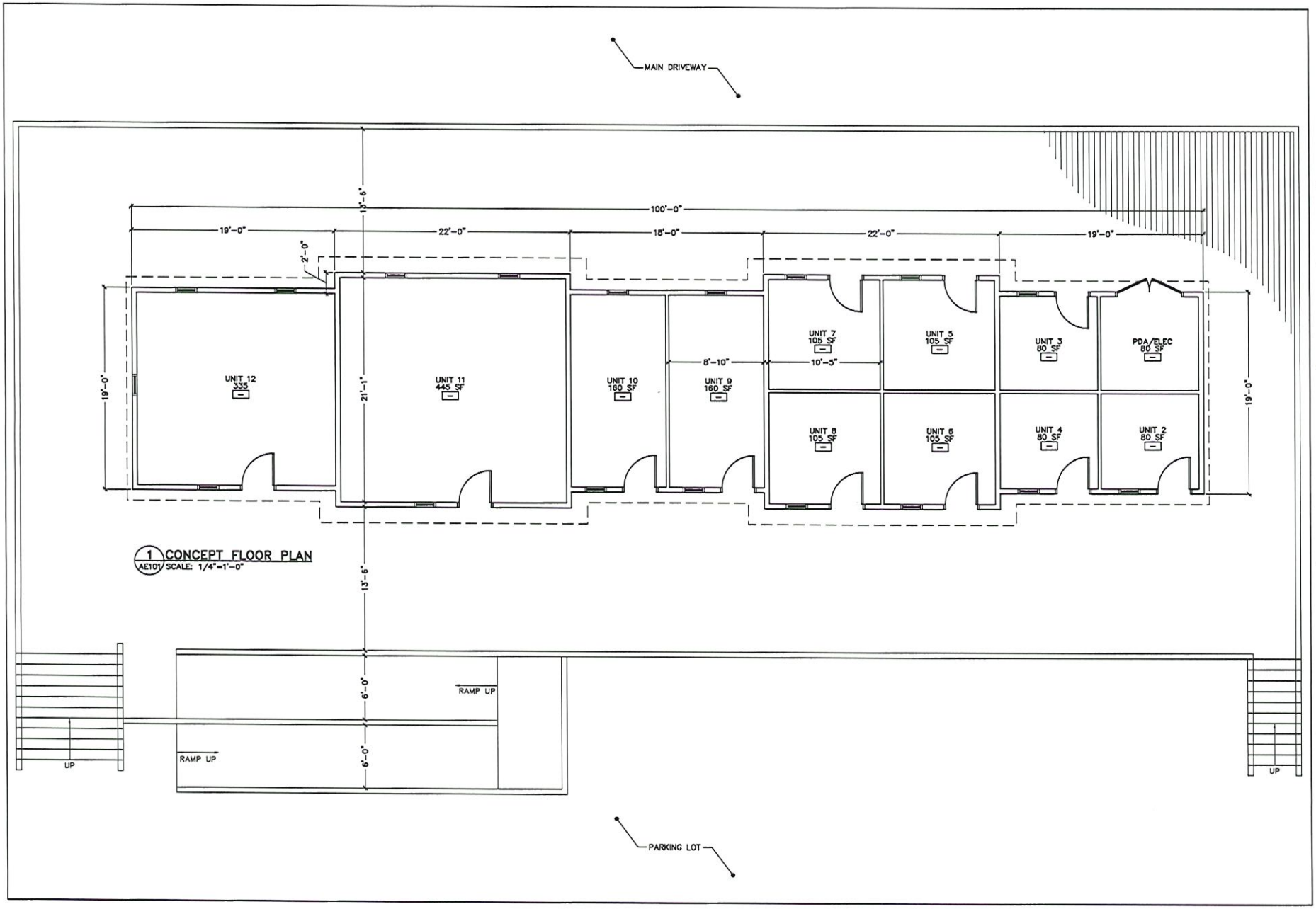
6	PDA Review	14 days	Wed 10/2/24	Tue 10/15/24
7	Advertise Contract Documents for Bidding Public	1 day	Wed 10/16/24	Wed 10/16/24
8	Bids Due	21 days	Thu 10/17/24	Wed 11/6/24
9	Bid Summary AME Recommendation to DPH	2 days	Thu 11/7/24	Fri 11/8/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24





1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

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DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 2240411

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT FLOOR PLAN

SCALE: AS NOTED
DATE: 08-02-24
DWG.: AE101
SHEET: OF .

Raeline O'Neil

From: pat nickerson <patnickerson54@yahoo.com>
Sent: Saturday, August 10, 2024 4:57 PM
To: Paul Brean
Subject: Rye Harbor

You don't often get email from patnickerson54@yahoo.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Yes to on stilts with shacks, but should give businesses there low rents instead of wiping them out. Yes. Everything is flooding~
Pat + Roy Nickerson
Tidewater at Salisbury

Sent from Yahoo Mail for iPhone

Raeline O'Neil

From: info
Sent: Friday, August 9, 2024 4:38 PM
To: Melanie Walsh
Subject: New submission from Contact Form

Follow Up Flag: Follow up
Flag Status: Completed

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Name

Sean Coughlin

Email

sean.s.coughlin@gmail.com

Area of Interest

General Inquires

Message

Hello PDA,
This message is in support of the Rye Harbor small businesses that operate in the "shacks". Our family visits this place annually to honor a family member that was buried at sea, and we treasure our visits to this lovely community of small business operators. Please, we need to be sure these people that run the harbor every day are included as stakeholders in any upgrades or development to the harbor property. The dredging was a great step, and the PDA has the power to do great things -- please use that power for good and include the "shack" operators in the future of the harbor.
Warmest Regards,
Sean Coughlin

Raeline O'Neil

From: Jill Hart <poweredbybrainlogic@gmail.com>
Sent: Thursday, August 8, 2024 6:33 PM
To: Paul Brean
Cc: Bruce Hart; jmcmenemy@seacoastonline.com; sduprey@foxfirenh.com
Subject: Re: Save our Rye Harbor Shacks

[You don't often get email from poweredbybrainlogic@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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>
> Hello.
>
> We recently heard that there is a discussion about eliminating the quintessential shacks from Rye Harbor.
>
> I am writing to ask for your help to ensure they stay as is. They offer a unique charm to our beautiful NH seacoast!
>
> Please vote for them to continue to be the inviting businesses that they are.
>
> Thank you.
>
> Jill
>
> Jill Hart, PMP, CPACC, CSPO
> Product Owner / Accessibility Specialist
> m: 603.209.5122

Raeline O'Neil

From: Bruce Hart <bbhart54@gmail.com>
Sent: Thursday, August 8, 2024 6:31 PM
To: Paul Brean; sduprey@foxfire.nhcom
Cc: jmcmenemy@seacoastonline.com
Subject: Shacks at Rye Harbor

You don't often get email from bbhart54@gmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To whom it may concern:

I live in Hampton, and frequent Rye Harbor often during the summer months. In addition to the best lobster bisque in the world, the Uncle Oscar has taken us out to the Isle of Shoals more times than I can say. The picturesque setting of the marina is truly representative of the charm that the NH Seacoast has to offer. It would be a huge mistake to put a mall (a mall! can you believe it?) in place of this bucolic place would be a tragedy and abomination. I encourage the board to vote against this proposal.
Sincerely,
Bruce Hart
8 Janvrin Rd
Hampton NH.

Raeline O'Neil

From: Jill Hart <poweredbybrainlogic@gmail.com>
Sent: Thursday, August 8, 2024 6:27 PM
To: Paul Brean
Cc: Bruce Hart; jcmcenemy@seacoastonline.com
Subject: Save our Rye Harbor Shacks

[You don't often get email from poweredbybrainlogic@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Hello.

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I am writing to ask for your help to ensure they stay as is. They offer a unique charm to our beautiful NH seacoast!

Please vote for them to continue to be the inviting businesses that they are.

Thank you.

Jill

Jill Hart, PMP, CPACC, CSPO
Product Owner / Accessibility Specialist
m: 603.209.5122

Raeline O'Neil

From: Carl Hyatt <carlaustinhyatt@gmail.com>
Sent: Thursday, August 8, 2024 5:57 PM
To: Paul Brean; Jmcmenemy@seacoastonline.com; S.duprey@foxfire.nh
Subject: Rye Harbor 'Development'

You don't often get email from carlaustinhyatt@gmail.com. Learn why this is important

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Dear All - I have lived on and photographed the coast of New Hampshire since the mid 1980s. I am not unaware of the changing climate and the issues of sea level rise.
I am sure that there is much I don't know about the proposal to modernize the Ryes Harbor shacks and the grounds. Here is what do know - The character and 'charm' of a has
intangible qualities that most modern 'development' mindlessly crushes in the name of progress and efficiency of spending 'taxpayer dollars'. We don't say it out loud but 'charm' is another word for SOUL - something hard to define but which we all feel particularly when we see and feel it *'somewhere else'*.

Please don't tear the soul out of Rye Harbor and the 'culture' that has organically grown there - we have had a couple of decades of 'development' in the Portsmouth area - good for 'practicalities' and 'growth' and BUSINESS - not always sensitive to the spirit of place - I vote to preserve the spirit of place that those of us who love Rye treasure.

All Best, Carl A Hyatt

--
Carl Austin Hyatt
603 436 1721
www.carlaustinhyatt.com
IG: carl_austin_hyatt

Raeline O'Neil

From:	dddelorey@comcast.net
Sent:	Wednesday, August 7, 2024 4:20 PM
To:	Paul Brean
Cc:	Raeline O'Neil; Neil Levesque
Subject:	Please attach this "Public Comment" to the PDA's 8/8/24 meeting minutes.
Attachments:	Public_Comments_2024-08-08.pdf

You don't often get email from dddelorey@comcast.net. Learn why this is important

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Executive Director Paul Brean

Paul-
I did not see the matter of the "Retail Mall" on the agenda tomorrow or the "Port Committee" meeting minutes posted to the PDA website on Monday, August 5, 2024. As a result, I will be unable to attend the meeting tomorrow morning. Would you please attach my attach "Public Comment" document to the PDA's 8/8/24 meeting minutes. A text copy is also below to facilitate easy insertion. Thank you.

David Delorey
Francestown, NH 03043-0126
(603) 562-6257

Pease Development Authority Meeting - August 8, 2024

Public Comments – David Delorey

In my opinion, the principle operational problem manifest at the Rye Harbor Marine Facility is traffic flow and parking. A one way traffic flow would likely solve this Rye harbor problem. Such was set forth by PDA contracted engineers a few years ago. Plan #1 of those $12K plans likely would also help to solve the handicapped access issues and most importantly the level of harbor visitor customer satisfaction.

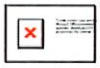
The PDA has stated in the past that the Division of Ports and Harbors needs to be self sustaining financially. There is general agreement that such is the fundamental goal of government. Accordingly, the state should pay its fair share to help maintain and preserve these historic working harbors just like every property owner in the state, and businesses

operating at the harbor should contribute their fair share in some way as a function of the benefits they receive.

In this spirit, the PDA needs to come up with a comprehensive long term plan to address the Rye harbor needs and file Administrative Rules as the PDA is required to do so pursuant to state law. This would involve having a plan, holding public hearings on the plan, distilling the plan's comments into a final plan and hopefully proposing a result that nearly everyone can agree with.

That has yet to happen.

Accordingly, the proposed $243K no-bid contract for a "Retail Mall" is vastly premature. Instead, following the state required Administrative Rules process, set forth in RSA 541-A, Section 3 through 15, is the lawful and "best practice" approach to put the Rye Harbor Marine Facility right.

 Virus-free.www.avg.com

Pease Development Authority Meeting - August 8, 2024
Public Comments – David Delorey

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Raeline O'Neil

From: Rick <rphilbrick@mac.com>
Sent: Wednesday, August 7, 2024 2:48 PM
To: Paul Brean
Subject: Rye Harbor

[You don't often get email from rphilbrick@mac.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Mr. Brean
Please consider the points in this email before making a decision on the project for Rye Harbor which I oppose.
Thank you for your time.
G.Rick Philbrick

I run a business out of Rye Harbor,
Sail NH and have been sailing out of Rye for 50 ish years and agree with it seems to be a "waste of money" !

Based on
1. There is not enough parking there already, why attract more when we can't handle what we have.
2. Where will the septic be handled ?
   A. On site? We already have areas in town with beaches closed due to rising water and high bacteria counts.

   B. A sewage system?
   I believe the closest point to connect is near Straws point, if so, is that figured into this budget?

3. We can't fool Mother Nature.

By now I think we can all agree on the fact that the sea is rising! But by how much?
During this last winter I had approximately between 6 to 36 inches of water under my boat at least 3 times where it is stored in the parking lot. This is based on a ladder I had left up all winter which had seaweed at least 3 rungs up (I have dated pictures of this should anyone want to see them).
Smaller boats, stored docks and trailers were moved around the parking lot like toy boats. What will protect this new project from the same disruption?

How high is this new project off the ground to prevent flooding during storms or sinking and how many years will it last without a proper seawall to protect it?

4. Who will the tenants be?
I know all of the "shack" owners and I have not heard from any that they plan on going into the new mall look building.
So does that mean you will be adding maybe 6 to 8 new businesses?
That will surely increase the traffic flow!

I do agree with NH PDA that we should not waste the funding that we have lined up and we should protect the investment of past money spent.

1. Build a better seawall, at the mouth or certainly at the building and parking lot area along with raising the parking lot level, that may continue to sink as the parking lot is built on a marsh. Are there plans to keep the nice deck stationary and not sinking?
And if so, what happens if the parking lot washes out or sinks around it?

2. Protect the commercial fishing and vacationing tourist trade that we have, by giving those boats more dockage, parking and accessibility.
If you cannot park, you cannot get to your boat!
If you cannot dock, you cannot unload your catch!
If you cannot dock, you cannot load and unload passengers!
If you cannot do either, our Seacoast businesses will suffer

3. The new plan shows we have Handicapped rest rooms. I may be wrong but I do not think we meet the standards now. We have stairs or crush stone before the the ramps for the restrooms. They are not open all the time during charter season.
The current attempt at portable outhouses is pathetic! They are often out of level making them very difficult to use, not enough soap and paper supplies and the complete outhouse blows over in heavy winds.

Maybe we should solve some basics before proceeding with grandiose ideas and possibly future tax consequences to fund this project .

I believe we have a working harbor here in Rye which is easily accessible to everyone, which is what draws people to it now. I believe we should work to protect what we have and not reinvent the wheel!

Thank You
G. RIck Philbrick
Rick Philbrick
Philbrick's Sail NH
188 Bunker Hill Ave
Stratham NH
Cell 603-380-3804
WWW.SailNH.com

Sent from my iPad

Raeline O'Neil

From: Paul Brean
Sent: Wednesday, August 7, 2024 11:01 AM
To: Brenda Therrien;Myles Greenway
Subject: RE: Public misconception of next step FW: 'Charm' of Rye Harbor shacks threatened by development. Owners say PDA ignores them.

It was made very clear to this journalist that there is no actionable item on tomorrow's agenda other than a Port Committee Report to the PDA Board regarding the July 22nd Port Committee Meeting. Unfortunately, business owners at Rye Harbor have communicated to the public there is a vote tomorrow. Fortunately, media will be on hand at the Board Meeting to receive first hand information.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, August 7, 2024 9:59 AM
To: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: Public misconception of next step FW: 'Charm' of Rye Harbor shacks threatened by development. Owners say PDA ignores them.

I'm sure you both already know this, but It seems there is some confusion in the public that the PDA is going to have an item in the board package to vote on moving ahead the design of the retail platform....I'm not sure if that was intended to happen or not... according to the schedule the next item to go before the board is the acceptance of the bid---there are posts on social media that the perception is there is going to be a vote tomorrow.

'Charm' of Rye Harbor shacks threatened by development (seacoastonline.com)

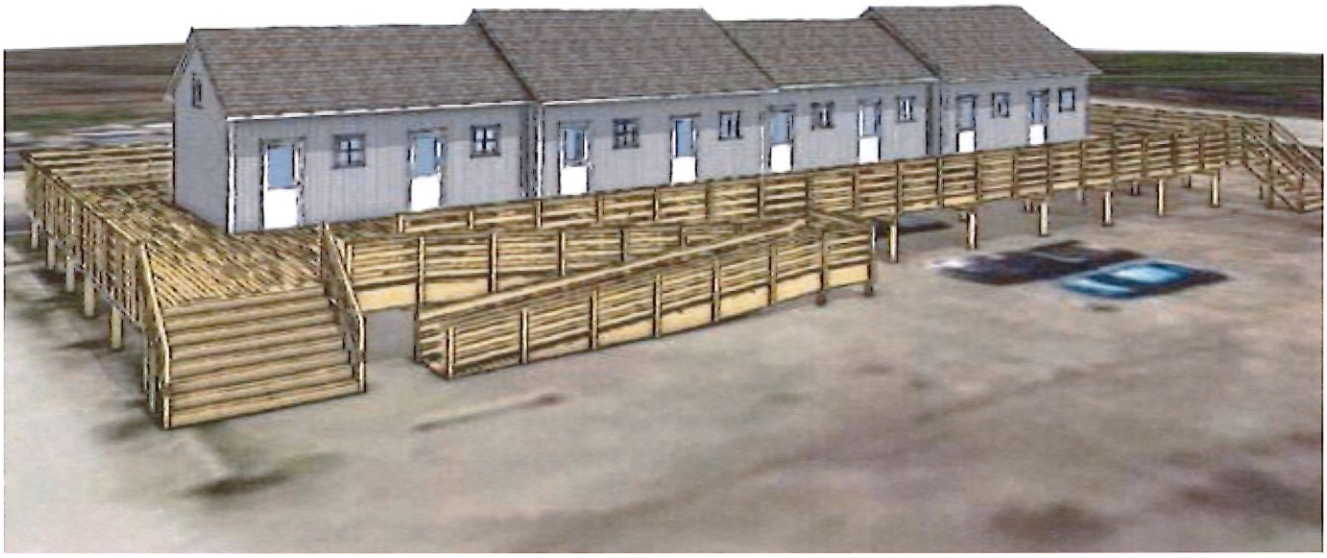
'Charm' of Rye Harbor shacks threatened by development. Owners say PDA ignores them.

Ian Lenahan
Portsmouth Herald

RYE — Owners of the renowned seafood, fishing and whale watching shacks at Rye Harbor are concerned their businesses could be altered or forced to close altogether due to a potential new development.

A Pease Development Authority-led design study into a potential development at Rye Harbor has the site's business owners worried about their future, if a plan is approved. The PDA is exploring whether to authorize the construction of a new raised dock house and deck at Rye Harbor, which is at the heart of a $1 million study.

Schematic designs of the one-story conceptual building, which have not received final approval by the Pease Development Authority's board of directors, show an accessible ramp leading to the deck and 12 units inside ranging from 80 square feet to 445 square feet. The study is funded by an American Rescue Plan Act grant.



"I just love the harbor. I know for a fact that people come because of the charm and small (feel). I don't want it commercialized," said Rye Harbor Lobster Pound owner Sylvia Cheever. "The way that it is is wonderful."

The 1870 Ocean Boulevard site has housed mainstay businesses such as Petey's Summertime Seafood, Rye Harbor Lobster Pound, Black Dog Charters, Vintage Fish Company and Granite State Whale Watch for years. No plans have been set in stone to eliminate those shacks, according to the PDA, but the business owners worry they could be removed or demolished after years of investment.

'I'd hate to see those shacks eliminated'

The business owners oppose the possible development and its potential impact on the character and capacity of Rye Harbor. They also feel there has been a lack of transparency from the PDA on the design study. Questions have been raised about the need for the development, whether it could support the existing businesses, the size of the proposed new units, the impact on parking and boat storage at the harbor, and whether any new construction could force the businesses to close.

Cheever is against any new development and believes it would ultimately force her business to close. Transporting live lobsters in and out of her business, if it were to be located within the potential raised building, would be difficult, along with the equipment weighing hundreds of pounds that is necessary to run the eatery.

In Cheever's view, the potential development "really isn't functional in many different ways," adding the harbor's business owners have not been looped into the discussion.

ADVERTISING

"I don't speak for anyone other than my business and (myself) as a personal Rye resident, but I would hate to see those shacks eliminated," she said. "We know they get damaged in winter. That's why they're shacks. They're built to be rebuilt or allow water to pass through. It's part of the nature (of running a business in Rye Harbor). I don't know where the idea came from but we weren't considered in the development of this plan. In my opinion, the PDA has a duty to take into consideration the community, the small businesses that are there and the state resource that is for both commercial and recreational use."

PDA leader: New building would have place for businesses

If a design for a new building at Rye Harbor is approved, "the intent is for all of our existing businesses to continue to conduct business there," according to Paul Brean, executive director of the PDA.

Brean said the push for a possible new building at Rye Harbor was born out of concern the shacks could not sustain further damage from coastal storms. Last winter, Seacoast New Hampshire and southern Maine saw numerous historic storms with flooding, high winds and splash over that damaged numerous private properties and businesses.

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"The goal is to make the buildings more sustainable to the continued storm surges that we're seeing that are bringing water levels up to 36 inches on a regular pattern. It's also to make sure we're not impeding on wetlands in the area, and making sure we have safe, to code utilities to support a variety of uses," Brean said.

"For clarity, this is a fairly significant design that looks to serve a variety of businesses from small charter boat activities to ticket sales to whale watches to bait and tackle sales to restaurant prepared menu items," he added. "The intent with the design is to make sure that all seagoing businesses are accommodated and have the ability to welcome recreational and leisure visitors to Rye Harbor."

Rye Harbor shack owners aren't convinced plan would support their business models

Adam Baker, owner of Vintage Fish Company, bought his circa-1981 shack seven years ago, putting money in the structure to fix it up and operate his business. He believes a new development at Rye Harbor could lead to the current businesses shutting down.

If potential new development on-site requires the shacks to be removed or demolished, Baker wonders how the business owners would be compensated for their losses.

"All of the shack owners have had communication with each other and support each other. The PDA has not wanted to share much information with us," Baker said. "They don't offer much of an explanation. They don't pay attention when we speak. It's almost as if this decision has already been made, and our opinions don't matter."

Pete Reynolds, the owner and vessel captain at Granite State Whale Watch, said any new development could restrict parking in the lot and space for boats. He worries about the possibility of moving into a smaller space.

"There's been a complete lack of communication, transparency or anything from the PDA to the business owners," Reynolds said. "They won't even tell us whose idea this is, where

this is coming from ... Just to say it's a study is a bit disingenuous, I feel. It's a lot further along the tracks than that."

"Our (right of entry agreements) were only for two years and will expire next spring," said Cheever, the Rye Harbor Lobster Pound owner. "It would be very simple for the PDA to eliminate all of our (right of entry agreements after they expire) and move forward with this build, put it out to bid and see who can go into those spaces, (which) are generic. They have shared walls. It's not a very good fit for the businesses that are already down there."

Rye town leader speaks up; PDA official says shack owners must pay 'reasonable rate'

The design study has also drawn concerns from local and state officials representing Rye.

Bill Epperson, chairperson of the town's Select Board, wrote a guest opinion column for Seacoastonline last week calling for support for Rye Harbor's business owners and commercial fishermen, calling PDA plans "detrimental."

More: Epperson: Rye fishermen need our support; PDA plans detrimental harbor changes

"The businesses have been there a long time. They're part of the fabric of the town. They have been for years," Epperson said in an interview Tuesday. "We're not necessarily opposed to any changes because that's the society we live in, but it's got to be organized and it's got to be laid out."

Epperson received a letter in response to his opinion column, sent by PDA chairperson Stephen Duprey on Aug. 1. The letter assures the board of directors "will be listening to all the constituencies and stakeholders of Rye Harbor before final decisions are made."

"Rye Harbor is a wonderful asset of the state of New Hampshire," Duprey wrote. "Its many uses have evolved over the decades. Our goal is to ensure that it is a multi-use harbor that welcomes all of its diverse users, and to ensure that it can survive storms, not further degrade the environment around it, and operate in a financially sustainable way.

"By doing so we can help ensure that the small commercial fishing community we still have in New Hampshire is helped as much as possible, and that the other harbor users have the chance to thrive as well," Duprey added. "That is our goal. We will reach that goal equitably and openly after listening to all of our stakeholders."

Duprey's letter states three goals the PDA board of directors has for a possible new development: Ensuring Rye Harbor is accessible and welcoming to all tourists, that all harbor users are treated fairly without preferential treatment, and to generate "sufficient revenue" to operate and pay for storm damage to the harbor.

Duprey also stated the businesses operating on state-owned property "must pay a reasonable rate for the privilege of doing so."

In June, Duprey asked the PDA to review the history of right of entry agreements for Rye Harbor users and the process of being granted a permit to operate a business on Ocean Boulevard.

"They should not be given a leg up on similar businesses that operate from private property that must pay rent or a mortgage," Duprey wrote. "Some of these Rye Harbor businesses are extremely profitable, and it would be an abdication of our duty to ignore exploration of ways to maximize (Division of Ports and Harbors) revenues that can be used to operate and maintain the harbor for years to come."

Rep. Grote urges PDA to communicate with business owners

State Rep. Jaci Grote, D-Rye, has visited Rye Harbor in recent days to speak with business owners about their concerns.

She said she also learned the PDA board of directors is addressing how Rye Harbor can "financially sustain itself," amid storm damage.

"The issue at hand is that they've been vague and have not been able to answer questions from the business owners at Rye Harbor," Grote said Tuesday. "Whenever you put people in that position, it's going to lead to speculation. It could be that the situation publicly has gotten ahead of itself from what is actually going to happen."

Grote called on the PDA to better involve the harbor's business owners and hear their concerns.

"I have met with the PDA, spoken with the PDA. I have a good working relationship with the PDA. They tell me that Rye land-use ordinances are going to be used, that we will be

involved, and I trust that will be the case. I think they're frustrated with the misinformation, but I think part of that is as a result of the approach that they've taken," Grote said. "They should just tell people what it's going to be and what it's not going to be, stick to that and then behave in that manner."

The PDA needs to involve the harborside businesses, the town's Planning Board, community members and other stakeholders in the process, said Matthew Scruton, Rye's town administrator. He added that the town hopes to "gain insight into what is driving these changes" and any development at Rye Harbor should adhere to the town's master plan.

"It's imperative for us to grasp the full scope of this project, including its environmental impact and the increased demands it may place on our police, fire, and public works departments," Scruton said. "Evaluating how the project may impact the local fishing industry and other businesses currently operating in the harbor is critical. We believe the voices of those directly affected should be heard, ensuring any changes benefit everyone involved and preserve the longstanding traditions of our community."

"There's no doubt in my mind that Rye Harbor could use improvements. But I think that everyone who is involved should be at the table. I'm a firm believer of that," Grote added.

Several business owners reported they were not caught up to speed on the design study until just prior to a meeting of the Pease Development Authority's Port Committee on July 22, when the process was discussed.

PDA promises update, points to deadline coming soon

The federal grant allocated to the Pease Development Authority expires at the end of the year, meaning a plan would need to be approved and a builder would need to be hired before the start of 2025, Brean noted.

"We'll see where the design (study) leads us," Brean said. "Obviously with recent storm surges we've had there, the businesses there are not ideally situated to deal with that. We're also looking to improve the accessibility at the current shacks and allow for more manageable housekeeping and utilities. Whereas these shacks have evolved from storing lobster traps to (becoming) actual welcoming businesses, we want to make sure the public can appropriately egress them."

PDA board vice chairperson Neil Levesque, who leads its Port Committee, will give an update on the design study during its Thursday, Aug. 8 meeting, according to Brean, including design details and costs. Appledore Marine Engineering has been contracted to assist with the design study.

The PDA board of directors meeting is set to take place Thursday at 8:30 a.m. in its conference room at 55 International Drive in Portsmouth.

Raeline O'Neil

From: Myles Greenway
Sent: Wednesday, August 7, 2024 10:57 AM
To: Brenda Therrien
Subject: FW: Updated Rye Harbor Retail Platform Plan
Attachments: Rye Harbor Concept Floor Plan_8-2-24.pdf; Concept Floor Plan W Bathroom_8-2-24.pdf

---

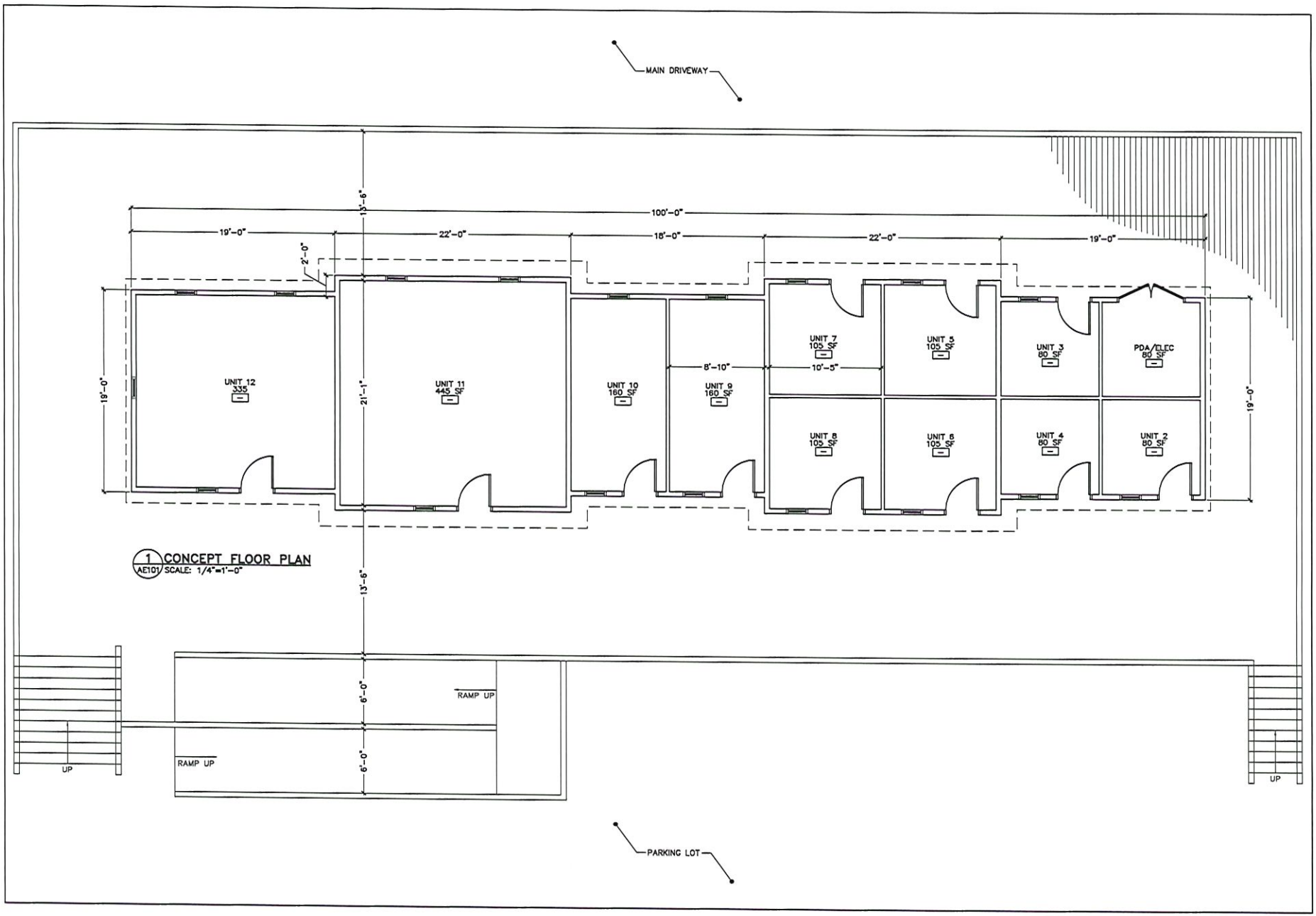
From: Myles Greenway
Sent: Wednesday, August 7, 2024 8:28 AM
To: Greg Siegenthaler <G.Siegenthaler@peasedev.org>; Jessica Patterson <J.Patterson@peasedev.org>
Cc: Tomas Maciel <T.Maciel@peasedev.org>
Subject: Updated Rye Harbor Retail Platform Plan

Good Morning

Although I don't have a request to have the attached displayed during tomorrow's meeting – I wanted to pass in se the topic comes up and we need them…I am going to have paper copies as well – thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234



1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

OAK POINT ASSOCIATES
81 Middle Street Portsmouth NH 03801 (T) 603.431.4448 (F) 603.431.4479 www.oakpoint.com

NOT FOR CONSTRUCTION

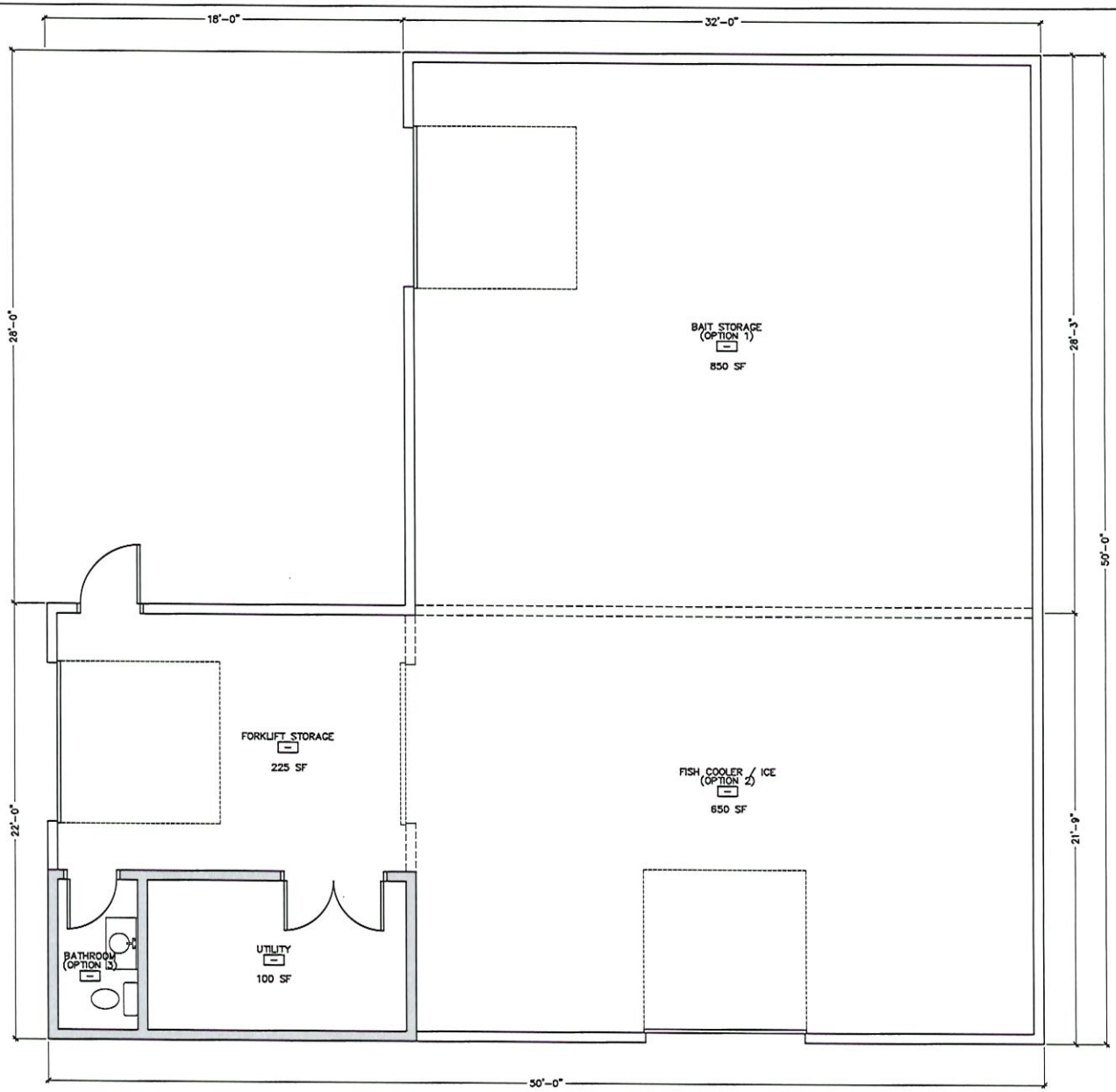
DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22404.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT FLOOR PLAN

SCALE: AS NOTED
DATE: 08-02-24
DWG.: AE101
SHEET: OF .



1 AE101 CONCEPT FLOOR PLAN W/ BATHROOM
SCALE: 3/8"=1'-0"

OAK POINT ASSOCIATES
81 Middle Street Portsmouth NH 03801 (T) 603.431.4488 (F) 603.431.4499 www.oakpoint.com

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DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 2230421

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

PORTSMOUTH COMMERCIAL FISH PIER
BUILDING REPLACEMENT
Peirce Island Road
Portsmouth, NH

CONCEPT FLOOR PLAN W/ BATHROOM

SCALE: AS NOTED
DATE: 08-02-24
DWG.: AE101
SHEET: OF .

Raeline O'Neil

From: Myles Greenway
Sent: Wednesday, August 7, 2024 10:57 AM
To: Brenda Therrien
Subject: RE: Updated Rye Harbor Retail Platform Plan

Roger that...I passed to Greg and Jess just in case it needed to be on the big screen...

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, August 7, 2024 10:32 AM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: FW: Updated Rye Harbor Retail Platform Plan

I had to log in to do something for Ritchie, so just wondering if you had replied to Raeline on this one, to see if anyone wants these up on the screen at the board meeting as part of Neils report?

I also attached both proposed schedules.

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Monday, August 5, 2024 11:04 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>
Subject: RE: Updated Rye Harbor Retail Platform Plan

Brenda/Myles,

Is this, as well as the Portsmouth Fish Pier update, something that should be provided to Jess for the Thursday meeting.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, August 5, 2024 9:25 AM
To: Brad Cook (captbradatlanticfleet@comcast.net) <captbradatlanticfleet@comcast.net>; Karen Conard <ksawyerconard@gmail.com>; Myles Greenway <M.Greenway@peasedev.org>; Neil.Levesque@gmail.com; Paul Brean <P.Brean@peasedev.org>; Raeline O'Neil <R.O'Neil@peasedev.org>; srfournier@comcast.net; Paul Brean <P.Brean@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: Updated Rye Harbor Retail Platform Plan

Good morning,

Myles asked me to forward the attached and below along for your review and information.

Brenda

Brenda Therrien
Administrative Assistant

Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Friday, August 2, 2024 3:09 PM
To: Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: Fwd: Rye Harbor Plan

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hello
Rye attached as noted below

Appreciate your thoughts

Have a nice weekend!

Get Outlook for iOS

From: Bryan LaRoche <blaroche@oakpoint.com>
Sent: Friday, August 2, 2024 2:49 PM
To: Travis Baker <tbaker@appledoremarine.com>; Vanessa Swasey <VSwasey@appledoremarine.com>
Cc: Steve Sargent <ssargent@oakpoint.com>
Subject: Rye Harbor Plan

Good afternoon,

We wanted to follow up on Rye Harbor as well. The attached plan takes into account comments from the previous meetings and provides the following:

- 12 units of various sizes, with larger units towards the waterfront.
    - There is flexibility to adjust size/number of units as desired.
- Dedicated space for the PDA/Electrical equipment.
- Building centered on the deck with storefronts on two sides.
- A widened ramp for material & equipment delivery.

Please distribute as necessary and let us know if there are any questions or comments.

Thank you,
Bryan

Bryan LaRoche | Architect
TEL 603.431.4849
www.oakpoint.com | blaroche@oakpoint.com

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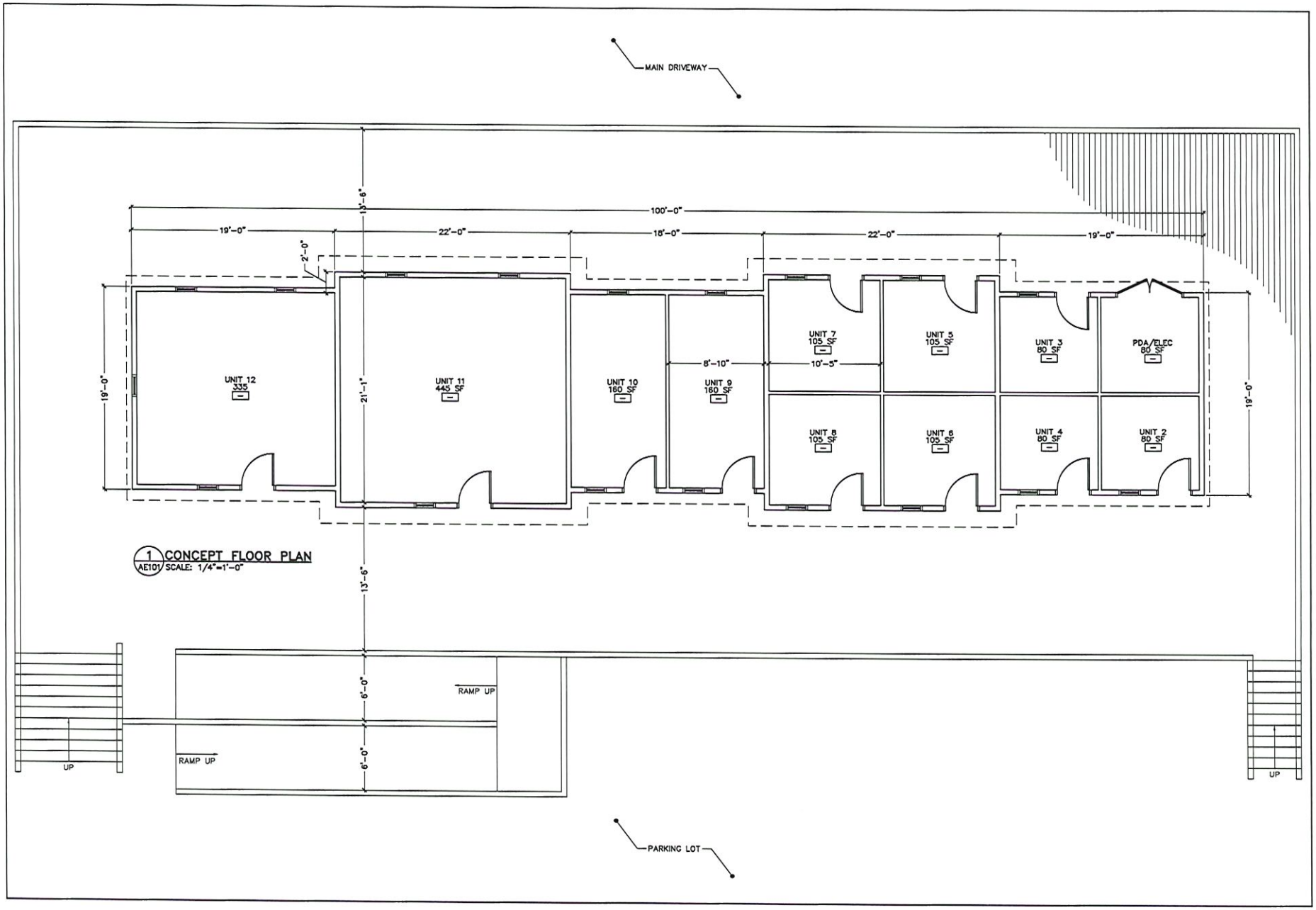


1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

OAK POINT ASSOCIATES

NOT FOR CONSTRUCTION

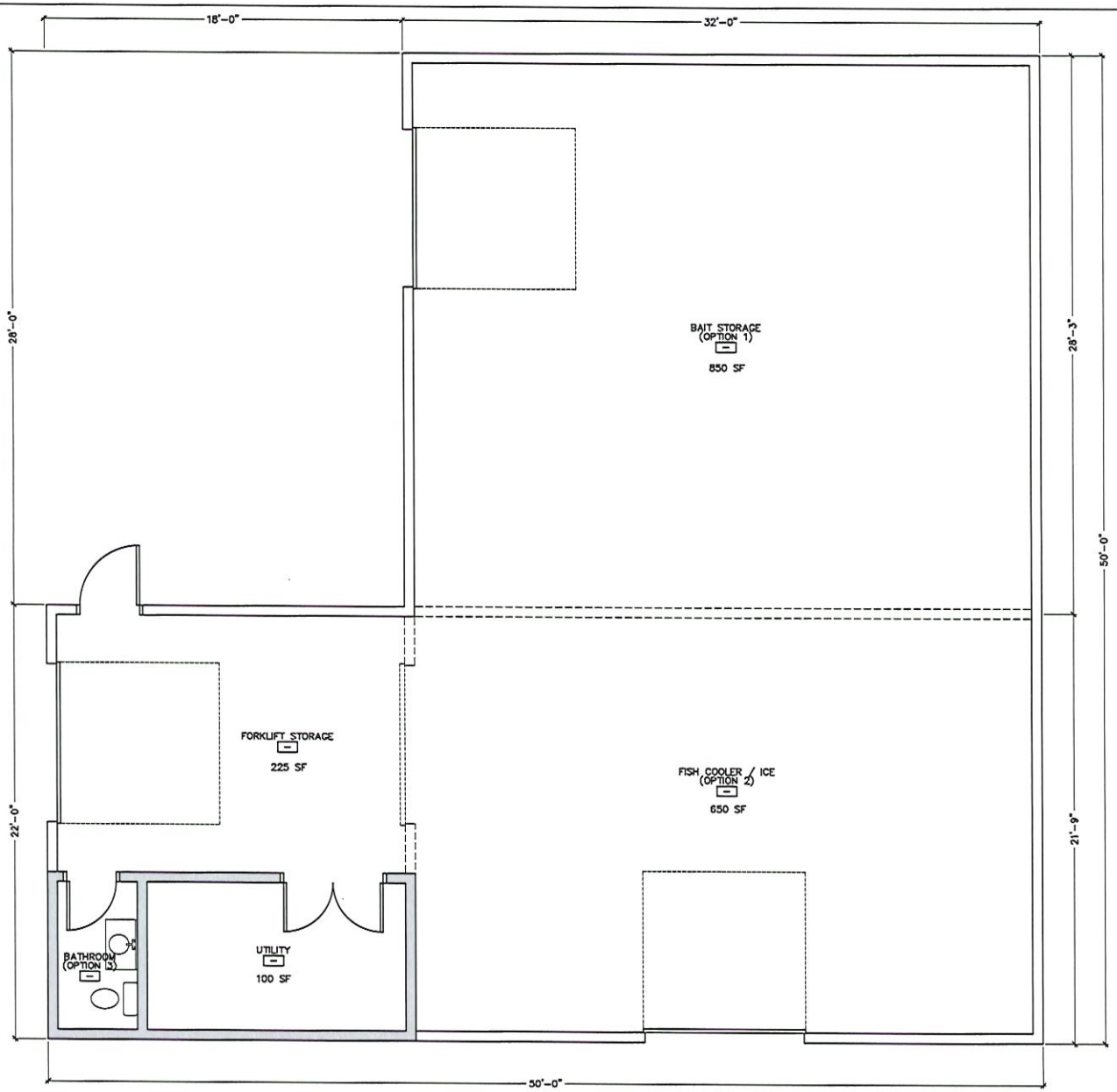
DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22404.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT FLOOR PLAN

SCALE: AS NOTED
DATE: 08-02-24
DWG.: AE101
SHEET: OF .



1 AE101 CONCEPT FLOOR PLAN W/ BATHROOM
SCALE: 3/8"=1'-0"

OAK POINT ASSOCIATES
81 Middle Street Portsmouth NH 03801 (T) 603.431.4448 (F) 603.431.1414
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DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22304.21

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

PORTSMOUTH COMMERCIAL FISH PIER
BUILDING REPLACEMENT
Peirce Island Road
Portsmouth, NH

CONCEPT FLOOR PLAN W/ BATHROOM

SCALE: AS NOTED
DATE: 08-02-24
DWG.: AE101
SHEET: OF .

Appledore Marine Engineering, LLC

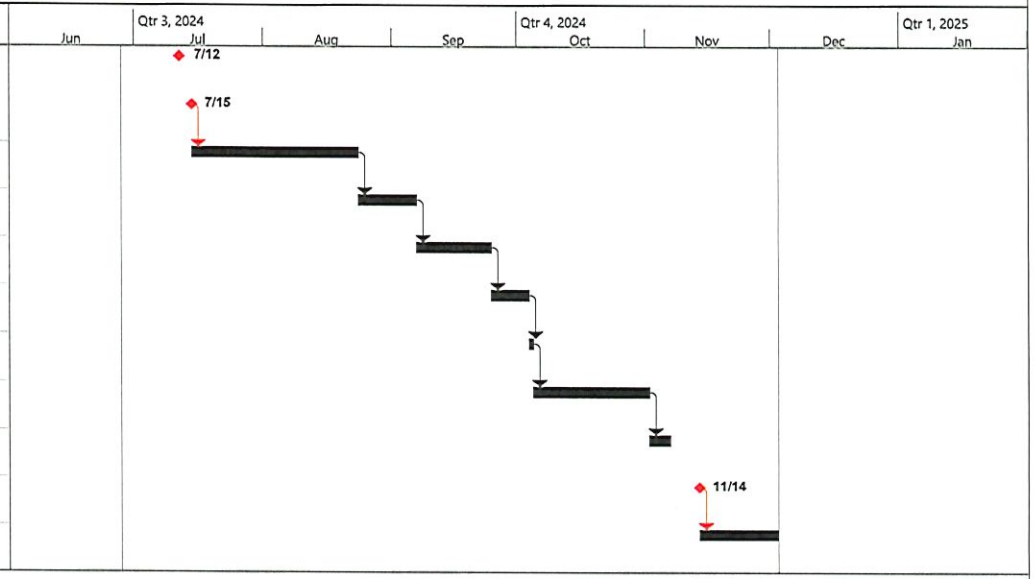
Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Portsmouth Fish Pier

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/12/24	Fri 7/12/24
2	Port Committee Meeting	0 days	Mon 7/15/24	Mon 7/15/24
3	Pre-Final Design Submission	40 days	Mon 7/15/24	Fri 8/23/24
4	PDA to Request Legal Review of EJCDC specs	14 days	Sat 8/24/24	Fri 9/6/24
5	Final Submission	18 days	Sat 9/7/24	Tue 9/24/24
6	PDA Review	9 days	Wed 9/25/24	Thu 10/3/24
7	Advertise Contract Documents for Bidding Public	1 day	Fri 10/4/24	Fri 10/4/24
8	Bids Due	28 days	Sat 10/5/24	Fri 11/1/24
9	Bid Summary AME Recommendation to DPH	5 days	Sat 11/2/24	Wed 11/6/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24



Appledore Marine Engineering, LLC

Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Rye Harbor Platform

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/19/24	Fri 7/19/24
2	Port Committee Meeting	0 days	Mon 7/22/24	Mon 7/22/24
3	Pre-Final Design Submission	40 days	Mon 7/22/24	Fri 8/30/24
4	PDA to Request Legal Review of EJCDC specs	7 days	Sat 8/31/24	Fri 9/6/24
5	Final Submission	25 days	Sat 9/7/24	Tue 10/1/24
6	PDA Review	14 days	Wed 10/2/24	Tue 10/15/24
7	Advertise Contract Documents for Bidding Public	1 day	Wed 10/16/24	Wed 10/16/24
8	Bids Due	21 days	Thu 10/17/24	Wed 11/6/24
9	Bid Summary AME Recommendation to DPH	2 days	Thu 11/7/24	Fri 11/8/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24

Raeline O'Neil

From: Margaret Cohen <margaretcohen15@gmail.com>
Sent: Wednesday, August 7, 2024 10:43 PM
To: Paul Brean; sduprey@firefoxnh.com
Cc: jcmcmenemy@seacoastonline.com
Subject: Rye Harbor Construction Project

You don't often get email from margaretcohen15@gmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good Evening,

Thank you in advance for taking the time to read and consider my message. I write to voice my dissent to your proposed construction project in Rye Harbor. The businesses currently located in your planned demolition and construction site are quintessential to the fabric of the Rye community that makes the town a wonderful place to live and visit. Part of what makes Rye stand out among the broader New Hampshire and Maine seacoast towns is its classic New England beaches and seafood without the over-commercialization and consumerism often found elsewhere. This uniqueness is squarely served by the businesses that currently sit on Rye Harbor. You would be depriving both the locals and the visitors of what helps make Rye what it is.

But more grievously, your plans also likely flout several New Hampshire laws. First, your proposal appears to violate N.H. RSA 498-A and the Fifth Amendment of the U.S. Constitution, which lays out specific purposes procedures for government entities--such as the Pease Development Organization--to lawfully take and repurpose property. Second, your proposal appears to violate N.H. RSA 483-B, which mandates certain requirements when building within 50 feet of the shore. I mention these statutes purely for your awareness of the legal difficulties you are likely to run into if you proceed with this project.

Thank you.

Sincerely,
Margaret Cohen

Raeline O'Neil

From: tricia mahoney <misstriciamahoney@msn.com>
Sent: Wednesday, August 7, 2024 10:12 AM
To: Paul Brean
Subject: Rye Harbor Shacks

You don't often get email from misstriciamahoney@msn.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please leave the Rye Harbor Lobster Shacks as they are. Thank you, Tricia Mahoney of Portsmouth NH

Get Outlook for Android

Raeline O'Neil

From: Paul Brean
Sent: Wednesday, August 7, 2024 9:14 AM
To: Brenda Therrien
Subject: RE: Please pass along accordingly From website submission FW: New submission from Contact Form

Thanks Brenda,

I've responded to approximately 21 inquiries regarding the Rye Harbor ARPA project, I will not be responding to this inquiry as it references Geno directly. Thanks for passing along.

PB

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, August 6, 2024 5:40 PM
To: Myles Greenway <M.Greenway@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: Please pass along accordingly From website submission FW: New submission from Contact Form
Importance: High

From: Pease Development Authority <info@peasedev.org>
Sent: Tuesday, August 6, 2024 1:21 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: New submission from Contact Form

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Name

Karen McCoy

Email

klphilpott@gmail.com

Area of Interest

NH Port Authority

Message

Given the shadow hanging over the Marconis, and Geno Marconi's history of hostility toward the small businesses at Rye Harbor, I strongly urge you to not make ANY decisions about Rye Harbor at this week's meeting or any future meetings until you reveal to the public just why a grand jury has been convened to investigate Marconi. The public has every right to know if Marconi or other members of the PDA have a potentially criminal conflict of interest BEFORE you debate whether to put an end to the much beloved Rye Harbor shacks.

Raeline O'Neil

From: Stephen Duprey <sduprey@foxfirenh.com>
Sent: Wednesday, August 7, 2024 8:50 PM
To: Chelsea Evans
Cc: Paul Brean; jmcmenemy@seacoastonline.com
Subject: Re: Rye proposal

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

You have incorrect and incomplete information.
Director Brean will forward the letter I recently sent to the Rye selectboard chair on this topic.
Thank you for your interest and concerns.

> On Aug 7, 2024, at 8:33 PM, Chelsea Evans <evanschelsea@hotmail.com> wrote:
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
>
>
>
> Good evening,
>
> I was not able to attend the board meeting tonight that discusses the proposal of the stilted mall in Rye. As like many others, I wanted to voice my opinion and hope for reconsideration of this development. The business in the harbor, particularly rye lobster pound, has been a New England staple for years. The setting and charm of this establishment has also brought in tourists that drive here just to go the lobster pound! Understandably, reinventing the area with a stilted mall would show progressive development however the lobster pound will not be able to efficiently nor effectively run their business there. This would drive out businesses that put the charm in the town, one of the main reasons people visit. Please consider allocating these funds to something that will benefit the residence and current business owners.
>
> Chelsea Evans
> (603)3912430

Raeline O'Neil

From: Chelsea Evans <evanschelsea@hotmail.com>
Sent: Wednesday, August 7, 2024 8:33 PM
To: Paul Brean; sduprey@foxfirenh.com
Cc: jmcmenemy@seacoastonline.com
Subject: Rye proposal

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good evening,

I was not able to attend the board meeting tonight that discusses the proposal of the stilted mall in Rye. As like many others, I wanted to voice my opinion and hope for reconsideration of this development. The business in the harbor, particularly rye lobster pound, has been a New England staple for years. The setting and charm of this establishment has also brought in tourists that drive here just to go the lobster pound! Understandably, reinventing the area with a stilted mall would show progressive development however the lobster pound will not be able to efficiently nor effectively run their business there. This would drive out businesses that put the charm in the town, one of the main reasons people visit. Please consider allocating these funds to something that will benefit the residence and current business owners.

Chelsea Evans
(603)3912430

Raeline O'Neil

From: aprilmbc <aprilmbc@aol.com>
Sent: Tuesday, August 6, 2024 11:26 PM
To: Paul Brean; sduprey@foxfirenh.com; jmcmenemy@seacoastonline.com
Subject: Rye Harbor 8/8/24 Board meeting

[You don't often get email from aprilmbc@aol.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Pease Development Authority,
Please do not approve the development changes that are being proposed at Rye Harbor. My family has been enjoying the boat launch since the 70s, have taken whale watches from Rye Harbor and enjoyed many meals and lobsters from Rye Harbor Lobster Pound.
We are still mourning the loss of Saunders.
It is essential that our local fishermen are supported and that local businesses remain. It is quaint places like Rye Harbor and ports of recreation that are the fiber of what make the Seacoast and specifically Rye Harbor special. Please keep this Seacoast gem untouched for future generations to enjoy.
Respectfully,
April Buchanan Cain
Exeter, NH

Sent from my iPhone

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, August 6, 2024 5:40 PM
To: Myles Greenway; Anthony Blenkinsop; Paul Brean
Subject: Please pass along accordingly From website submission FW: New submission from Contact Form

Importance: High

From: Pease Development Authority <info@peasedev.org>
Sent: Tuesday, August 6, 2024 1:21 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: New submission from Contact Form

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Name

Karen McCoy

Email

klphilpott@gmail.com

Area of Interest

NH Port Authority

Message

Given the shadow hanging over the Marconis, and Geno Marconi's history of hostility toward the small businesses at Rye Harbor, I strongly urge you to not make ANY decisions about Rye Harbor at this week's meeting or any future meetings until you reveal to the public just why a grand jury has been convened to investigate Marconi. The public has every right to know if Marconi or other members of the PDA have a potentially criminal conflict of interest BEFORE you debate whether to put an end to the much beloved Rye Harbor shacks.

Raeline O'Neil

From: Paul Brean
Sent: Monday, August 5, 2024 12:42 PM
To: Sara Lucas;Chasen Congreves;Myles Greenway
Attachments: Rye Harbor_Schematic Submission_07-18-24.pdf; Wood Framed Building - Alternate A.pdf

Hi Sara,

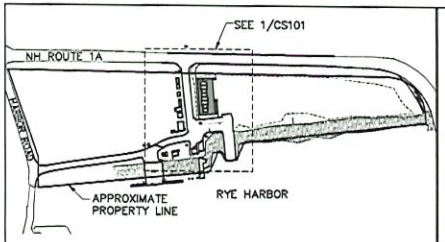
These two projects should be identified as Potential ARPA Funded Projects.

Rye Harbor Retail Platform

Portsmouth Commercial Fish Pier Building

Myles may have updated material, but this should get you going.

Thx

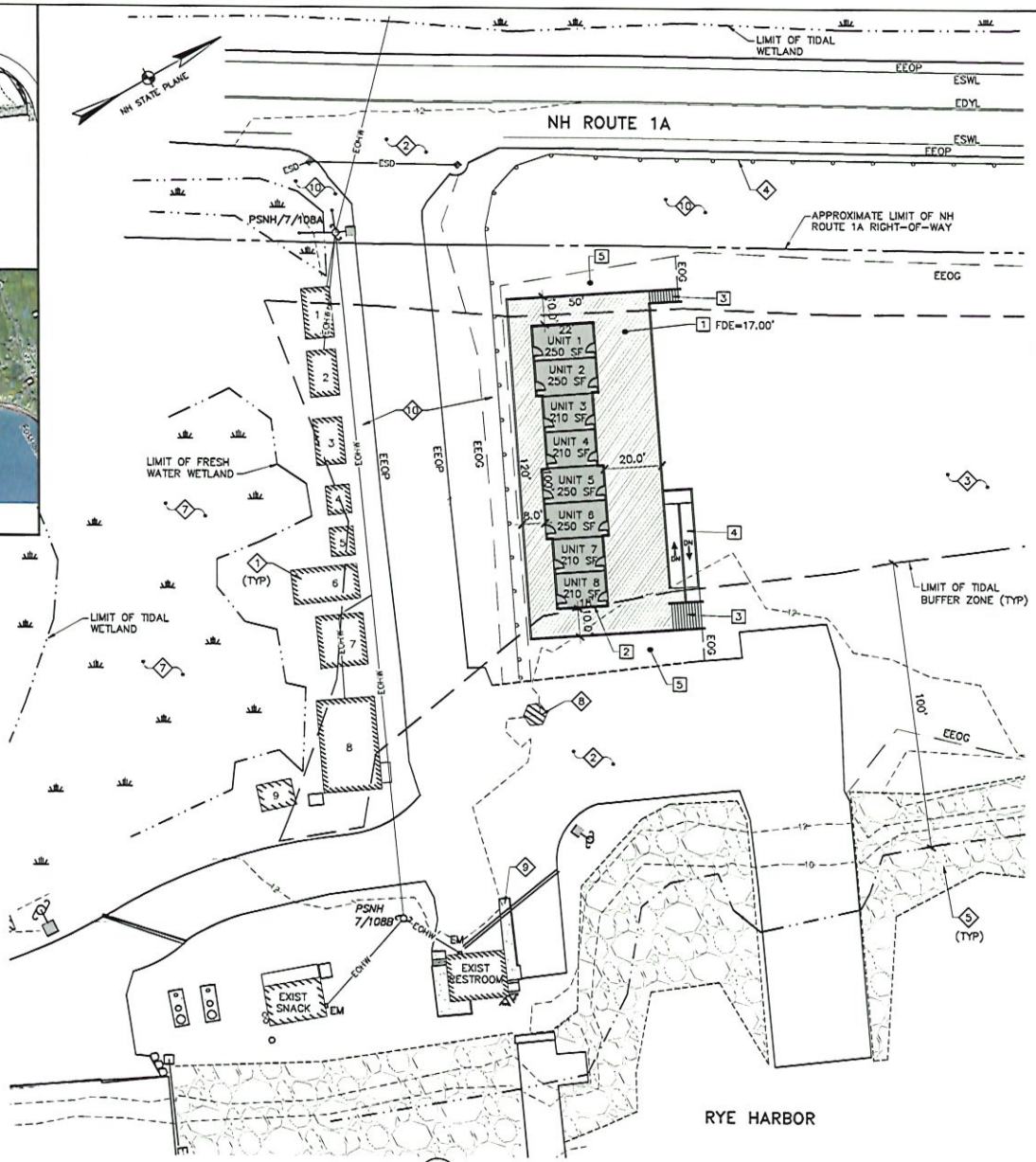


VICINITY MAP
SCALE: 1"=200'

LOCUS MAP
SCALE: 1"=1,500'

LEGEND

- EXISTING SHED/STRUCTURE
- EXISTING PROPERTY LINE
- EXISTING EDGE OF WETLAND
- EXISTING LIMIT OF TIDAL BUFFER ZONE
- EEOG — EXISTING EDGE OF GRAVEL
- EEOP — EXISTING EDGE OF PAVEMENT
- EDYL — EXISTING DOUBLE YELLOW LINE
- ESWL — EXISTING SINGLE WHITE LINE
- EXISTING GUARDRAIL
- 62 — EXISTING GRADE CONTOUR LINE
- EOHW — EXISTING OVERHEAD UTILITIES
- ESD — EXISTING STORM DRAIN LINE
- EXISTING CATCH BASIN
- EXISTING UTILITY POLE WITH GUY
- EXISTING WETLAND
- EXISTING RIPRAP
- BUILDING/STRUCTURE
- EOG — EDGE OF GRAVEL PARKING



1 CS101 CONCEPT SITE PLAN
SCALE: 1"=20'

EXISTING KEYNOTES: (THIS SHEET ONLY).

1. EXISTING SHED/STRUCTURE.
2. EXISTING ASPHALT PAVEMENT.
3. EXISTING GRAVEL PARKING.
4. EXISTING METAL GUARDRAIL W/ WOOD POTS.
5. EXISTING RIPRAP.
6. EXISTING TURF/GRASS.
7. EXISTING WETLAND.
8. EXISTING PARKING KIOSK.
9. EXISTING ACCESSIBLE RAMP.
10. EXISTING GRASS AND OTHER VEGETATION.

KEYNOTES: (THIS SHEET ONLY).

1. PILE SUPPORTED WOOD DECK.
2. DOCK HOUSE.
3. STAIR.
4. ACCESSIBLE RAMP.
5. TURF – 4" TOPSOIL, SEED, FERTILIZER AND MULCH.

NOTES

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE BASED ON RECORD DRAWINGS
2. EXISTING CONDITIONS ARE BASED ON A TOPOGRAPHIC SURVEY COMPLETED BY DOUCET SURVEY IN JULY OF 2024 AND RECORD DRAWINGS.
3. HORIZONTAL CONTROL IS BASED ON NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD83. VERTICAL CONTROL IS BASED ON MEAN LOWER LOW WATER (4.62' ABOVE NAVD88).

GRAPHIC SCALE
20' 10' 0 20' 60'
1"=20'
CHECK GRAPHIC SCALE BEFORE USING

OAK POINT ASSOCIATES
80 Middle Street, Portsmouth, NH 03801 (T) 603.431.4448 (F) 603.431.1678
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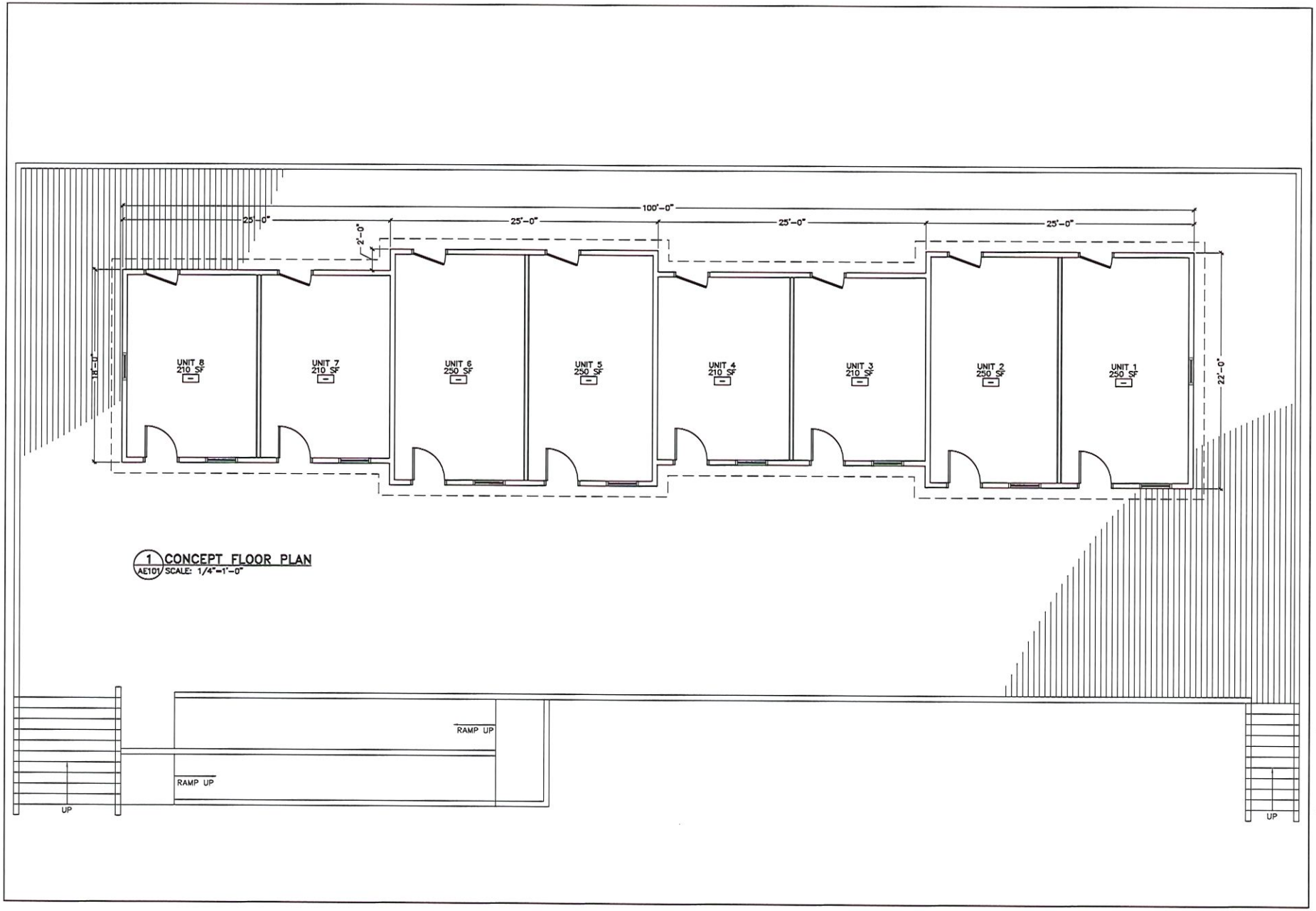
DRAWN BY: SES
CHECKED BY: SES
PROJECT: 22034.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1970 Ocean Boulevard
Rye, NH

CONCEPT SITE PLAN

SCALE: AS NOTED
DATE: 07-16-24
DWG.: CS101
SHEET: OF •



1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

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PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT FLOOR PLAN

SCALE: AS NOTED
DATE: 07-18-24
DWG.: AE101
SHEET: OF •

OAK POINT ASSOCIATES

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DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22404.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

3D VIEWS

SCALE: AS NOTED
DATE: 07-16-24
DWG: AE201
SHEET: OF •

ESTIMATE OF PROBABLE COST

OAK POINT ASSOCIATES | architecture engineering planning

PROJECT TITLE
Deck and Dock House

CLIENT NAME
PDA

DATE
18 July 2024

STATUS OF DESIGN
Schematic

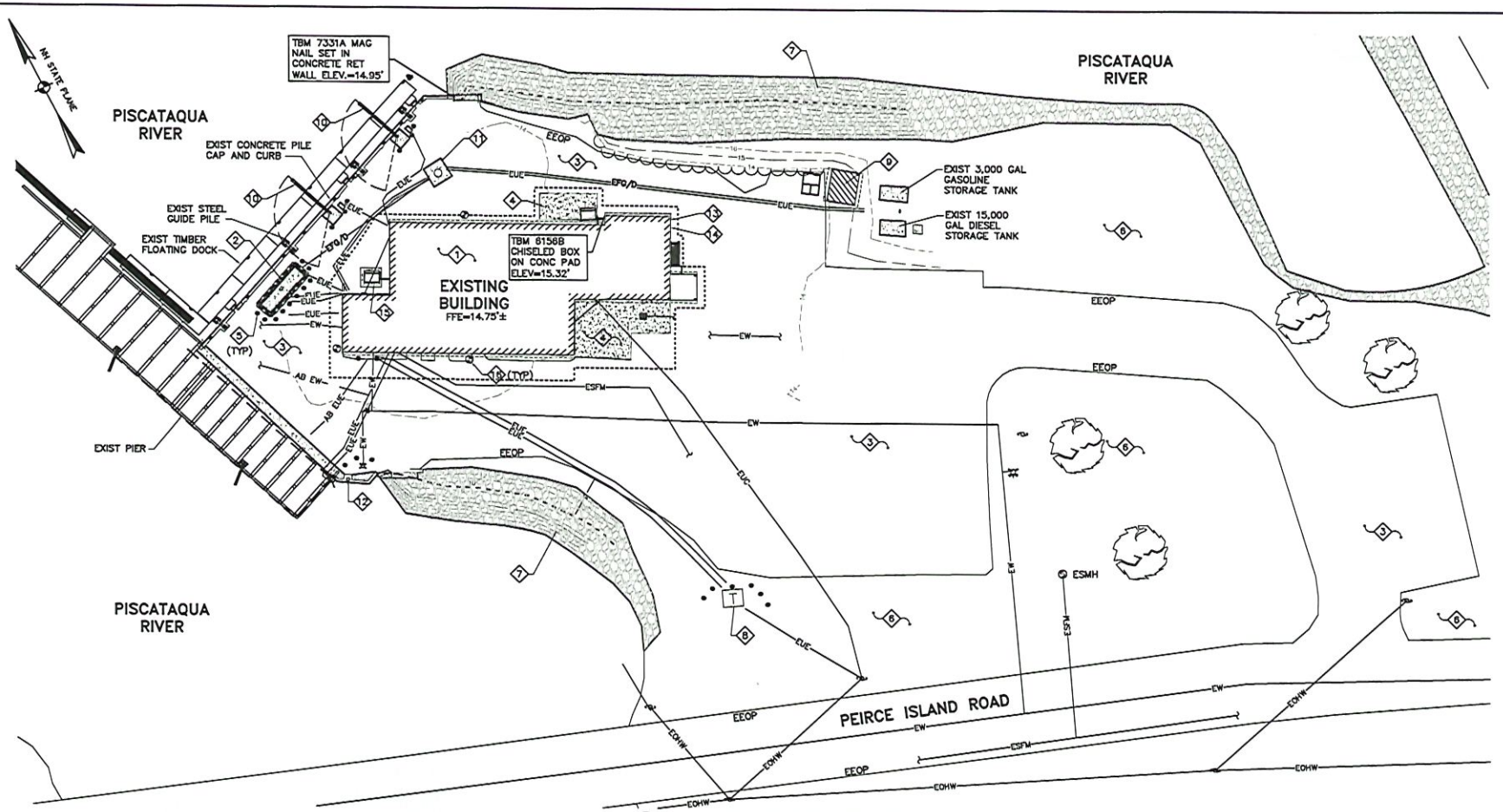
PROJECT LOCATION
Rye Harbor
Rye, New Hampshire

CLIENT PROJECT NUMBER

OPA PROJECT NUMBER
22404.11

ESTIMATE VALID TO
Winter 2025

ITEM DESCRIPTION	PERCENTAGE	MATERIALS	LABOR	ESTIMATED AMOUNT
BASE BID - PROJECT COST SUMMARY				
DIVISION 01 - GENERAL REQUIREMENTS (see mark-up below)		$0	$0	$0
DIVISION 03 - CONCRETE		$1,560	$2,640	$4,200
DIVISION 05 - METALS		$7,500	$2,500	$10,000
DIVISION 06 - WOOD, PLASTICS, AND COMPOSITES		$239,035	$167,060	$406,095
DIVISION 07 - THERMAL AND MOISTURE PROTECTION		$12,500	$9,068	$21,568
DIVISION 08 - OPENINGS		$41,600	$11,600	$53,200
DIVISION 31 - EARTHWORK		$3,000	$5,775	$8,775
DIVISION 32 - EXTERIOR IMPROVEMENTS		$685	$680	$1,365
BASE BID SUBTOTALS		**$305,880**	**$199,323**	**$505,203**
Design Contingency	15.0%			$75,780
Subtotal				$580,983
General Conditions	10.0%			$58,098
Subtotal				$639,082
OH & P	15.0%			$95,862
Subtotal				$734,944
Bond	2.5%			$18,374
Subtotal				$753,318
BASE BID TOTAL:				$753,318
BASE BID TOTAL (ROUNDED):				**$753,300**
Base Bid Goal				$775,000
Delta				-$21,682
OPTIONS				
OPTION 1 TOTAL (ELECTRIC SERVICE)				**$115,590**
OPTION 2 TOTAL (WATER SERVICE AND HOLDING TANK)				**$47,120**
PROJECT TOTAL w/OPTIONS				**$916,011**



1 CX101 EXISTING CONDITIONS SITE PLAN
SCALE: 1"=20'

EXISTING KEYNOTES: (THIS SHEET ONLY).

1. EXISTING BUILDING.
2. EXISTING FUEL DISPENSER BUILDING ON CONCRETE FOUNDATION.
3. EXISTING ASPHALT CONCRETE PAVEMENT.
4. EXISTING CONCRETE PAD/SLAB.
5. EXISTING BOLLARD.
6. EXISTING TURF/GRASS.
7. EXISTING RIPRAP.
8. EXISTING TRANSFORMER ON CONCRETE PAD.
9. EXISTING SHED.
10. EXISTING JIB CRANE AND FOUNDATION.
11. EXISTING FUEL SUMP PIT.
12. POLE MOUNTED FLOOD LIGHT AND SECURITY CAMERA.
13. EXISTING GASOLINE HLA.
14. EXISTING DIESEL HLA.
15. EXISTING COMPRESSOR ON CONCRETE PAD.
16. EXISTING SOIL TEST BORING.

LEGEND

- EXISTING BUILDING LINE
- EEOP — EXISTING EDGE OF PAVEMENT
- —120— — EXISTING GRADE CONTOUR LINE
- CSD(12") — EXISTING STORM DRAIN LINE
- EFG/D — EXISTING FUEL LINES (GAS AND DIESEL)
- CSFM — EXISTING SANITARY SEWER FORCE MAIN
- CW(6") — EXISTING WATER LINE
- CUC — EXISTING UNDERGROUND COMMUNICATIONS LINE
- CUE — EXISTING UNDERGROUND ELECTRIC LINE
- EOHW — EXISTING OVERHEAD UTILITY WIRE
- EXISTING UTILITY POLE
- ECB — EXISTING CATCH BASIN
- ESMH — EXISTING SEWER MANHOLE
- EXISTING LIGHT POLE AND FIXTURE
- EXISTING HYDRANT
- EXISTING WATER SHUTOFF
- EXISTING BOLLARD
- EXISTING TRANSFORMER AND CONC PAD
- EXISTING TREE
- EXISTING SOIL TEST BORING

NOTES

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE BASED ON UTILITY LOCATION PAINT MARKS BY DOUCET SURVEY IN MARCH OF 2024 AND RECORD DRAWINGS..
2. EXISTING CONDITIONS ARE BASED ON A LIMITED TOPOGRAPHIC SURVEY COMPLETED BY DOUCET SURVEY IN MARCH OF 2024 AND RECORD DRAWINGS.
3. HORIZONTAL CONTROL IS BASED ON NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD83. VERTICAL CONTROL IS BASED ON MEAN LOWER LOW WATER (4.62' ABOVE NAVD88).

GRAPHIC SCALE
1"=20'
20' 10' 0 20' 60'
CHECK GRAPHIC SCALE BEFORE USING

OAK POINT ASSOCIATES
55 Market Street, Portsmouth, NH 03801 (P) 603.431.5560 (F) 603.431.5561 www.oakpointassociates.com

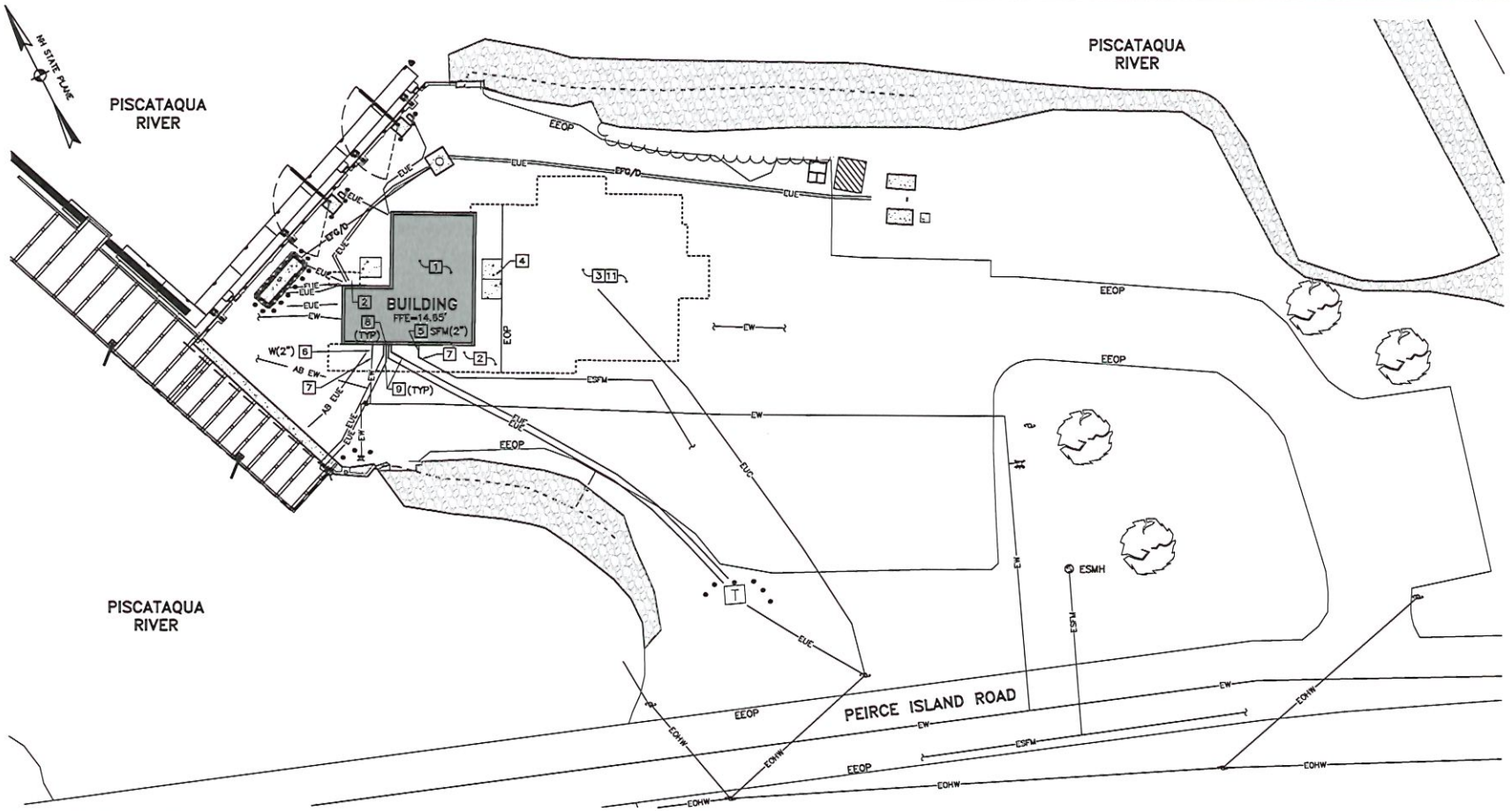
DESIGNED BY: SES
DRAWN BY: SES
CHECKED BY: SES
PROJECT: 2234421

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

PORTSMOUTH COMMERCIAL FISH PIER
BUILDING REPLACEMENT
Peirce Island Road
Portsmouth, NH

EXISTING CONDITIONS SITE PLAN

SCALE: AS NOTED
DATE: 07-12-24
DWG.: CX101
SHEET: OF .



1 CONCEPT SITE PLAN – ALTERNATE A
CS101A SCALE: 1"=20'

KEYNOTES: (THIS SHEET ONLY).

BASE BID

1. BUILDING ON EXISTING CONCRETE FOUNDATIONS.
2. ASPHALT CONCRETE PAVEMENT.
3. GRAVEL SECTION.
4. CONCRETE EQUIPMENT PAD.
5. FORCE MAIN SEWER SERVICE PIPE.
6. WATER SERVICE PIPE.
7. CONNECT TO EXISTING PIPE.
8. ELECTRIC/COMMUNICATIONS CONDUIT.
9. CONNECT TO EXISTING CONDUIT.

OPTION 5

11. ASPHALT CONCRETE PAVEMENT.

LEGEND

- BUILDING LINE
- EOP — EDGE OF PAVEMENT
- SFM(2") — SANITARY SEWER FORCE MAIN (PIPE SIZE AS NOTED)
- UE(1") — UNDERGROUND ELECTRIC LINE (CONDUIT SIZE AS NOTED)
- W(2") — WATER LINE (PIPE SIZE AS NOTED)
- UC(1") — UNDERGROUND COMMUNICATION LINE (CONDUIT SIZE AS NOTED)
- SAWCUT PAVEMENT

GRAPHIC SCALE
1"=20'
20' 10' 0 20' 60'
CHECK GRAPHIC SCALE BEFORE USING

OAK POINT ASSOCIATES
55 Market Street, Portsmouth, NH 03801 (T) 603.431.5667 (F) 603.431.5672 www.oakpoint.com

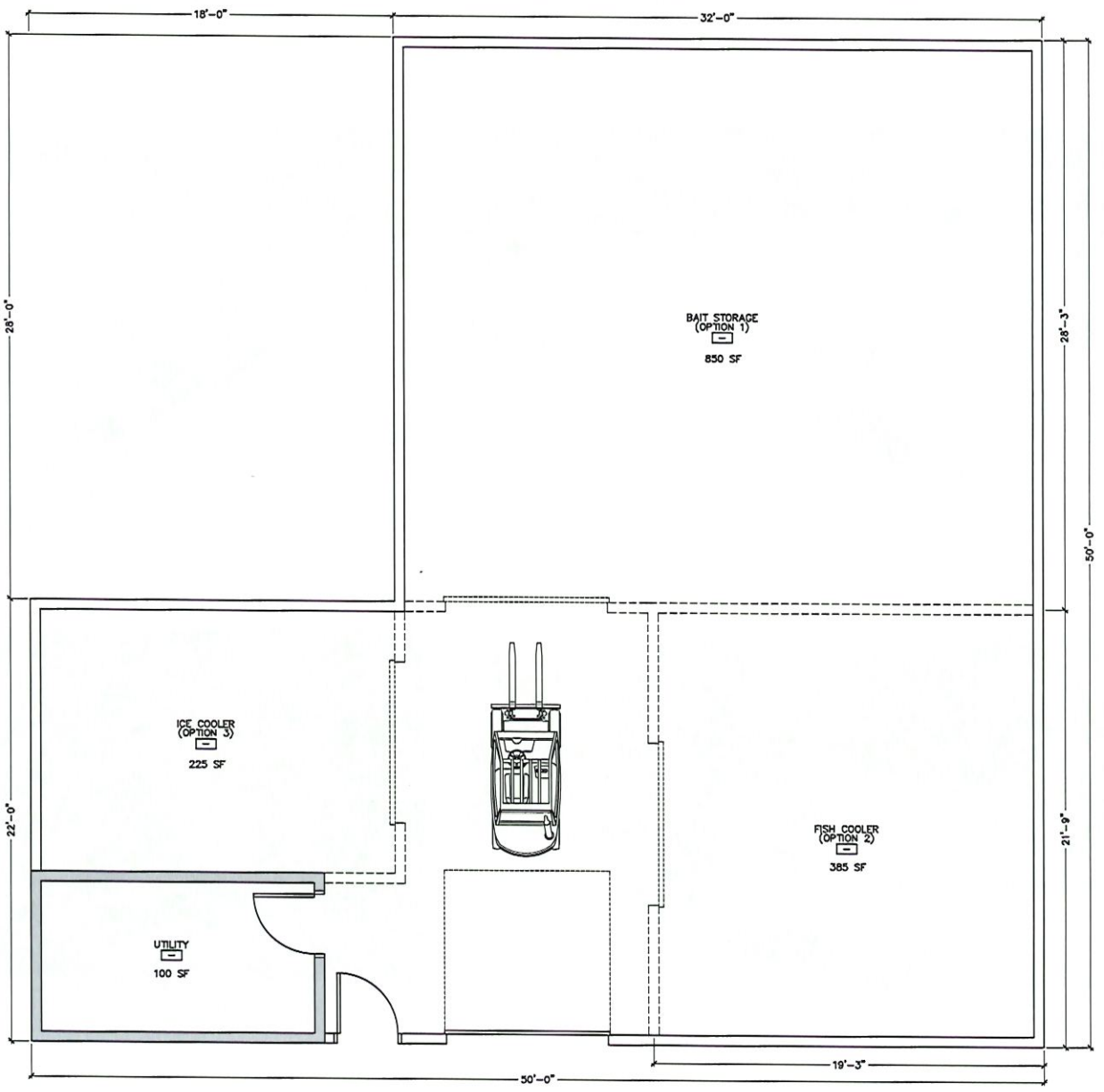
DESIGNED BY: SES
DRAWN BY: SES
CHECKED BY: SES
PROJECT: 223-4.21

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

PORTSMOUTH COMMERCIAL FISH PIER
BUILDING REPLACEMENT
Peirce Island Road
Portsmouth, NH

CONCEPT SITE PLAN - ALTERNATE A

SCALE: AS NOTED
DATE: 07-12-24
DWG.: CS101A
SHEET: OF .



1 CONCEPT FLOOR PLAN A
AE101 SCALE: 3/8"=1'-0"

OAK POINT ASSOCIATES
80 Middle Street Portsmouth, NH 03801 (T) 603.431.4163 (F) 603.431.4179
www.oakpoint.com

NOT FOR CONSTRUCTION

DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 2230421

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

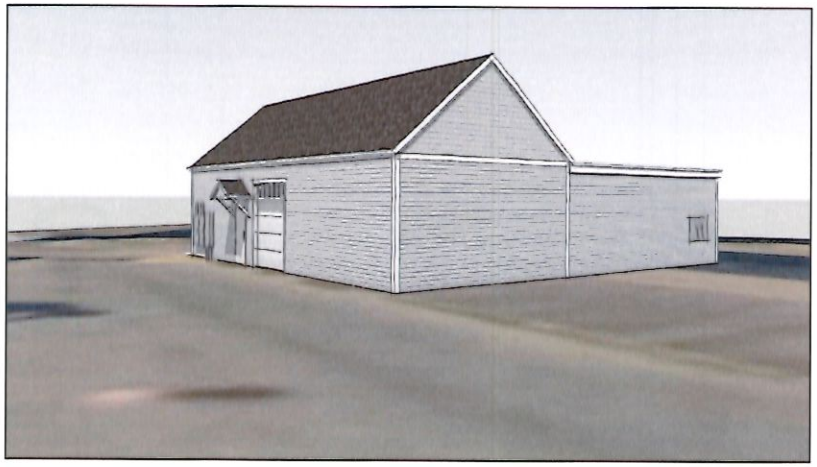
PORTSMOUTH COMMERCIAL FISH PIER
BUILDING REPLACEMENT
Peirce Island Road
Portsmouth, NH

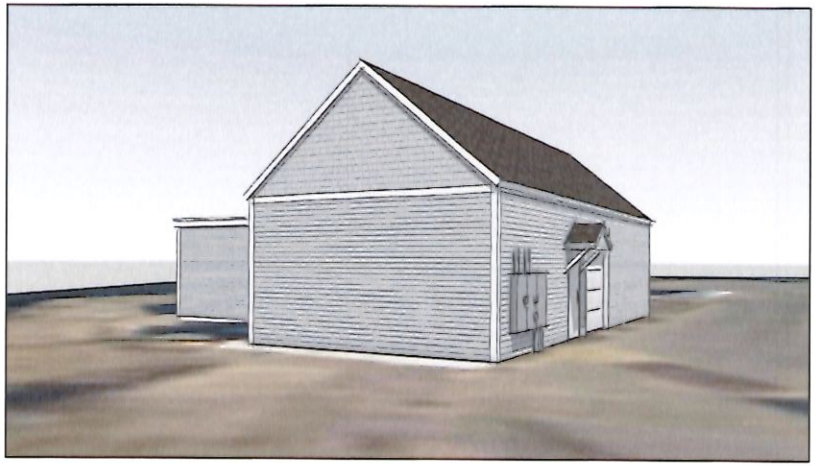
CONCEPT FLOOR PLAN A

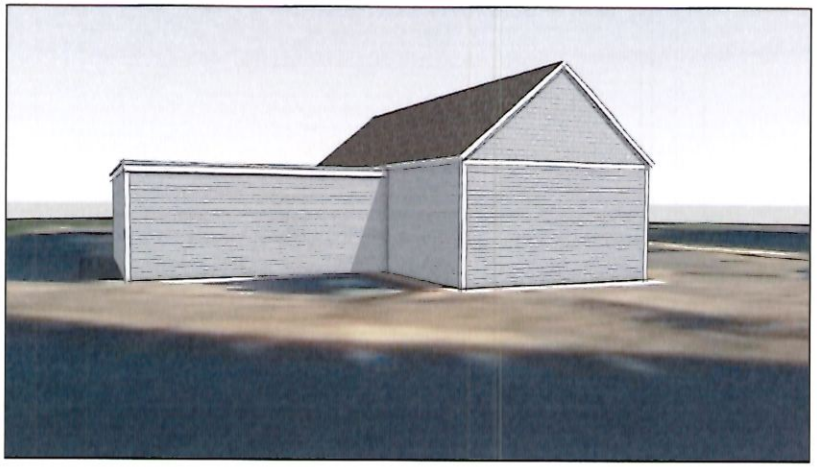
SCALE: AS NOTED
DATE: 07-12-24

DWG.: AE101

SHEET: 3 OF .







OAK POINT ASSOCIATES
81 Middle Street Portsmouth, NH 03801 (T) 603.431.4149 (F) 603.431.4379 www.oakpoint.com

NOT FOR CONSTRUCTION

DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 2230421

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

PORTSMOUTH COMMERCIAL FISH PIER
BUILDING REPLACEMENT
Prime Island Road
Portsmouth, NH

3D VIEWS

SCALE: AS NOTED
DATE: 07-12-24

DWG.: AE201

SHEET: 5 OF .

ESTIMATE OF PROBABLE COST

OAK POINT ASSOCIATES | architecture engineering planning

PROJECT TITLE
Building Replacement - Alternate A
PROJECT LOCATION
Commercial Fish Pier
Portsmouth, New Hampshire

CLIENT NAME
PDA
CLIENT PROJECT NUMBER

DATE
12 July 2024
OPA PROJECT NUMBER
22304.21

STATUS OF DESIGN
Schematic
ESTIMATE VALID TO
Winter 2025

ITEM DESCRIPTION	PERCENTAGE	MATERIALS	LABOR	ESTIMATED AMOUNT
BASE BID - PROJECT COST SUMMARY				
DIVISION 01 - GENERAL REQUIREMENTS (see mark-up below)		$0	$0	$0
DIVISION 02 - DEMOLITION/EXISTING CONDITIONS		$42,053	$74,648	$116,700
DIVISION 03 - CONCRETE		$20,500	$16,830	$37,330
DIVISION 05 - METALS		$4,304	$1,824	$6,128
DIVISION 06 - WOOD, PLASTICS, AND COMPOSITES		$32,160	$51,440	$83,600
DIVISION 07 - THERMAL AND MOISTURE PROTECTION		$38,094	$22,529	$60,623
DIVISION 08 - OPENINGS		$12,150	$2,850	$15,000
DIVISION 09 - FINISHES		$3,325	$3,875	$7,200
DIVISION 10 - SPECIALTIES		$925	$425	$1,350
DIVISION 13 - SPECIAL CONSTRUCTION		$0	$0	$0
DIVISION 22 - PLUMBING		$17,150	$12,100	$29,250
DIVISION 23 - HVAC		$3,350	$12,250	$15,600
DIVISION 26 - ELECTRICAL		$43,900	$62,480	$106,380
DIVISION 27 - COMMUNICATIONS		$0	$0	$0
DIVISION 28 - ELECTRONIC SAFETY AND SECURITY		$5,000	$3,840	$8,840
DIVISION 31 - EARTHWORK		$7,458	$21,475	$28,933
DIVISION 32 - EXTERIOR IMPROVEMENTS		$5,887	$5,551	$11,438
DIVISION 33 - UTILITIES		$16,449	$17,480	$33,929
BASE BID SUBTOTALS		**$252,704**	**$309,597**	**$562,301**
Design Contingency	10.0%			$56,230
Subtotal				$618,531
General Conditions	10.0%			$61,853
Subtotal				$680,384
OH & P	15.0%			$102,058
Subtotal				$782,441
Bond	2.5%			$19,561
Subtotal				$802,002
BASE BID TOTAL:				$802,002
BASE BID TOTAL (ROUNDED):				**$802,000**
Base Bid Goal				$775,000
Delta				$27,002

ESTIMATE OF PROBABLE COST

OAK POINT ASSOCIATES architecture engineering planning

PROJECT TITLE
Building Replacement - Alternate A

CLIENT NAME
PDA

DATE
12 July 2024

STATUS OF DESIGN
Schematic

PROJECT LOCATION
Commercial Fish Pier
Portsmouth, New Hampshire

CLIENT PROJECT NUMBER

OPA PROJECT NUMBER
22304.21

ESTIMATE VALID TO
Winter 2025

ITEM DESCRIPTION	PERCENTAGE	MATERIALS	LABOR	ESTIMATED AMOUNT
OPTIONS				
OPTION 1 TOTAL (Insulation and Cooling - Bait)				$224,797
OPTION 2 TOTAL (Insulation and Cooling - Market)				$130,562
OPTION 3 TOTAL (Insulation and Cooling - Ice)				$121,748
OPTION 4 TOTAL (Temp Dock Power)				$33,318
OPTION 5 TOTAL (Paving)				$26,360
PROJECT TOTAL w/OPTIONS				$1,338,786

Raeline O'Neil

From: ANNA MASIELLO <skungee@comcast.net>
Sent: Tuesday, August 6, 2024 11:58 AM
To: Paul Brean
Subject: RE: RYE LOBSTER POUND

You don't often get email from skungee@comcast.net. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Mr. Brean

Thank you for your quick reply.

Best

Anna

On 08/06/2024 9:03 AM EDT Paul Brean <p.brean@peasedev.org> wrote:

Dear Mr. and Mrs. Masiello,

Attached for your reference is a recent correspondence to Rye Selectboard Chairman Epperson from Pease Development Authority's Chairman Stephen Duprey regarding potential improvements to Rye Harbor Facility.

Regards,

Paul Brean

Pease Development Authority

From: ANNA MASIELLO <skungee@comcast.net>
Sent: Monday, August 5, 2024 5:09 PM
To: Paul Brean <P.Brean@peasedev.org>; sduprey@foxfirenh.com
Cc: jmcmenemy@seacoastonline.com; governorsununu@nh.gov; prmasie@comcast.net
Subject: RYE LOBSTER POUND

You don't often get email from skungee@comcast.net. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

It has come to our attention that The Pease Development Authority is having a board meeting this Thursday August 8 voting on a plan that would ultimately eliminate all the shacks down at Rye Harbor and build a stilted mall in the parking lot. This one decision would effectively eliminate all the charm and cripple the business's down at the harbor and effectively put Rye Harbor Lobster Pound out of business. It would create a physical space that does not support the fishing industry or recreation of the port. It is a tremendous waste of 1.2 million dollars.

We are not able to attend the meeting on Thursday, however, we want to express our deepest concerns about this decision. This Rye Harbour area is quintessential New Hampshire Sea Coast in which our family and friends have enjoyed for many years. You may have no idea how much changing this iconic area means to New Hampshire, the town of Rye and people who come visit from all over the country. Just 2 weeks ago while enjoying a lobster roll, we sat with a couple from, Pittsburg PA that has been told they had to stop there for a lobster roll and the fluffy chowder.

This not only effects the Lobster pound but the other businesses at this location which include the harbor cruises, the bait shop and small snack shack in the back. We respectfully implore you not to take away one of the best seacoast destinations in New Hampshire. Small businesses are so very important to this state. We have heard your concerns about traffic issues and trash at this location. In all our visits here, we have never encountered any of that. The area is pristine, people are so careful to clean up after eating. The port authority makes money on the parking and the taxes from these businesses and the patrons who enjoy this location.

Perhaps you could consider making improvements to the parking lot and the road. We sincerely appreciate the picnic tables and washroom facilities, that enhance the businesses.

In conclusion please do not change the charm of this location.

Thank you

Anna and Philp Masiello

268 Charlotte street

Manchester NH 03103

Raeline O'Neil

From: ANNA MASIELLO <skungee@comcast.net>
Sent: Monday, August 5, 2024 5:09 PM
To: Paul Brean; sduprey@foxfirenh.com
Cc: jmcmenemy@seacoastonline.com; governorsununu@nh.gov; prmasie@comcast.net
Subject: RYE LOBSTER POUND
Attachments: rye flowers.jpg; rye.jpg

You don't often get email from skungee@comcast.net. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

It has come to our attention that The Pease Development Authority is having a board meeting this Thursday August 8 voting on a plan that would ultimately eliminate all the shacks down at Rye Harbor and build a stilted mall in the parking lot. This one decision would effectively eliminate all the charm and cripple the business's down at the harbor and effectively put Rye Harbor Lobster Pound out of business. It would create a physical space that does not support the fishing industry or recreation of the port. It is a tremendous waste of 1.2 million dollars.

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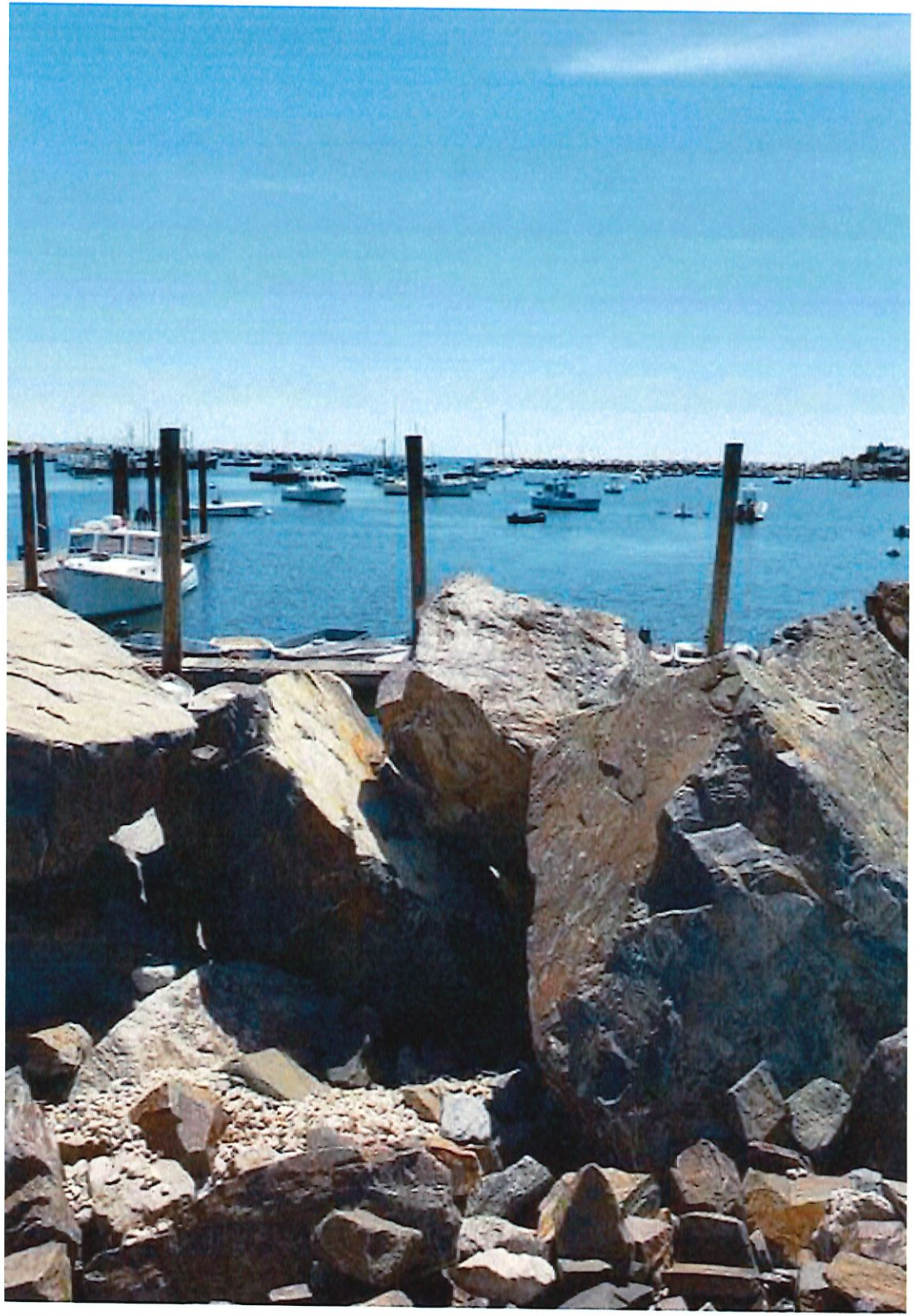
Perhaps you could consider making improvements to the parking lot and the road. We sincerely appreciate the picnic tables and washroom facilities, that enhance the businesses.

In conclusion please do not change the charm of this location.

Thank you

Anna and Philp Masiello
268 Charlotte street
Manchester NH 03103



Raeline O'Neil

From: Ellen Perham <ellenperham@yahoo.com>
Sent: Monday, August 5, 2024 1:23 PM
To: Paul Brean
Subject: Fwd: Rye Harbor

You don't often get email from ellenperham@yahoo.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Sent from my iPad

Begin forwarded message:

> **From:** Ellen Perham <ellenperham@yahoo.com>
> **Date:** August 5, 2024 at 1:16:09 PM EDT
> **To:** P.Brean@peasedev.org
> **Subject: Rye Harbor**
>
> I understand there will be a meeting this week to vote on revitalization of Rye Harbor including the shack community and want to voice my opinion, which is to vote NO on the redevelopment of this area. This is a landmark for community and visitors alike and a destination area for many folks, if you take this away it will lose its authenticity forever! Please vote with your heart and NOT for change that you will regret later and realize you made a mistake and it will be too late!
>
> A Harbor Friend Forever ❤️
> Sent from my iPad

Raeline O'Neil

From: Ellen Perham <ellenperham@yahoo.com>
Sent: Monday, August 5, 2024 1:16 PM
To: Paul Brean
Subject: Rye Harbor

[You don't often get email from ellenperham@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I understand there will be a meeting this week to vote on revitalization of Rye Harbor including the shack community and want to voice my opinion, which is to vote NO on the redevelopment of this area. This is a landmark for community and visitors alike and a destination area for many folks, if you take this away it will lose its authenticity forever! Please vote with your heart and NOT for change that you will regret later and realize you made a mistake and it will be too late!

A Harbor Friend Forever ❤️
Sent from my iPad

Raeline O'Neil

From: Alissa Holmes <pop_invites@comcast.net>
Sent: Monday, August 5, 2024 10:59 AM
To: Paul Brean
Subject: Re: Save Rye harbor shanties

[You don't often get email from pop_invites@comcast.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you for sharing this thoughtful response.

Alissa Holmes

>
> On Aug 5, 2024, at 8:35 AM, Paul Brean <P.Brean@peasedev.org> wrote:
>
> Dear Ms. Holmes,
>
> Attached for your reference is a recent correspondence to Rye Selectboard Chairman Epperson from Pease Development Authority's Chairman Stephen Duprey regarding potential improvements to Rye Harbor Facility.
>
> Regards,
>
> Paul Brean
> Pease Development Authority
>
> -----Original Message-----
> From: Alissa Holmes <pop_invites@comcast.net>
> Sent: Sunday, August 4, 2024 11:45 AM
> To: Paul Brean <P.Brean@peasedev.org>
> Cc: Jmcmenemy@seacoastonline.com
> Subject: Save Rye harbor shanties
>
> [You don't often get email from pop_invites@comcast.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]
>
> EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.
>
>
>
> Hello,
>
> As members of the Seacoast community for over 20 years, we have always enjoyed the charm and amenities of the businesses in Rye Harbor, chartering boats to Isles of Shoals and harbor cruises and enjoying lobster and seafood right from the boats there in the harbor.

>
> Please don't take the livelihoods of these hardworking folks away in the name of progress.
>
> Thank you for your consideration,
> Alissa Holmes
> 603 770 7947
>
> <Rye Response Ltr (8-1-24).pdf>

Raeline O'Neil

From: Anne <anneedempsey@gmail.com>
Sent: Sunday, August 4, 2024 10:24 PM
To: Paul Brean
Subject: PLEASE SAVE RYE Harbor and its local businesses!

You don't often get email from anneedempsey@gmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I am reaching out to express my concern for small businesses of Rye Harbor.

I grew up in New Hampshire and spent countless summers, in Rye in a summer home, along route 1A with my mother and her sister, my aunt Sal, and all my siblings and cousins. Up until now-Rye has been able to maintain its quaint peaceful quality.

Please Save all the shacks down at Rye Harbor and preserve Rye's charm and Character -DO NOT build a stilted mall in the parking lot. RESIST turning this area into another Salisbury or Main Beach Hampton. Do not cave into developers .

This one decision would eliminate all the charm and cripple the businesses down at the harbor who now struggle to make ends meet. It would create a physical space that does not support the fishing industry or recreation of the port.
This will ultimately put a small business such as Rye Harbor Lobster Pound out of business. **1.2 Million** dollars could be invested in so many other worthwhile ways.
PLEASE SAVE RYE Harbor and its local businesses!
PLEASE consider the needs of the Port when making your final decisions.

Anne Dempsey
978-609-7109

Raeline O'Neil

From: Nate Swanson <drswanson@newmarketdental.net>
Sent: Sunday, August 4, 2024 6:29 PM
To: Paul Brean; jmcmenemy@seacoastonline.com
Subject: Rye Harbor

[You don't often get email from drswanson@newmarketdental.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I'm writing to express my disappointment and disagreement with the idea of eliminating the "shacks" such as those occupied by Rye Harbor Lobster Pound.

This "off the beaten path" area is always a destination for when my Durham family goes to the beach. It's calm and peaceful and above all classically charming. It's a big reason we prefer visiting Rye vs, say, Hampton.

Any kind of mall would be a step in the wrong direction.

Heres a favorite photo of my daughter enjoying the area.

Best regards,
Nate Swanson

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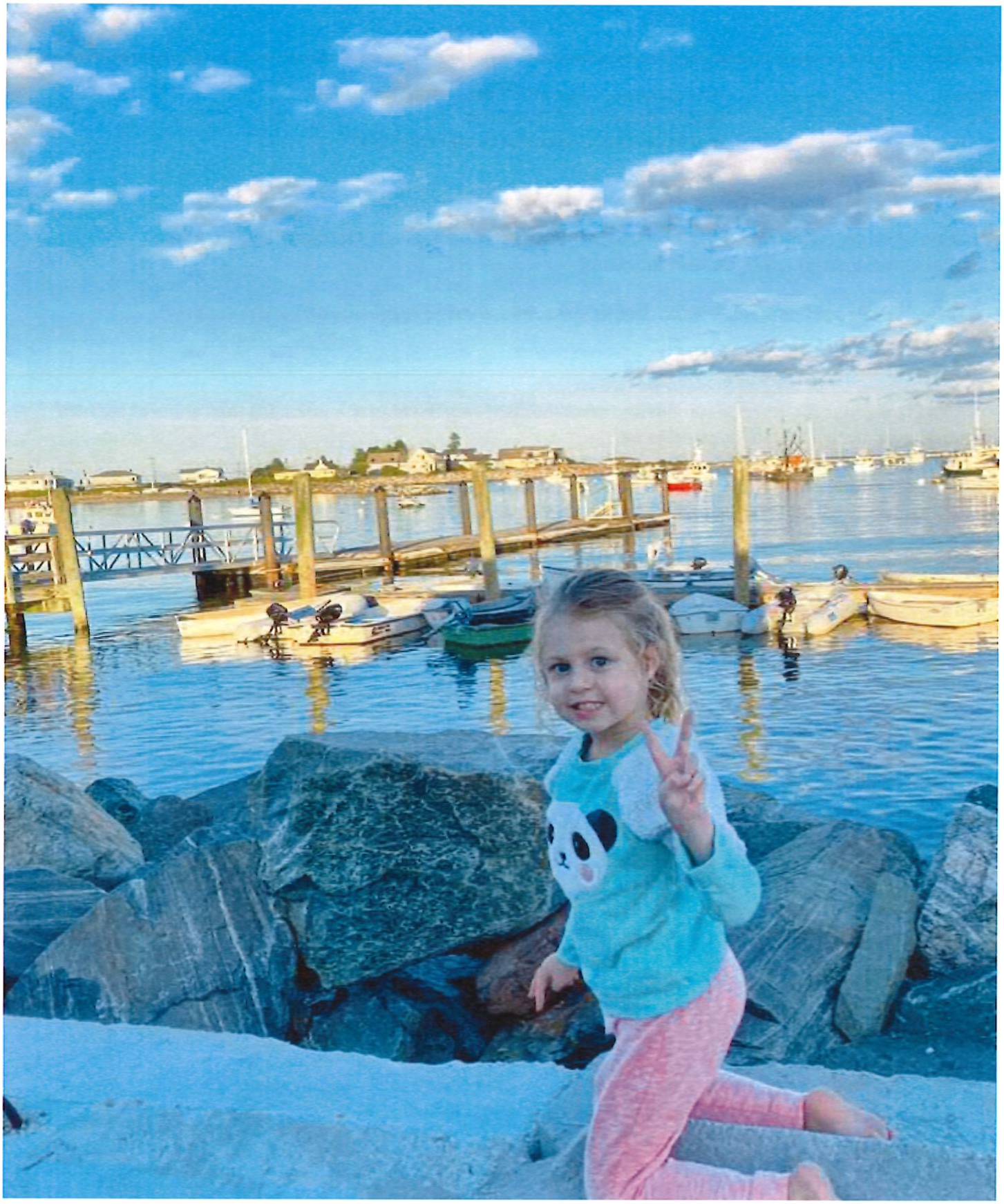
https://www.paubox.com



Secured by Paubox - HITRUST CSF certified

https://www.paubox.com

Raeline O'Neil

From: john kollmorgen <kollmorgenjohn@gmail.com>
Sent: Sunday, August 4, 2024 3:19 PM
To: Paul Brean; sduprey@foxfirenf.com
Subject: Rye Harbor

You don't often get email from kollmorgenjohn@gmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hello...vey briefly. The proposal for Rye Harbor is abhorrent and not what we need here. I understand that recent storms and climate change have had significant impact in that area of our seacoast, but this is not the answer and looks like a big money grab. Shame! Save our seacoast!

John Kollmorgen
North Hampton, NH

Raeline O'Neil

From: jeanne maher <jmaher162@gmail.com>
Sent: Sunday, August 4, 2024 1:56 PM
To: Paul Brean
Subject: Rye Harbor

You don't often get email from jmaher162@gmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Pease Development Board Members,

We have recently been informed about a plan to develop Rye harbor by building a set of stilted buildings and forcing long time business owners to remove their shacks. We are writing this letter to express our opposition to this plan.

My husband and I have lived in Rye for 18 years. We own 12 acres of land bordering the Awcomin marsh directly across from the harbor. I ride my bicycle past the shacks almost daily during which I have observed the changes in traffic to the area over the years, and my husband and I walk the trails behind our home frequently, affording us beautiful views of the marsh and an opportunity to witness firsthand the power of mother nature.

Our opposition to your plan is for 2 reasons. Firstly, we wonder why the PDA would force these local businesses out of their livelihood by requiring them to remove their shacks. We understand the flooding issues and frankly wonder why the shacks have not floated away. But as we understand it, liability for the shacks falls on the owners. Why is the PDA and /or the state using taxpayer money to build new ones? Not only that, we wonder what is being created here? What is the intent? Is this being done to create a revenue source for the PDA? To create a destination for out of staters to flock to, use the restrooms at the harbor and add to the wastewater contamination issues along the beach? And if so, why?

We have watched Rte 1A become busier over the years. We have also noticed a marked increase in traffic down Washington Rd since we moved here. We wonder if the enhanced commercialization of the area will make matters worse. Being able to safely ride my bicycle, along with hundreds of others who do the same, is one of those quality of life things that makes Rye special. This is a pleasure shared not only by Rye residents, but also by many who travel here with their bikes specifically to ride. Lately there have been an increasing number of accidents involving cyclists and cars. What we don't want or need is even more vehicles traveling the roads and increasing the risk of injury or death..

Beyond our concerns for the businesses, an even bigger concern is the effects of climate change that we have observed over the years- especially the last 5 years. Since we have stone walls bordering the marsh we can readily measure the rise in sea level during the high tides that periodically flood the marsh. For the last 5 years the water frequently breeches the stone walls. During this time we have lost many large and significant trees bordering the marsh due to flooding accompanied by high winds that have uprooted the trees. This had not happened in any of the previous years that we have lived here. We have witnessed

several storms that have flooded Rte 1A and surrounding homes. After the last major storm, for weeks we hauled debris out of the marsh including parts of boats, dinghys, bouys, oil cans and propane tanks. We understand that the parking lot at the harbor was built on marshland and must frequently be replenished with sand. Why would you spend money to build these buildings knowing that there is a high probability that they will be damaged, destroyed, undermined by sinking sand or swept into the sea or the marsh during the next big storm? And who pays if that happens? We imagine that the cost to insure these buildings would be quite high and require flood insurance- another cost to taxpayers.

In conclusion we ask that you scrap this plan and leave things the way they are in Rye. We like our charming town the way it is. If you are worried about the safety of the shacks (and possible health issues due to flooding of the shacks, especially where food is involved) please get the proper authorities involved and send code violations if needed, or shut unsafe businsses down. We don't need any more commercialization and we certainly don't need to be paying for structures that likely will not stand the test of time.

Sincerely,

Jeanne and John Maher
162 Washington Rd
Rye

Raeline O'Neil

From: Stephen Duprey <sduprey@foxfirenh.com>
Sent: Sunday, August 4, 2024 1:04 PM
To: jhaynes3@comcast.net
Cc: Paul Brean; jmcmenemy@seacoastonline.com
Subject: Re: Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

You have incorrect and incomplete information.
Director Brean will forward the letter I recently sent to the Rye selectboard chair on this topic.
Thank you for your interest and concerns.

Steve Duprey

> ChairOn Aug 4, 2024, at 11:04 AM, jhaynes3@comcast.net wrote:
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Dear Chair and Executive Director,
>
> I am respectfully encouraging the Pease Development Authority to resist the temptation to replace the beauty, charm, and history of Rye Harbor with a mall. Rye harbor and the businesses located there are a crown jewel of the region, and keep the feel of the classic New England seacoast alive. Me and my family would all be extremely saddened to see this NH landmark permanently changed for a strip mall.
>
> Thank you
>
> Jeff Haynes
> Pembroke NH

Raeline O'Neil

From: Laura Mazur <laura.mazur@gmail.com>
Sent: Sunday, August 4, 2024 11:51 AM
To: Paul Brean; sduprey@foxfirenh.com
Cc: jmmenemy@seacoastonline.com; breakingnews@wmur.com
Subject: Committee meeting this week to decide on Rye Harbor

You don't often get email from laura.mazur@gmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Did we miss the consultation exercise that should have been carried out among the residents of Rye before your committee votes this week on what would be a disastrous transformation of our lovely harbor? You have already made it more unfriendly with the barriers put up when none were needed. The harbor worked well as it was.

Aristotle Onassis tried to turn Rye into an oil depot back in the 70s and local democracy saw him off. If you vote to turn Rye Harbor into a 'retail experience' that will be a true deficit of democracy.

Laura and Maz Mazur
150 Locke Road
Rye

Raeline O'Neil

From: Alissa Holmes <pop_invites@comcast.net>
Sent: Sunday, August 4, 2024 11:45 AM
To: Paul Brean
Cc: Jmcmenemy@seacoastonline.com
Subject: Save Rye harbor shanties

[You don't often get email from pop_invites@comcast.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

As members of the Seacoast community for over 20 years, we have always enjoyed the charm and amenities of the businesses in Rye Harbor, chartering boats to Isles of Shoals and harbor cruises and enjoying lobster and seafood right from the boats there in the harbor.

Please don't take the livelihoods of these hardworking folks away in the name of progress.

Thank you for your consideration,
Alissa Holmes
603 770 7947

Raeline O'Neil

From: KATHY Rowe <harmony54659@msn.com>
Sent: Sunday, August 4, 2024 11:39 AM
To: Paul Brean; jmcmenemy@seacoastonline.com
Subject: Rye Harbor

You don't often get email from harmony54659@msn.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I would like it to be known that I disagree with PDA"s current plan for Rye Harbor, it is an atrocity to restructure a perfectly fine configuration and for what benefit, tourist industry? Please let Rye Harbor remain exactly the same, it is part of our quaint town that will not benefit from this change. Let the current businesses continue to thrive!

Sincerely,
Kathy Rowe
Rye, NH

Raeline O'Neil

From:	jhaynes3@comcast.net
Sent:	Sunday, August 4, 2024 11:04 AM
To:	Paul Brean; sduprey@foxfirenh.com
Cc:	jmcmenemy@seacoastonline.com
Subject:	Rye Harbor

You don't often get email from jhaynes3@comcast.net. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Chair and Executive Director,

I am respectfully encouraging the Pease Development Authority to resist the temptation to replace the beauty, charm, and history of Rye Harbor with a mall. Rye harbor and the businesses located there are a crown jewel of the region, and keep the feel of the classic New England seacoast alive. Me and my family would all be extremely saddened to see this NH landmark permanently changed for a strip mall.

Thank you

Jeff Haynes
Pembroke NH

Raeline O'Neil

From: Jessika Lane <jlane8@une.edu>
Sent: Sunday, August 4, 2024 8:15 AM
To: Paul Brean
Cc: jmcmenemy@seacoastonline.com
Subject: Rye Harbor

[You don't often get email from jlane8@une.edu. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,
As a lifelong Seacoast NH resident, turning the harbor into another development is the exact OPPOSITE of what every granite stater wants. Every where you look there are developments popping up and we are loosing the look of New England. The harbor is meant to be shacks not some multimillion dollar property that keeps pushing out locals and allowing the same developers to line their wallets at the expense of the future of NH. It would EXTREMELY disappointing to see this project through, and would definitely show where the interest of the planning board lies.
Hopefully you do the right thing,
Jessika Lane

This e-mail may contain information that is privileged and confidential. If you suspect that you were not the intended recipient, please delete it and notify the sender as soon as possible.

Raeline O'Neil

From:	Kathryn Michaels <michaelskathryn@yahoo.com>
Sent:	Saturday, August 3, 2024 8:33 PM
To:	Paul Brean; sduprey@foxfirenh.com
Cc:	jmcmenemy@seacoastonline.com
Subject:	I oppose the plan to close the rye lobster shacks

You don't often get email from michaelskathryn@yahoo.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

The lobster shacks & fishing area are iconic charming & an important part of the Seacoast community & important too for our local fisherman. Please don't allow short term greed to blind those making decisions that would lead to irrevocable long term consequences that are detrimental to the community you serve& only good for developers.

Thank you for your consideration.
Sincerely
Kathryn Michaels
Former Newton selectman

Kathryn Flynn Michaels L.M.S.W.
Executive Director Earthkeepers Foundation

"Alone we can do so little. Together we can do so much." - Helen KellerSent from Yahoo Mail for iPhone

Raeline O'Neil

From: Julie Boomhower <julie.boomhower@comcast.net>
Sent: Saturday, August 3, 2024 7:39 PM
To: Paul Brean; sduprey@foxfirenh.com
Cc: jmcmenemy@seacoastonline.com
Subject: Rye Harbor

[You don't often get email from julie.boomhower@comcast.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To the members of the Pease Development Authority,

I have just become aware of the proposed development of a stilted mall in the parking lot of the Rye Harbor, resulting in the loss of the existing businesses and charm of the quaint shacks and fishing village atmosphere that currently exists. I am not a resident of NH presently but have been on and off in my 55 years of life, currently I am a resident in Haverhill MA and still frequent all areas of the the NH seacoast on a regular basis, including the Rye Harbor shacks businesses. I have family that have supported themselves through the fishing industry in Maine and NH and am dismayed at the proposed "mall" putting the tourist public interest ahead of the hardworking residents. It is my hope that you reconsider the proposal and work with the existing business in supporting their livelihood.

Sincerely,

Julie Boomhower
Haverhill, MA

Raeline O'Neil

From: Richard Hugo <dickandellie131@gmail.com>
Sent: Saturday, August 3, 2024 5:29 PM
To: Paul Brean; Sduprey@firefoxnh.com
Subject: Rye Harbor

[You don't often get email from dickandellie131@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please keep the shacks at Rye Harbor. We don't need another strip mall.

Richard and Eleanor Hugo.
Sent from my iPhone

Raeline O'Neil

From: Cecilia Hodges <cehodges3@yahoo.com>

Sent: Saturday, August 3, 2024 4:48 PM
To: Paul Brean; sduprey@foxfirenh.com
Cc: jmcmenemy@seacoastonline.com
Subject: Rye Harbor Board Meeting Thu 8/8

You don't often get email from cehodges3@yahoo.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

All,

Please accept this as an opnion of the community...regarding Rye Harbor. It has come to our attention that the Pease Development Authority is voting on a plan to eliminate the quaint, New England shacks at Rye Harbor and replace them with a stilted mall in the parking lot. Further, it is rumored this is at a cost of 1.2 Million dollars. This sounds like more gentrification of the seacoast.

We frequent Rye Harbor for the food sold at the shacks and boat rides out of the harbor (Whale watches, etc.) It is a little slice of New England that we enjoy brining our out of town guests to partake in and we as locals very much enjoy. We can't imagine what PDA would need to build a silted mall there for, it would ruin the view, the quaint New England businesses and is not bettering the fishing industry, recreation or businesses, in fact, if this were to happen, we and many like us are in agreement we would not be consumers of the "stilted mall" and do not support this proposal whatsoever. We have not complained when we go and pay our $5.00 to park and get our food at Rye Lobster Pound. We have tried to blend with the changes imposed over the years but to eliminate those businesses is straight up ridiclous. I plan to take friends out on a whale watch from there in August and I have friends from inland, Manchester etc. that specifically drive down here just to get food at that lobster pound.

It would seem that if Pease has 1.2 million dollars laying around they could better invest it on the former AFB and draw in recreation and people there where it would not be harming our New England scenery, ambience or local businesses and the families that rely on them. What would happen to all the boats there now and the locals that use the harbor? What would happen to the fishing industry and food shacks currently there? Why would you want to kill the charm and history of the very things that make us New England? We can go to a little mall, a stilted mall, a strip mall, anything we want is found up on Route 1 and we come to the harbor to get a taste of why we live here. Pease around the bus terminal could certainly use something like this and has potential to be a more active place, drawing in whatever audience you are trying to attract. Leave our precious little unscathed seacoast and small business alone! Consider this household and many like us as voicing our opinion in staunch opposition of this horrible plan.

VERY OPPOSED to the proposed to the stilted mall at Rye Harbor.
PLEASE HEAR THE VOICE OF THE LOCAL COMMUNITY!!!!!!!!!!!!!!!!!!!

Cecilia Hodges, family and friends

Raeline O'Neil

From: Catherine Harris <prized@comcast.net>
Sent: Saturday, August 3, 2024 4:16 PM
To: Paul Brean
Cc: jmcmenemy@seacoastonline.com
Subject: RYE HARBOR

You don't often get email from prized@comcast.net. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To The Members of the PDA,
I am writing to voice my strong objection to your proposed plan
to eliminate the shacks at Rye Harbor.

Kate Harris
PO Box 4055
Portsmouth,NH

Raeline O'Neil

From:	Teri Mandemaker <tmandemaker@hotmail.com>
Sent:	Saturday, August 3, 2024 3:14 PM
To:	Paul Brean
Cc:	jmcmenemy@seacoastonline.com
Subject:	Rye Harbor Lobster Pound

You don't often get email from tmandemaker@hotmail.com. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear P. Brean,

I am writing to you about the shacks at Rye Harbor and specifically the Rye Harbor Lobster Pound. I understand that with the proposed development of the area, the Rye Harbor Lobster Pound and other nearby businesses will be displaced by a strip mall. I want you to know that that area is loved far and wide and it would be greatly missed if the area is removed.

I am from the US Virgin Islands. Back in 2021, during the crazy COVID days, my husband and I joined a sailing rally "Lobster Roll Rally". With our ralliers we maintained appropriate COVID protocols as we sailed together from New York up to Maine, tasting and judging lobster rolls along the way. Four months later, and many pounds added to our sailing bodies, we found our winner: yes, the Rye Harbor Lobster Pound (photo attached).

Cruising World Magazine included an article about the rally in their May 2022 issue.

The Rye Harbor Lobster Pound is a beloved institution and it would be such a shame for New Hampshire to lose the place with the best Lobster Rolls in New England.

Very sincerely,

Teri Mandemaker
Tmandemaker@hotmail.com

1st Place
LOBSTER ROLL RALLY 2021
GLENDORA MOONDANCE TARAVANA
Members of the Lobster Roll Rally 2021,
Captains and Mates on Glendora, Moondance and Taravana
Award with Pleasure
BEST HOT LOBSTER ROLL
AND
BEST LOBSTER ROLL OVERALL
To
The Rye Harbor Lobster Pound
As featured in the May 2022 issue of
CRUISING WORLD

HUNGRY LOBSTER
RYE HARBOR LOBSTER
TAKE OUT
919

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, August 2, 2024 10:23 AM
To: Raeline O'Neil;Anthony Blenkinsop
Cc: Paul Brean;Myles Greenway;Suzy Anzalone
Subject: RE: deadline today RE: For Paul's signature--PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award 7-25-24.docx

Rae,

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Friday, August 2, 2024 10:11 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Subject: RE: deadline today RE: For Paul's signature--PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award 7-25-24.docx

Brenda,

Here is pdf of the document.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, August 2, 2024 9:45 AM
To: Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: deadline today RE: For Paul's signature--PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award 7-25-24.docx

Hi Anthony,

Is there any chance this could be signed today? Steve McLocklin is asking, deadline is today (I just found out) so that we can get on the Aug 16th Fiscal Committee agenda and the Aug 30 G & C.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, July 31, 2024 3:54 PM
To: Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: For Paul's signature--PDA_ARPA_2803_Amend_to_Extend_Rye-PFP Award 7-25-24.docx

Anthony,

Attached is the extension request for the Rye and PFP ARPA Fund award. Folks at the GOFERR office have reviewed and the only comment they had was to add that this is a no-cost extension (per attached email).

Let us know of any other changes, otherwise, please print on PDA letterhead, have Paul sign, and please return the original and pdf to me. I will forward along to Steve McLocklin for inclusion in the next available Fiscal Committee and G & C meetings.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

July 31, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority, Division of Ports and Harbors (the "Division") to amend Fiscal Committee item FIS 24-115, approved April 19, 2024, and Governor and Council item #76, approved May 1, 2024, to extend the end date from September 30, 2024 to June 30, 2025, effective upon Fiscal Committee and Governor and Council approval through June 30 2025. **100% Federal Funds.**

This is an allowable use of ARPA SFRF funds under Section 602(c)(1)(C) for provision of government services to the extent of the reduction in revenue.

EXPLANATION

The Division received ARPA funding approval of $1,000,000 for each task listed below for a total award of $2,000,000 to complete these projects:

- Portsmouth Fish Pier - costs of engineering study, design, permitting, and construction for a replacement building
- Rye Harbor Retail Platform - costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations

The end date extension requested will allow the Division to bid these projects (bid opening is anticipated October 5, and October 17, 2024, respectively) and, after completing the bid review and approval process, obligate the ARPA funds between November 14 and December 2, 2024. This extension, if authorized, will have no impact on cost or funding accounts.

Respectfully submitted,

Paul E. Brean
Executive Director

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, August 2, 2024 8:15 AM
To: Paul Brean;Anthony Blenkinsop;Suzy Anzalone
Cc: Myles Greenway
Subject: RE: ? Language for ARPA funding for bid package FW: Specifications - Rye Harbor and Portsmouth Fish Pier Projects

That was our thought too. Thanks Paul.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, August 1, 2024 6:13 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: Re: ? Language for ARPA funding for bid package FW: Specifications - Rye Harbor and Portsmouth Fish Pier Projects

Hi Brenda,

I'm out of pocket and can't download the PDF, but yes in theory it would be the same language as the previous ARPA funded Fish Pier project, all of these projects are funded from the BIL ARPA funds.

Paul

Get Outlook for iOS

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, August 1, 2024 1:54:18 PM
To: Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>

Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: ? Language for ARPA funding for bid package FW: Specifications - Rye Harbor and Portsmouth Fish Pier Projects

Hello,

Vanessa just sent me the attached that they had for the PFP Pier Repair Project, still good to use?

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Brenda Therrien
Sent: Thursday, August 1, 2024 1:31 PM
To: Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <m.greenway@peasedev.org>
Subject: ? Language for ARPA funding for bid package FW: Specifications - Rye Harbor and Portsmouth Fish Pier Projects

Good afternoon,

Appledore is asking if there is any special language that needs to be incorporated into the bid package regarding the ARPA funding. Should I reach out to GOFERR for guidance?

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Thursday, August 1, 2024 1:14 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Specifications - Rye Harbor and Portsmouth Fish Pier Projects

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the

As convenient could you send me the latest Insurance requirements for PDA.
Also, if you have any input or update on AARA funding that needs to be included please send along.

Thanks!
Vanessa

Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

From: Lynne Langley <llangley@oakpoint.com>
Sent: Thursday, August 1, 2024 11:36 AM
To: Vanessa Swasey <VSwasey@appledoremarine.com>
Cc: Steve Sargent <ssargent@oakpoint.com>; Travis Baker <tbaker@appledoremarine.com>
Subject: Specifications - Rye Harbor and Portsmouth Fish Pier Projects

Hi Vanessa,

At your convenience, could you forward Div 01 specs for editing, along with an example of what you'd like us to use for covers, and any other specifics on formatting.

Thank you,

LYNNE LANGLEY | Administrative Assistant
Oak Point Associates | Architecture Engineering Planning
TEL 603.431.4849
www.oakpoint.com | llangley@oakpoint.com

Required Contract[1] Terms for Programs Funded by ARPA SFRF

Introduction to the Contract Checklist
All contracts for the procurement of goods and services that are funded using American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund (ARPA SLFRF) dollars must meet certain requirements prescribed by the federal government. These requirements are detailed in the New Hampshire ARPA SLFRF award agreement and the Uniform Guidance (2 CFR 200). **This is not an exhaustive list of all possible federal contracting requirements that might apply to an ARPA SLFRF program and is not inclusive of State contracting requirements that apply generally**. Further, this list applies only to ARPA SLFRF and is not reliable for any other federally funded program.

This contract checklist is intended to support state agencies procuring contracts with APRA SFRF funds in drafting contract language that is compliant with the applicable rules and regulations for the federal grant award. Not all requirements contained herein are applicable to all projects, however, it is recommended that those requirements that are applicable are called out explicitly in any contract terms.

This checklist is broken up into the sections outlined below. All requirements up to the value of the contract procured will apply to a given contract. For example, if a procured contract value is $110,000, the contract terms for ALL contracts, contracts greater than $10,000, $25,000 and $100,000 are applicable. Construction contracts services must comply with **BOTH** all requirements for the dollar value of the contract and all special provisions related to the type of the project.

I. Contract Provisions for ALL Contracts 4
II. Contract Provisions for Contracts >$10,000 8
III. Contract Provisions for Contracts >$25,000 8
IV. Contract Provisions for Contracts >$100,000 9
V. Contract Provisions for Contracts >$150,000 9
VI. Contract Provisions for Contracts >$250,000 10
VII. Contract Provisions for Construction Contracts 10
VIII. Contract Provisions for Housing-Related Projects 11

Note that the following commonly required federal rules and regulations are explicitly **NOT** applicable to SFRF grant awards and therefore do not need to be included.

(1) **Buy America Act** (SLFRF Final Rule FAQ 6.18)
(2) **National Environmental Policy Act** (NEPA) (SLFRF Final Rule FAQ 6.3)

[1] This guidance pertains to contracts as defined by 2 CFR 200.1: "Contract means, for the purposes of federal financial assistance, a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a federal award."

(3) Davis-Bacon Act (SLFRF Final Rule FAQ 6.15) (See below)

The Davis-Bacon Act does not apply to SLFRF in general. However, for:

- **Infrastructure projects (EC 5.1 – 5.21) with adopted budgets over $10,000,000 ($10 Million)**
- **Projects in EC 1.1 though EC 3.5 with capital expenditures over $10,000,000 ($10 Million)**

Recipients must provide additional information regarding wages and labor standards. The specific information required is detailed in **Treasury's *SLFRF Compliance and Reporting Guidance* (3)(k)(1) at page 31:**

a. A recipient may provide a certification that, for the relevant project, all laborers and mechanics employed by contractors and subcontractors in the performance of such project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as "baby Davis-Bacon Acts"). If such certification is not provided, a recipient must provide a project employment and local impact report detailing:
    - The number of employees of contractors and sub-contractors working on the project;
    - The number of employees on the project hired directly and hired through a third party;
    - The wages and benefits of workers on the project by classification; and
    - Whether those wages are at rates less than those prevailing.

Recipients must maintain sufficient records to substantiate this information upon request.

b. A recipient may provide a certification that a project includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)). If the recipient does not provide such certification, the recipient must provide a project workforce continuity plan, detailing:
    - How the recipient will ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure high-quality construction throughout the life of the project, including a description of any required professional certifications and/or in-house training;
    - How the recipient will minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the project;
    - How the recipient will provide a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (e.g., OSHA 10, OSHA 30);
    - Whether workers on the project will receive wages and benefits that will secure an appropriately skilled workforce in the context of the local or regional labor market; and
    - Whether the project has completed a project labor agreement.

c. Whether the project prioritizes local hires.

d. Whether the project has a Community Benefit Agreement, with a description of any such agreement.

If you have any questions about whether or not your SFRF-funded contract is compliant, please do not hesitate to contact GOFERR or your agency's Guidehouse point of contact.

I. Contract Provisions for ALL Contracts		
	Required Contract Provision	**Sample Contract Language**
☐	**General compliance with all applicable state and federal rules and regulations**	*Section 6 of the General Provisions of the standard New Hampshire Form P37 contract can be used as a reference for this requirement.*
☐	**Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** 2 C.F.R. Part 200	The Contractor agrees to comply with all requirements applicable to contracts issued under the federal grant award as set forth by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200, other than such provisions as the federal administrative authority (Treasury) may determine are inapplicable to this award or the extent to which the award may be subject to such exceptions.
☐	**Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms** 2 CFR 200.321	(a) The Contractor must take all necessary affirmative steps to ensure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. (b) Affirmative steps must include: 1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists; 2. Ensuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources; 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises; 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business and women's business enterprises. 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and 6. Requiring subcontractors to take the affirmative steps listed in paragraphs (b)(1) through (5) above.

I. Contract Provisions for ALL Contracts		
	Required Contract Provision	**Sample Contract Language**
☐	**Domestic Preference for Procurement** 2 CFR 200.322	The Contractor shall, to the greatest extent practicable and as applicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products) as prescribed by 2 CFR 200.322. For the purposes of this requirement, "produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States, and "manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.
☐	**Procurement of Recovered Materials** 2 CFR 200.323	The Contractor agrees to comply with the requirements of Section 6002 of the Solid Waste Disposal Act, as prescribed by 2 CFR 200.323, including procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
☐	**Prohibition on Certain Telecommunications and Video Surveillance Equipment** 2 CFR 200.216	The Contractor shall adhere to the requirements of 2 CFR 200.216 regarding certain telecommunications and video surveillance equipment. The Contractor is prohibited from procuring, obtaining, or extending, renewing, or entering into a contract that involves equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

I. Contract Provisions for ALL Contracts		
	Required Contract Provision	**Sample Contract Language**
☐	**Universal Identifier and System for Award Management (SAM)** Project and Expenditure Report User Guide, p.4, April, 2023. *It is the responsibility of the agency administering the contract to ensure that any contractor receiving federal funds is registered in SAM.gov and has a UEI **prior** to entering into an award agreement.*	The Contractor agrees to maintain active registration in the System for Award Management (SAM) throughout the term of this contract, and to provide evidence of active registration and assignment of a Universal Entity Identifier (UEI) to the State as requested.
☐	**Prohibition on Discrimination on the Basis of Race, Color, and National Origin** Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.), 31 C.F.R. Part 22	Per Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.), contractors are prohibited from discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
☐	**Prohibition on Discrimination against Persons with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) and Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.)	Contractors shall not discriminate against individuals with disabilities and shall provide goods and services in a manner that is accessible to and usable by individuals with disabilities, in compliance with Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), and its implementing regulations, and Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.)
☐	**Protections for Whistleblowers** 41 U.S.C. § 4712	In accordance with 41 USC 4712, an employee of a contractor, subcontractor, grantee, or subgrantee, or personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or entity listed below information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to

I. Contract Provisions for ALL Contracts		
	Required Contract Provision	**Sample Contract Language**
		a federal contract or grant, a substantial or specific danger to public health or safety, or a violation of law, rule, or other regulation related to a federal contract (including the competition or negotiation of a contract) or grant. The list of persons and entities referenced in the paragraph above includes the following: A member of Congress or a representative of a committee of Congress; An Inspector General; The Government Accountability Office; A Treasury employee responsible for contract or grant oversight or management; An authorized official of the US Department of Justice or other law enforcement agency; A court or grand jury; or A management official or employee of the State, subrecipient, contractor, subcontractor who has the responsibility to investigate, discover, or address misconduct. The Contractor and all subcontractors shall inform their employees in writing of the rights and remedies provided in 41 USC 4712 in the predominant native language of the workforce.
☐	**Generally Applicable Environmental Laws and Regulations**	The Contractor must comply with all generally applicable environmental laws and regulations unless explicitly exempt under the U.S. Department of Treasury's SLFRF Final Rule, supplemental guidance, or the terms and conditions of this agreement or the prime agreement between Treasury and the State. The Contractor will include this clause in all subcontracts and will ensure subcontractor compliance with these terms.
☐	**Increasing Seat Belt Use in the United States** Executive Order 13043, 62 FR 19217 (Apr. 18, 1997)	The Contractor is encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

I. Contract Provisions for ALL Contracts		
	Required Contract Provision	**Sample Contract Language**
☐	**Reducing Text Messaging While Driving** Executive Order 13513, 74 FR 51225 (Oct. 6, 2009)	The Contractor is encouraged to adopt and enforce policies that ban text messaging while driving and to establish workplace policies to decrease accidents caused by distracted drivers.

II. Contract Provisions for Contracts >$10,000		
	Required Contract Provision	**Sample Contract Language**
☐	**Termination For Cause and For Convenience**	*See Form P-37, General Provisions, sections 8 and 9.*

III. Contract Provisions for Contracts >$25,000		
	Required Contract Provision	**Sample Contract Language**
☐	**Debarment and Suspension** 2 CFR 180.220, Executive Orders 12549 and 12689 *It is the responsibility of the agency administering the contract to perform a debarment and suspension check on all potential contractors **prior** to the execution of any contract or agreement.*	In accordance with 2 CFR 180.220, to the best of the Contractor's knowledge, the Contractor is not debarred, suspended, excluded, disqualified, or otherwise ineligible from participations in covered transactions as defined by 2 CFR 180. Should the Contractor become debarred, suspended, excluded, disqualified, or otherwise ineligible at any point during their contract term, the Contractor is responsible for notifying the State.

IV. Contract Provisions for Contracts >$100,000		
	Required Contract Provision	**Sample Contract Language**
☐	**Byrd Anti-Lobbying Amendment** 31 U.S.C. 1352, 31 CFR Part 21	Contractors that apply or bid for an award exceeding $100,000 must file the required certification (Appendix I.A). Each tier certifies to the tier about that it will not and has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 USC 1253. Each tier must also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Contractors shall comply with the provisions of 31 C.F.R. Part 21, which governs the lobbying activities of recipients of federal contracts, grants, and loans. Contractors shall disclose all lobbying activities related to the award of the contract and shall ensure that any subcontractors also comply with the regulation's requirements.

V. Contract Provisions for Contracts >$150,000		
	Required Contract Provision	**Sample Contract Language**
☐	**Clear Air Act and Federal Water Pollution Control Act** (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended	The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387), and to take any necessary actions to ensure compliance. The Contractor shall promptly notify the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA) of any violation of these standards, orders, or regulations.

VI. Contract Provisions for Contracts >$250,000		
	Required Contract Provision	**Sample Contract Language**
☐	**Administrative, Contractual, or Legal Remedies to Contract Violations** 41 U.S.C. 1908	*[These terms are contained in the general provisions of Form P37. If your agency is NOT using the P37, contact GOFERR for guidance on which specific provisions must be incorporated into your contracts]*

VII. Contract Provisions for Construction Contracts		
	Required Contract Provision	**Sample Contract Language**
☐	**Equal Employment Opportunity** 41 CFR Part 60 .	*All construction contracts must include the provisions contained in Appendix II of this document. They have not been included here due to length.*
☐	**Copland Anti-Kickback** 40 U.S.C. 3145	The Contractor agrees to comply with all applicable provisions of the Copeland Anti-Kickback Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"), which are incorporated into this agreement by reference. This act provides that each contractor or subcontractor is prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which they are otherwise entitled. The Contractor must report all suspected or reported violations to the U.S. Department of Treasury.
☐	**Contract Work Hours and Safety Standards Act** *for contracts >$100,000 that include employment of mechanics or laborers* 40 U.S.C. 3701-3708	The Contractor agrees to comply with all applicable provisions of 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, the Contractor is required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

VIII. Contract Provisions for Housing-Related Projects		
	Required Contract Provision	**Sample Contract Language**
☐	**Prohibition on Discrimination in Housing** The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.)	Per the Fair Housing Act, Contractors are prohibited from discrimination in the sale, rental, and financing of housing based on race, color, religion, national origin, sex, disability, and familial status.

APPENDIX I: Certification Regarding Lobbying

CONTRACT AGREEMENT EXHIBIT ___
Lobbying

The Contractor identified in Section 1.3[2] of the General Provisions agrees to comply with the provisions of Section 319 of Public Law 101-121, Government wide Guidance for New Restrictions on Lobbying, and 31 U.S.C. 1352, and further agrees to have the Grantee's representative, as identified in Sections 1.11 and 1.12 of the General Provisions execute the following Certification:

CERTIFICATION REGARDING LOBBYING

Program: Coronavirus State and Local Fiscal Recovery Funds ("SLFRF") established by the American Rescue Plan Act of 2021 ("ARPA")

Contract Period:

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with:

a. the awarding of any federal contract.
b. the making of any federal grant.
c. the making of any federal loan.
d. the entering into of any cooperative agreement.
e. the extension, continuation, renewal amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement (and by specific mention sub-grantee or sub-Grantee), the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying, in accordance with its instructions, attached and identified as Standard Exhibit E-I.

(3) The undersigned shall require that the language of this certification be included in the award document for sub-contracts subcontractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or

[2] If not using a standard P37 contract form, substitute the section that identifies the contractor in your contract.

entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Grantee Representative Signature	Grantee's Representative Title
Grantee Name	Date

APPENDIX II: Equal Opportunity in Construction Projects

During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following:

Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

(3) The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.

(4) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(5) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(6) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(7) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or

suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(8) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: *Provided,* That if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

Raeline O'Neil

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Wednesday, July 31, 2024 3:19 PM
To: Brenda Therrien;Broderick, Thomas - GOFERR
Cc: Myles Greenway;McLocklin, Stephen A.
Subject: RE: For review and comment Extension request -ARPA- RYE/PFP FUNDS

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

HI Brenda:

Looks like it's good to go – my only recommendation is that you indicate that this is a "no-cost" extension request. It's implied, particularly where there is no table in here, but I would recommend inserting that one modifier anyway!

Lisa

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, July 31, 2024 1:46 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: For review and comment Extension request -ARPA- RYE/PFP FUNDS

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon everyone,

My apologies if I missed a reply, or missed a message. Is the attached letter a go?

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, July 26, 2024 8:21 AM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Lisa Cota-Robles <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: For review and comment Extension request -ARPA- RYE/PFP FUNDS
Importance: High

Good morning Lisa & Tom,

Please see attached for the extension request that was discussed earlier this week. Please let us know if you have any recommended changes, otherwise we will have Paul Brean sign and Steve can get it on the upcoming Fiscal and G & C agendas.

Also, listed below are the details to show the amounts of the unobligated funds:

Rye-$243,260
PFP-$218,419

Remaining funds for each outlined below:

PFP Building Replacement ARPA funded 03-13-013-130510-26xx0000	
Award	$1,000,000.00
Indirect costs	-$2,500.00
Audit fund set aside	-$997.00
Available Balance	$996,503.00
AME Proposal, Design, Etc.	-$218,419.00
Available Balance for construction	$778,084.00

Rye Retail Platform ARPA funded 03-13-013-130510-26xx0000	
Award	$1,000,000.00
Indirect costs	-$2,500.00
Audit fund set aside	-$997.00
Available Balance	$996,503.00
AME Proposal, Design, Etc.	-$243,260.00
Available Balance for construction	$753,243.00

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.

Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

Subject:	Rye Harbor - Deck and Dock House Discussion
Location:	Microsoft Teams
Start:	Wed 7/24/2024 1:00 PM
End:	Wed 7/24/2024 2:00 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Myles Greenway
Required Attendees:	Neil Levesque; Paul Brean; Travis Baker; Steve Sargent
Optional Attendees:	Noah J. Elwood, P.E.; Vanessa Swasey

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 249 293 784 370

Passcode: LEaDW3

Dial in by phone

+1 929-235-8323,,740475165# United States, New York City

Find a local number

Phone conference ID: 740 475 165#

For organizers: Meeting options | Reset dial-in PIN

Pease Development Authority, Portsmouth, NH

Raeline O'Neil

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Organizer:	Myles Greenway
Required Attendees:	Neil Levesque; Paul Brean; Travis Baker; Steve Sargent <ssargent@oakpoint.com>
Optional Attendees:	Noah J. Elwood, P.E.; Vanessa Swasey

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Find a local number

Phone conference ID: 740 475 165#

For organizers: Meeting options | Reset dial-in PIN

Pease Development Authority, Portsmouth, NH

Raeline O'Neil

From: Steve Sargent <ssargent@oakpoint.com>
Sent: Tuesday, July 23, 2024 1:00 PM
To: Travis Baker;Myles Greenway
Cc: Noah J. Elwood, P.E.;Vanessa Swasey;Brenda Therrien
Subject: RE: Rye Harbor - Deck and Dock House Schematic Submission

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon,

Yes, I am available also.

Thanks,

Steve

From: Travis Baker <tbaker@appledoremarine.com>
Sent: Tuesday, July 23, 2024 12:20 PM
To: Myles Greenway <M.Greenway@peasedev.org>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>; Vanessa Swasey <VSwasey@appledoremarine.com>; Brenda Therrien <B.Therrien@peasedev.org>; Steve Sargent <ssargent@oakpoint.com>
Subject: RE: Rye Harbor - Deck and Dock House Schematic Submission

Hi Myles,

Yes, I am available at 1300 and have copied Steve here as well. Steve, are you available for a 1300 Team call tomorrow?

Thanks,
Travis

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Tuesday, July 23, 2024 12:17 PM
To: Travis Baker <tbaker@appledoremarine.com>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>; Vanessa Swasey <VSwasey@appledoremarine.com>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Rye Harbor - Deck and Dock House Schematic Submission
Importance: High

Good Afternoon Travis

Hope all is well...I spoke to Paul today regarding Monday's PC meeting. He and Chairman Levesque would like to meet with

Appledore and Oak Point to discuss comments from the meeting. Understand Noah and Vanessa are out of town ...are you/Oak Point available Wednesday @ 1300 for a virtual discussion?

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Travis Baker <tbaker@appledoremarine.com>
Sent: Thursday, July 18, 2024 3:23 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>; Vanessa Swasey <VSwasey@appledoremarine.com>
Subject: FW: Rye Harbor - Deck and Dock House Schematic Submission

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon,

Please find attached schematic drawings and estimated costs for the Deck and Dock House project (otherwise known as raised platform and sheds) at Rye Harbor.

Following is a summary of findings based on preliminary design and cost estimating efforts:

1. Project funding should be sufficient to support construction of the deck and the dock house, however, additional funding would be necessary to support the defined project options (utility services).

2. Construction of the deck and the dock house at the north of the driveway was found superior to other layout options for the following reasons:

a. Limited development within the tidal buffer zone
b. Development within an impervious area
c. Close proximity to parking areas
d. Minimizes pedestrian conflicts with vehicle traffic
e. Minimizes risks with permitting

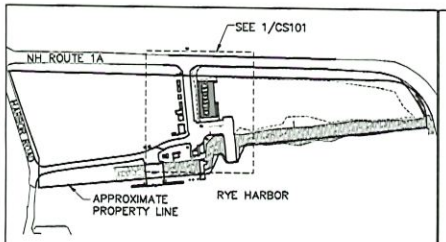
3. One stick-built building was found superior to individual sheds for the following reasons:
    a. Sheds require separation between units, causing the overall deck length to grow by ~20' (higher cost).
    b. Stick-built provides greater durability and longevity.

Oak Point plans to be on site tomorrow to mark geotechnical boring locations and to meet with Eversource to review the electrical service. Drilling is tentatively planned for the week of 7/29 and we will let you know once that has been confirmed.

Please let us know of you have any questions or concerns.

Thanks,
Travis

Travis Baker, P.E.
Appledore Marine Engineering
600 State Street, Suite E, Portsmouth, NH 03801
Office: 603.766.1870
Cell: 207.951.5113
www.appledoremarine.com

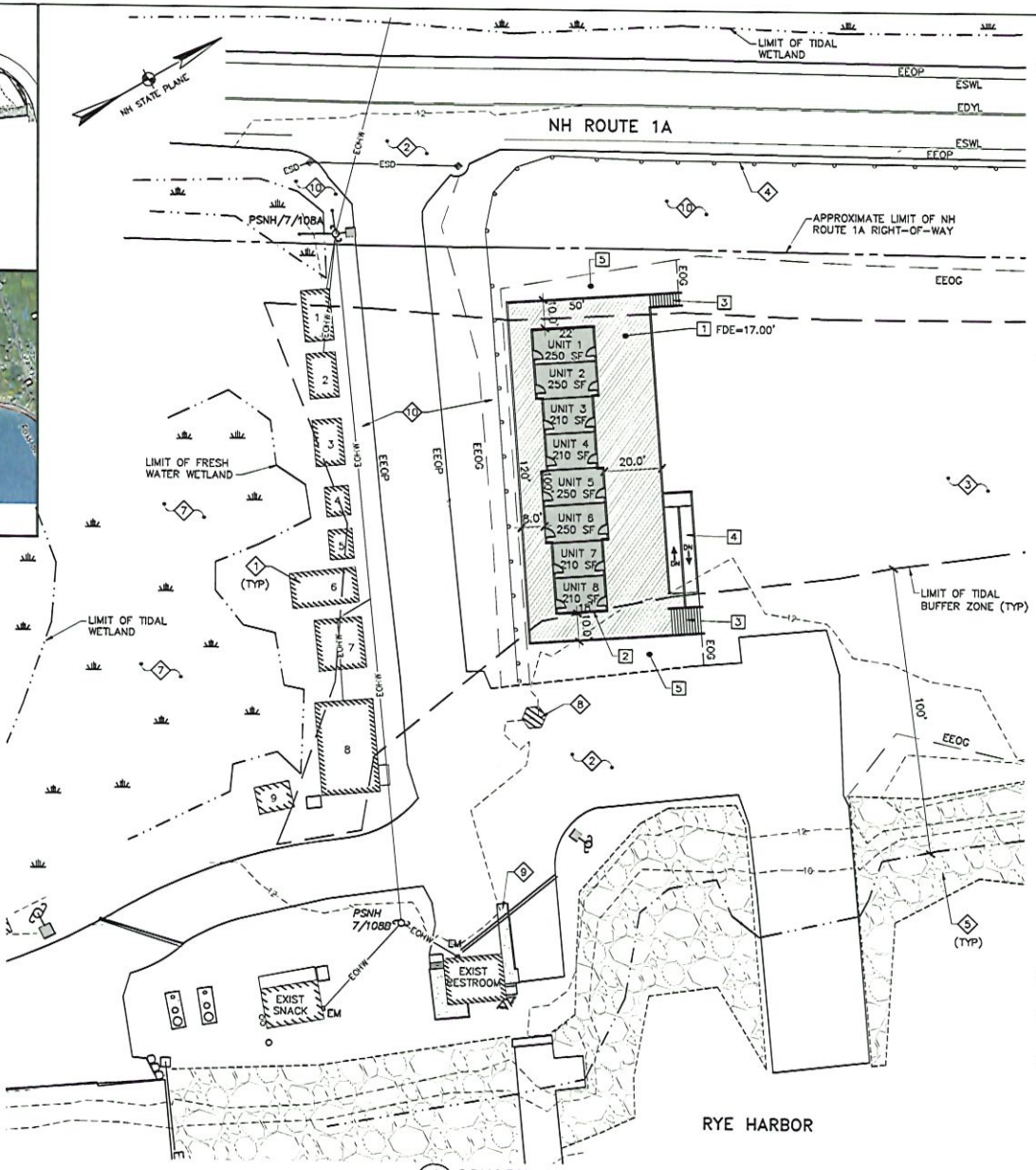


VICINITY MAP
SCALE: 1"=200'

LOCUS MAP
SCALE: 1"=1,500'

LEGEND

- EXISTING SHED/STRUCTURE
- EXISTING PROPERTY LINE
- EXISTING EDGE OF WETLAND
- EXISTING LIMIT OF TIDAL BUFFER ZONE
- EEOG — EXISTING EDGE OF GRAVEL
- EEOP — EXISTING EDGE OF PAVEMENT
- EDYL — EXISTING DOUBLE YELLOW LINE
- ESWL — EXISTING SINGLE WHITE LINE
- EXISTING GUARDRAIL
- 62 — EXISTING GRADE CONTOUR LINE
- EOHW — EXISTING OVERHEAD UTILITIES
- ESD — EXISTING STORM DRAIN LINE
- EXISTING CATCH BASIN
- EXISTING UTILITY POLE WITH GUY
- EXISTING WETLAND
- EXISTING RIPRAP
- BUILDING/STRUCTURE
- EOG — EDGE OF GRAVEL PARKING



1 CS101 CONCEPT SITE PLAN
SCALE: 1"=20'

EXISTING KEYNOTES: (THIS SHEET ONLY).

1. EXISTING SHED/STRUCTURE.
2. EXISTING ASPHALT PAVEMENT.
3. EXISTING GRAVEL PARKING.
4. EXISTING METAL GUARDRAIL W/ WOOD POTS.
5. EXISTING RIPRAP.
6. EXISTING TURF/GRASS.
7. EXISTING WETLAND.
8. EXISTING PARKING KIOSK.
9. EXISTING ACCESSIBLE RAMP.
10. EXISTING GRASS AND OTHER VEGETATION.

KEYNOTES: (THIS SHEET ONLY).

1. PILE SUPPORTED WOOD DECK.
2. DOCK HOUSE.
3. STAIR.
4. ACCESSIBLE RAMP.
5. TURF – 4" TOPSOIL, SEED, FERTILIZER AND MULCH.

NOTES

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE BASED ON RECORD DRAWINGS
2. EXISTING CONDITIONS ARE BASED ON A TOPOGRAPHIC SURVEY COMPLETED BY DOUCET SURVEY IN JULY OF 2024 AND RECORD DRAWINGS.
3. HORIZONTAL CONTROL IS BASED ON NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD83. VERTICAL CONTROL IS BASED ON MEAN LOWER LOW WATER (4.62' ABOVE NAVD88).

GRAPHIC SCALE
1"=20' — 20' 10' 0 20' 60'
CHECK GRAPHIC SCALE BEFORE USING

OAK POINT ASSOCIATES
81 Middle Road, Portsmouth, NH 03801 (T) 603.431.4192 www.oakpointassociates.com

DESIGNED BY: SES
DRAWN BY: SES
CHECKED BY: SES
PROJECT: 2404.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT SITE PLAN

SCALE: AS NOTED
DATE: 07-18-24
DWG.: CS101
SHEET: OF .

1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

OAK POINT ASSOCIATES
81 Middle Street Portsmouth NH 03801 (T) 603.431.4448 (F) 603.431.4470
www.oakpointassociates.com

NOT FOR CONSTRUCTION

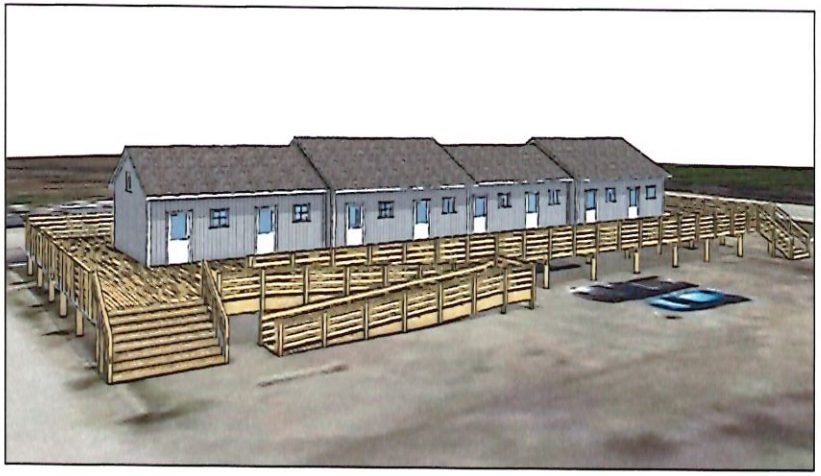
DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22404.11

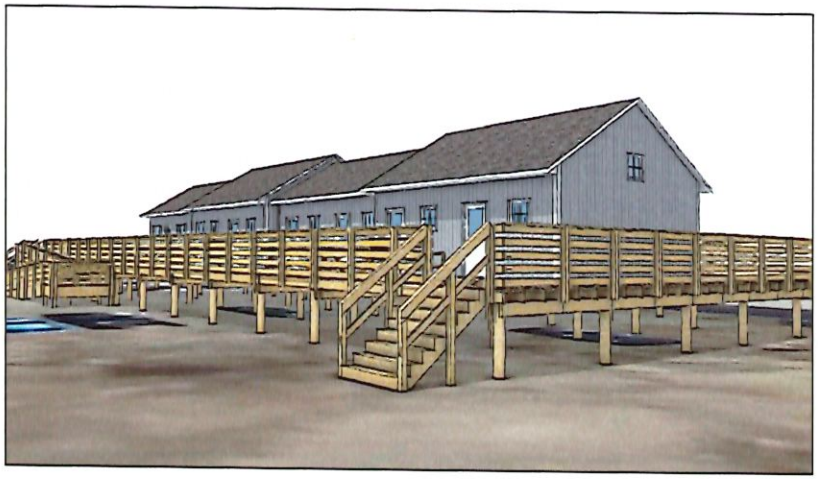
PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

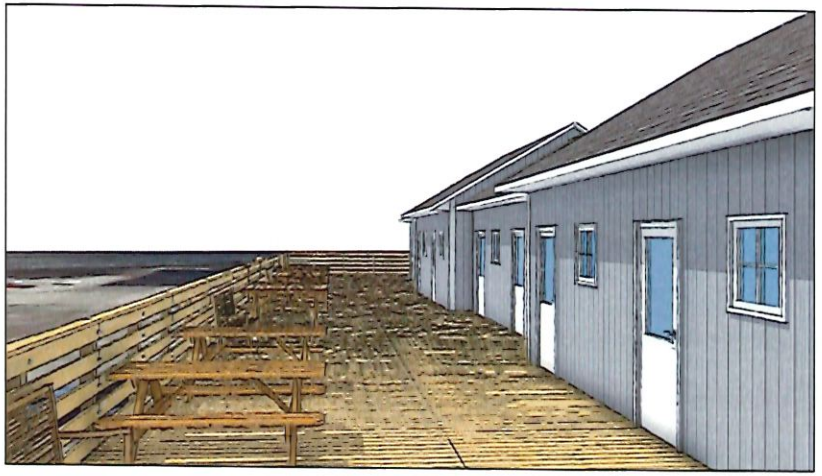
RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT FLOOR PLAN

SCALE: AS NOTED
DATE: 07-18-24
DWG.: AE101
SHEET: OF .







OAK POINT ASSOCIATES

NOT FOR CONSTRUCTION

DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22404.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

3D VIEWS

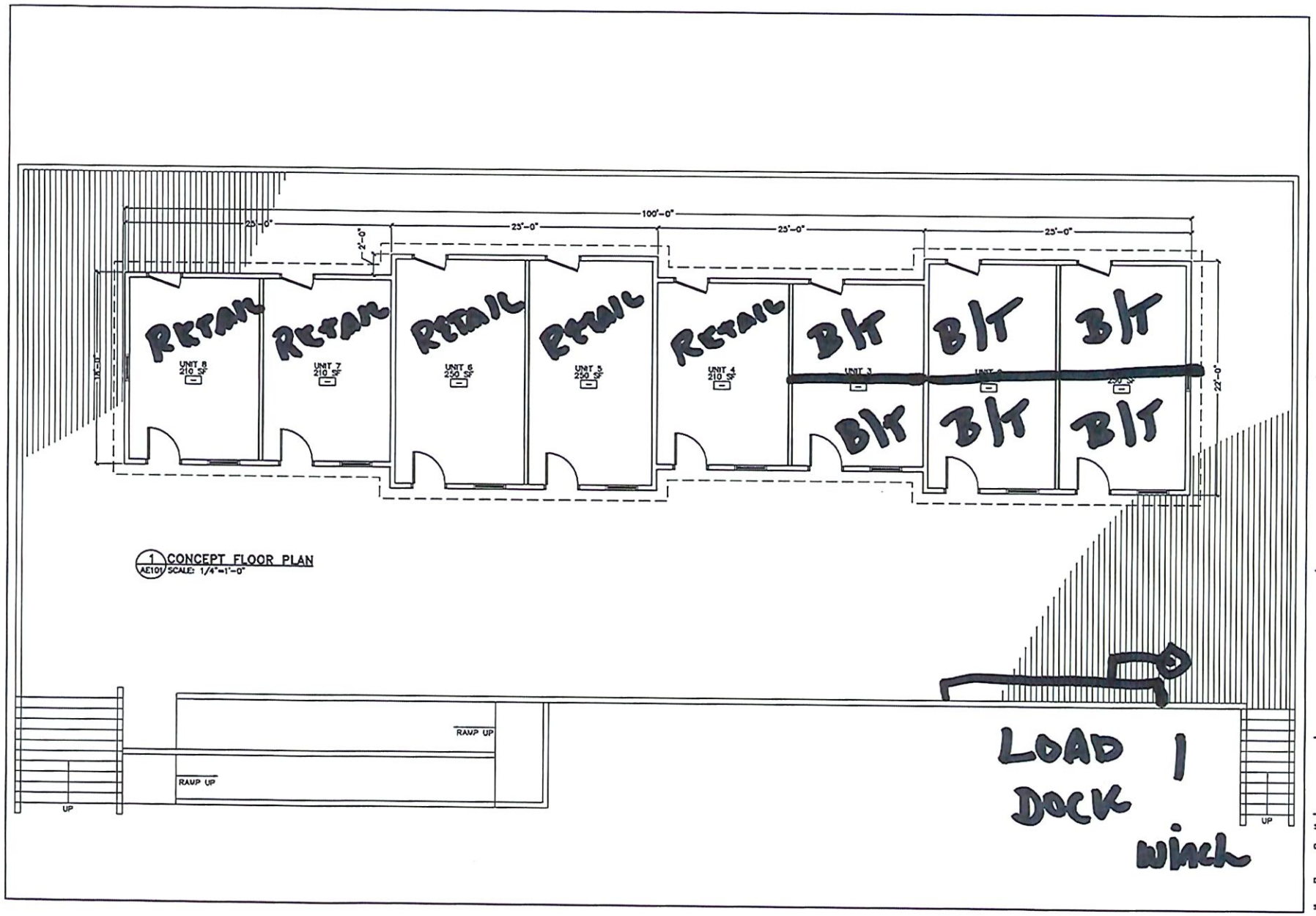
SCALE: AS NOTED
DATE: 07-18-24
DWG.: AE201
SHEET: OF .

ESTIMATE OF PROBABLE COST

OAK POINT ASSOCIATES architecture engineering planning

PROJECT TITLE	CLIENT NAME	DATE	STATUS OF DESIGN
Deck and Dock House	**PDA**	**18 July 2024**	**Schematic**
PROJECT LOCATION	CLIENT PROJECT NUMBER	OPA PROJECT NUMBER	ESTIMATE VALID TO
Rye Harbor **Rye, New Hampshire**		**22404.11**	**Winter 2025**

ITEM DESCRIPTION	PERCENTAGE	MATERIALS	LABOR	ESTIMATED AMOUNT
BASE BID - PROJECT COST SUMMARY				
DIVISION 01 - GENERAL REQUIREMENTS (see mark-up below)		$0	$0	$0
DIVISION 03 - CONCRETE		$1,560	$2,640	$4,200
DIVISION 05 - METALS		$7,500	$2,500	$10,000
DIVISION 06 - WOOD, PLASTICS, AND COMPOSITES		$239,035	$167,060	$406,095
DIVISION 07 - THERMAL AND MOISTURE PROTECTION		$12,500	$9,068	$21,568
DIVISION 08 - OPENINGS		$41,600	$11,600	$53,200
DIVISION 31 - EARTHWORK		$3,000	$5,775	$8,775
DIVISION 32 - EXTERIOR IMPROVEMENTS		$685	$680	$1,365
BASE BID SUBTOTALS		**$305,880**	**$199,323**	**$505,203**
Design Contingency	15.0%			$75,780
Subtotal				$580,983
General Conditions	10.0%			$58,098
Subtotal				$639,082
OH & P	15.0%			$95,862
Subtotal				$734,944
Bond	2.5%			$18,374
Subtotal				$753,318
BASE BID TOTAL:				$753,318
BASE BID TOTAL (ROUNDED):				**$753,300**
Base Bid Goal				$775,000
Delta				-$21,682
OPTIONS				
OPTION 1 TOTAL (ELECTRIC SERVICE)				**$115,590**
OPTION 2 TOTAL (WATER SERVICE AND HOLDING TANK)				**$47,120**
PROJECT TOTAL w/OPTIONS				**$916,011**



1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

OAK POINT ASSOCIATES

NOT FOR CONSTRUCTION

DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22-04-11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT FLOOR PLAN

SCALE: AS NOTED
DATE: 07-18-24
DWG.: AE101
SHEET: OF .

Raeline O'Neil

From: Brenda Therrien
Sent: Monday, July 22, 2024 10:48 AM
To: Myles Greenway
Subject: Design schedules PFP & Rye
Attachments: Design Schedule_Portsmouth Fish Pier.pdf; Design Schedule_Rye Harbor Platform.pdf

Appledore Marine Engineering, LLC

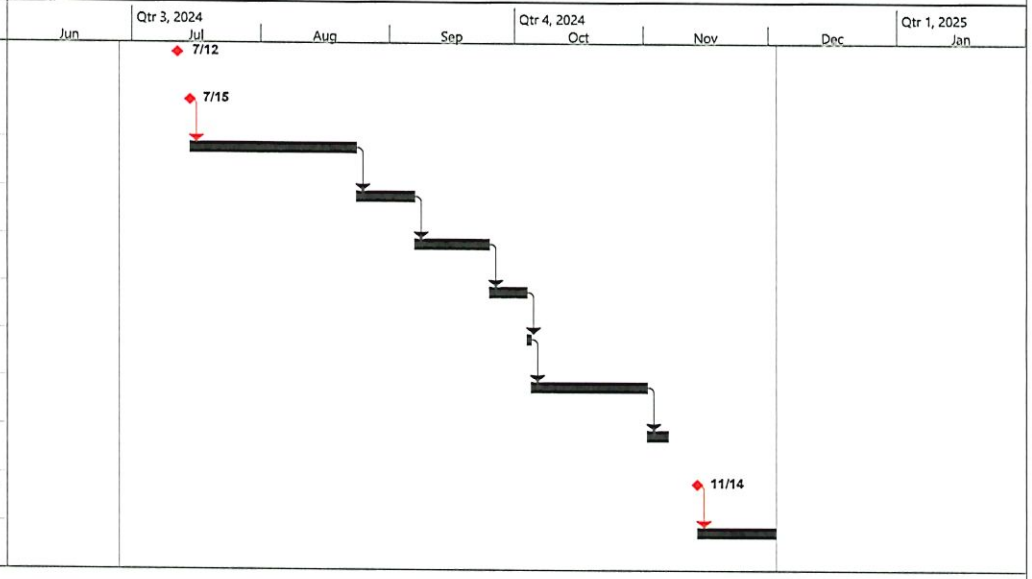
Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Portsmouth Fish Pier

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/12/24	Fri 7/12/24
2	Port Committee Meeting	0 days	Mon 7/15/24	Mon 7/15/24
3	Pre-Final Design Submission	40 days	Mon 7/15/24	Fri 8/23/24
4	PDA to Request Legal Review of EJCDC specs	14 days	Sat 8/24/24	Fri 9/6/24
5	Final Submission	18 days	Sat 9/7/24	Tue 9/24/24
6	PDA Review	9 days	Wed 9/25/24	Thu 10/3/24
7	Advertise Contract Documents for Bidding Public	1 day	Fri 10/4/24	Fri 10/4/24
8	Bids Due	28 days	Sat 10/5/24	Fri 11/1/24
9	Bid Summary AME Recommendation to DPH	5 days	Sat 11/2/24	Wed 11/6/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24



Appledore Marine Engineering, LLC

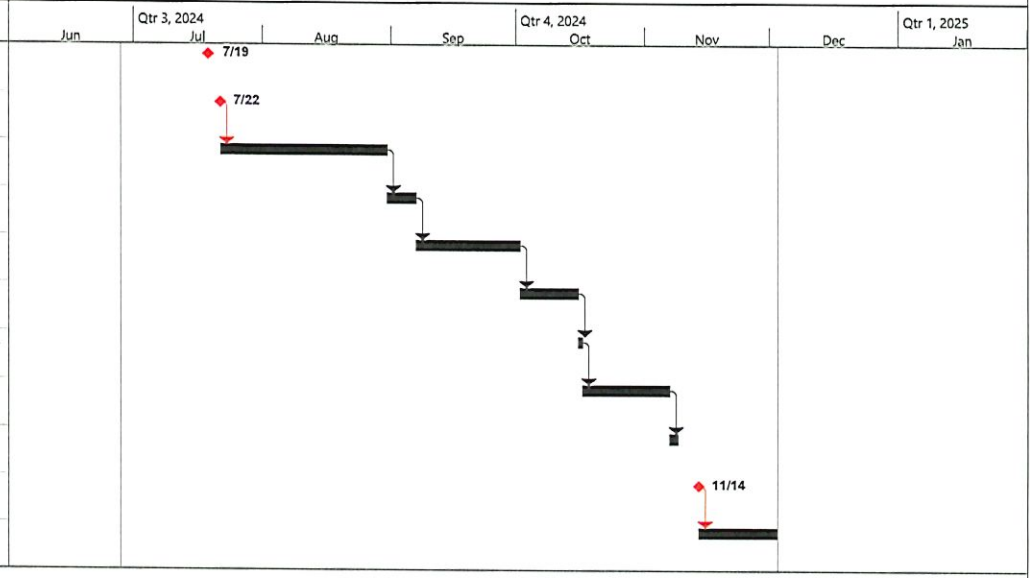
Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Rye Harbor Platform

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/19/24	Fri 7/19/24
2	Port Committee Meeting	0 days	Mon 7/22/24	Mon 7/22/24
3	Pre-Final Design Submission	40 days	Mon 7/22/24	Fri 8/30/24
4	PDA to Request Legal Review of EJCDC specs	7 days	Sat 8/31/24	Fri 9/6/24
5	Final Submission	25 days	Sat 9/7/24	Tue 10/1/24
6	PDA Review	14 days	Wed 10/2/24	Tue 10/15/24
7	Advertise Contract Documents for Bidding Public	1 day	Wed 10/16/24	Wed 10/16/24
8	Bids Due	21 days	Thu 10/17/24	Wed 11/6/24
9	Bid Summary AME Recommendation to DPH	2 days	Thu 11/7/24	Fri 11/8/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24



Raeline O'Neil

From: Paul Brean
Sent: Friday, July 19, 2024 10:24 AM
To: Cota-Robles, Lisa - GOFERR;Myles Greenway
Cc: Brenda Therrien;Broderick, Thomas - GOFERR
Subject: RE: Extension of September 30th obligation date Rye-PFP
Attachments: Paul E_ Brean.vcf

Works for me,

Thank you.

Paul B.

Paul E. Brean
Pease Development Auth...
Executive Director
(603) 766-9230 Work
(603) 531-2114 Mobile
p.brean@peasedev.org
55 International Drive
Portsmouth, NH 03801
www.peasedev.org

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Friday, July 19, 2024 10:20 AM
To: Myles Greenway <M.Greenway@peasedev.org>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Extension of September 30th obligation date Rye-PFP

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Looks like we may have an Outlook issue on our end, and Scheduling Assistant did not show me that Tom had another meeting at 2pm.

Would it be possible to move the meeting to 2:30? It shouldn't last more than 30 minutes.

Please let me know, and if it's ok, I will adjust the meeting invite.

Thank you!
Lisa

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, July 18, 2024 4:10 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>;

Paul Brean <P.Brean@peasedev.org>
Subject: RE: Extension of September 30th obligation date Rye-PFP
Importance: High

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Received – thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Thursday, July 18, 2024 3:40 PM
To: Myles Greenway <M.Greenway@peasedev.org>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Subject: RE: Extension of September 30th obligation date Rye-PFP

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Looks like it'll work on our end! Teams invite to follow.

Lisa

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, July 18, 2024 1:54 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Subject: RE: Extension of September 30th obligation date Rye-PFP
Importance: High

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good Afternoon Lisa

Thank you for the below - best time for a call would be Monday afternoon.

Does 1400 work?

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Thursday, July 18, 2024 11:54 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Suzy Anzalone <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Extension of September 30th obligation date Rye-PFP

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you, Brenda.

I think it would make sense at this point to schedule a call for tomorrow or Monday, with you and whomever else on your end that can help give us some details on the project and project timeline. Can you please suggest some times that would work for you on those days?

Thank you!

Lisa

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, July 18, 2024 11:41 AM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Anzalone, Susanne <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Extension of September 30th obligation date Rye-PFP

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Lisa,

My apologies, I should have included the proposed timelines, please see attached. If qualified bids are received, the plan is to award both contracts no later than Dec 2nd.

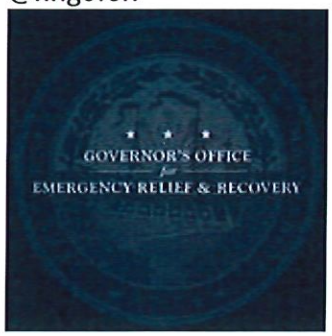
Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

> **From:** Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
> **Sent:** Thursday, July 18, 2024 11:24 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
> **Cc:** Suzy Anzalone <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
> **Subject:** RE: Extension of September 30th obligation date Rye-PFP
> **Importance:** High
>
> **EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.
>
> Hi Brenda:
>
> Before you move this forward, we need some additional information.
>
> You mention that the project won't go out to bid until October – when are the bids due? Will you have enough time to get the bids back, assess & choose a vendor, and then get the contract to G&C by 12/31/2024 – or, rather, the last G&C date before 12/31/2024, whatever that date may be?
>
> The 12/31/2024 is a very important date because it is the ARPA SFRF obligation deadline. We need to get a better understanding of how your project timeline will work in relation to the obligation deadline, as that date is non-negotiable.

Thank you!
Lisa

Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, July 16, 2024 2:33 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Anzalone, Susanne <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: Extension of September 30th obligation date Rye-PFP

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon Tom and Lisa,

Regarding the attached request, G & C item # 76 (May 1 2024) and Fiscal item #24-115, the Division will be going back to Fiscal and G & C to ask for approval to extend the date to obligate the funds from Sept 30, 2024 to Dec 31, 2024.

While the Division is currently under contract for design, engineering services, etc. with Appledore Marine Engineering for both projects they won't go out to bid for construction until 10/4 (PFP) and 10/16 (Rye).

Steve McLocklin at DAS is working on the approval request with us, and suggested we let your office know about the request.

Please let us know if GOFERR has any concerns or questions.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, July 19, 2024 8:52 AM
To: Raeline O'Neil
Cc: Greg Siegenthaler;Jessica Patterson;Myles Greenway
Subject: Video board items Re: Port Committee meeting packet 7/22/2024
Attachments: Rye Harbor_Schematic Submission_07-18-24.pdf; Design Schedule_Rye Harbor Platform.pdf

Hi Rae,

I believe so, I've attached the materials from the meeting packet. Copied Myles so he can confirm this.

Thanks for checking.

Brenda

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Friday, July 19, 2024 8:45 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Cc: Greg Siegenthaler <G.Siegenthaler@peasedev.org>; Jessica Patterson <J.Patterson@peasedev.org>
Subject: RE: Port Committee meeting packet 7/22/2024

Brenda,

Do you know if there will be any materials to be displayed on the video board for this meeting?

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, July 18, 2024 3:51 PM
To: Karen Conard <ksawyerconard@gmail.com>; Neil.Levesque@gmail.com; srfournier@comcast.net; Brad Cook (captbradatlanticfleet@comcast.net) <captbradatlanticfleet@comcast.net>
Cc: Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Raeline O'Neil <R.O'Neil@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: Port Committee meeting packet 7/22/2024

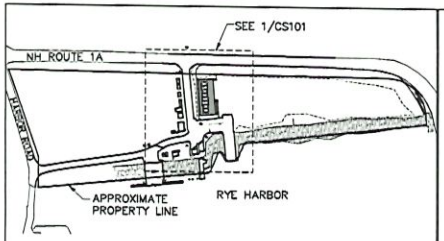
Good afternoon everyone,

Please see attached for the subject item. There will be hard copies printed for the meeting on Monday morning.

Thank you,
Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.

Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org



VICINITY MAP
SCALE: 1"=200'

LOCUS MAP
SCALE: 1"=1,500'

LEGEND

- EXISTING SHED/STRUCTURE
- EXISTING PROPERTY LINE
- EXISTING EDGE OF WETLAND
- EXISTING LIMIT OF TIDAL BUFFER ZONE
- EEOG — EXISTING EDGE OF GRAVEL
- EEOP — EXISTING EDGE OF PAVEMENT
- EDYL — EXISTING DOUBLE YELLOW LINE
- ESWL — EXISTING SINGLE WHITE LINE
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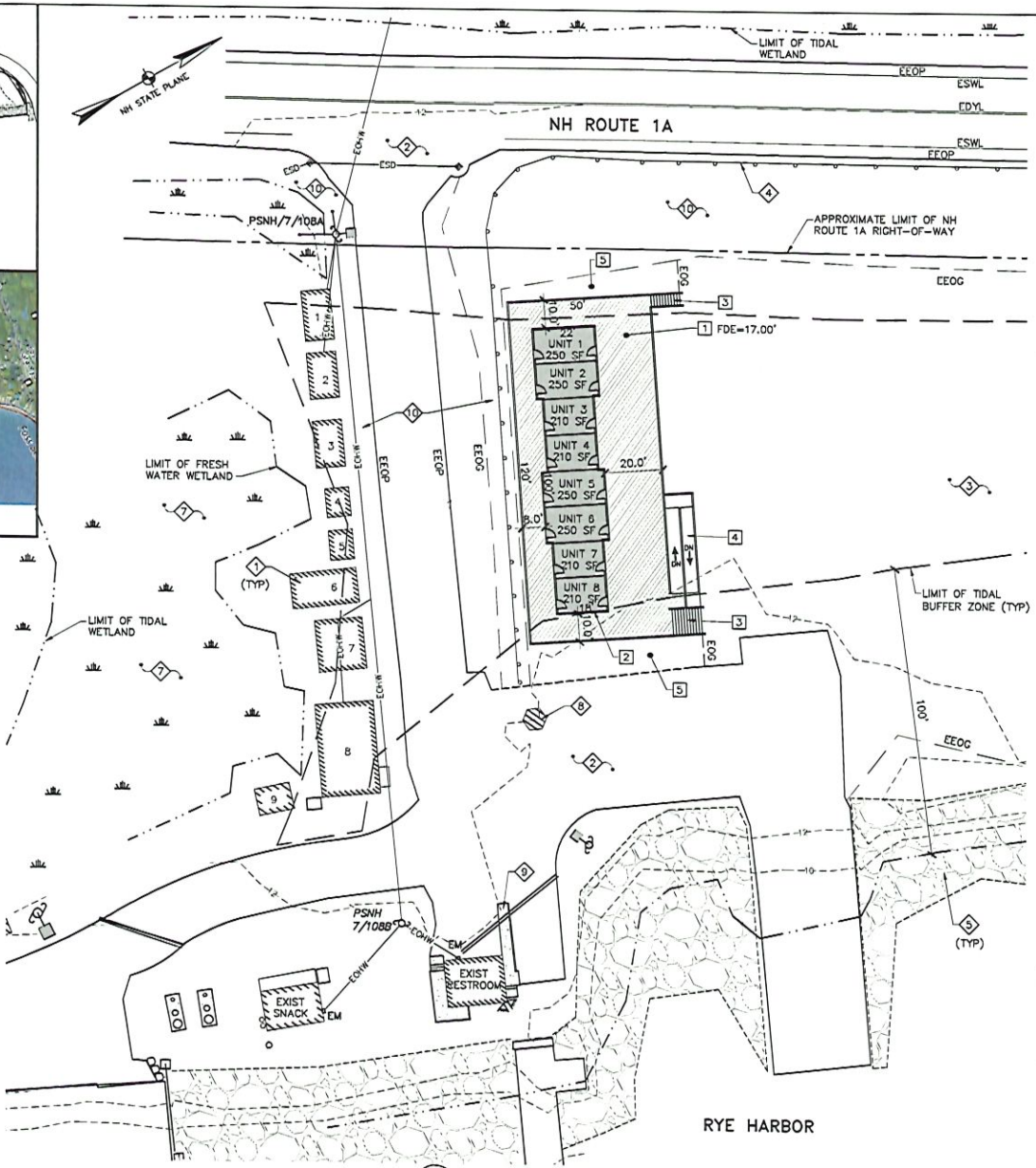

1 CS101 CONCEPT SITE PLAN
SCALE: 1"=20'

EXISTING KEYNOTES: (THIS SHEET ONLY).

1. EXISTING SHED/STRUCTURE.
2. EXISTING ASPHALT PAVEMENT.
3. EXISTING GRAVEL PARKING.
4. EXISTING METAL GUARDRAIL W/ WOOD POTS.
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6. EXISTING TURF/GRASS.
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8. EXISTING PARKING KIOSK.
9. EXISTING ACCESSIBLE RAMP.
10. EXISTING GRASS AND OTHER VEGETATION.

KEYNOTES: (THIS SHEET ONLY).

1. PILE SUPPORTED WOOD DECK.
2. DOCK HOUSE.
3. STAIR.
4. ACCESSIBLE RAMP.
5. TURF – 4" TOPSOIL, SEED, FERTILIZER AND MULCH.

NOTES

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2. EXISTING CONDITIONS ARE BASED ON A TOPOGRAPHIC SURVEY COMPLETED BY DOUCET SURVEY IN JULY OF 2024 AND RECORD DRAWINGS.
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GRAPHIC SCALE
20' 10' 0 20' 60'
1"=20'
CHECK GRAPHIC SCALE BEFORE USING

OAK POINT ASSOCIATES
55 Middle Street Portsmouth, NH 03801 (T) 603.431.4249 (F) 603.431.1123 www.oakpoint.com

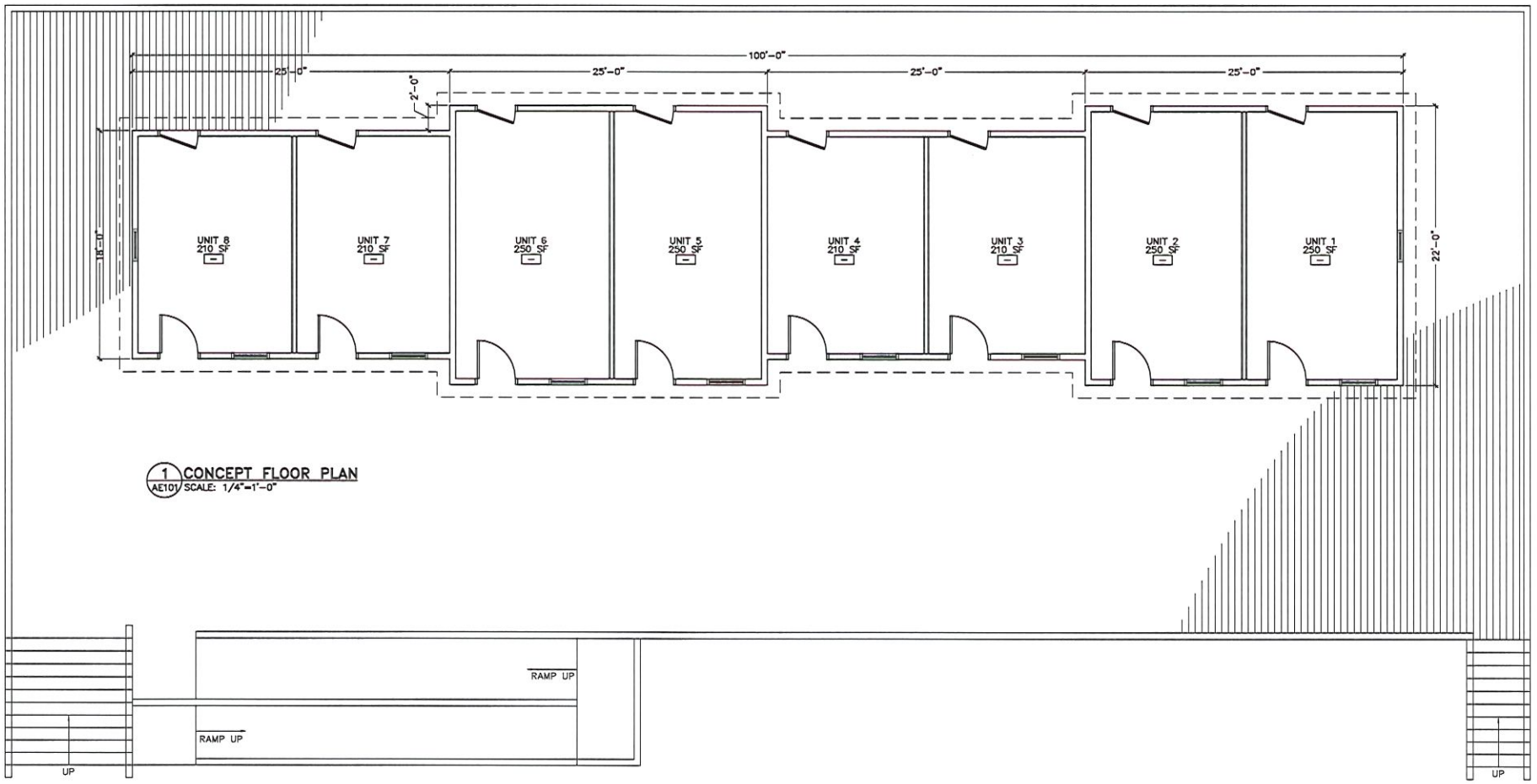
DESIGNED BY: SES
DRAWN BY: SES
CHECKED BY: SES
PROJECT: 2240411

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT SITE PLAN

SCALE: AS NOTED
DATE: 07-18-24
DWG.: CS101
SHEET: OF .



1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

OAK POINT ASSOCIATES
81 Middle Street Portsmouth NH 03801 (T) 603.431.4449 (F) 603.431.1313
www.oakpoint.com

NOT FOR CONSTRUCTION

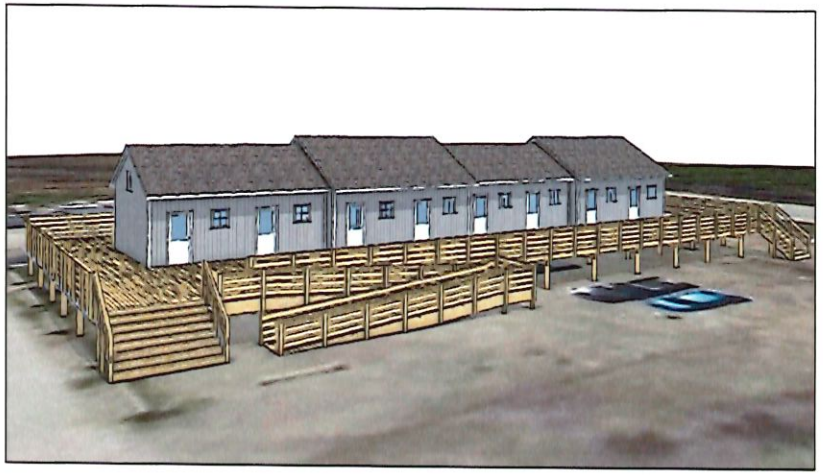
DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 2204.11

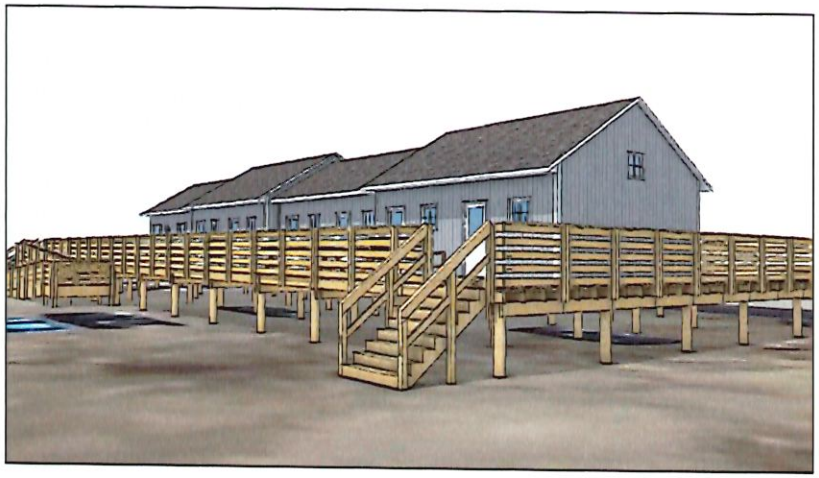
PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

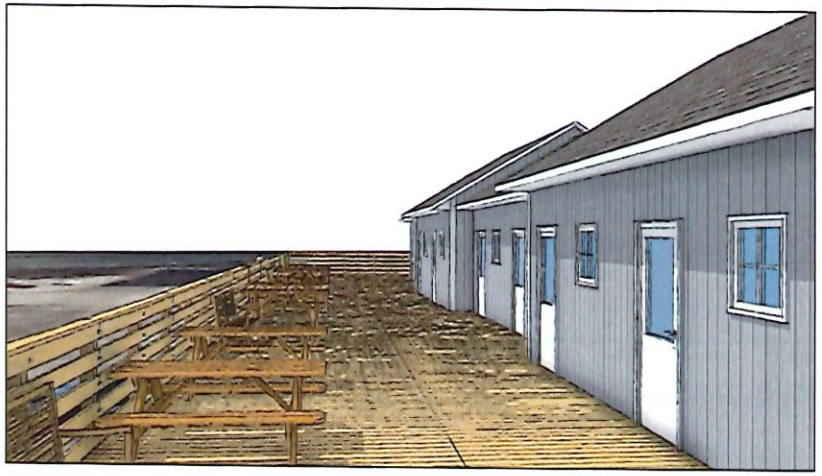
RYE HARBOR
DECK AND DOCK HOUSE
1570 Ocean Boulevard
Rye, NH

CONCEPT FLOOR PLAN

SCALE: AS NOTED
DATE: 07-18-24
DWG.: AE101
SHEET: OF .







OAK POINT ASSOCIATES

NOT FOR CONSTRUCTION

DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 2204.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1570 Ocean Boulevard
Rye, NH

3D VIEWS

SCALE: AS NOTED
DATE: 07-18-24
DWG.: AE201
SHEET: OF .

ESTIMATE OF PROBABLE COST

OAK POINT ASSOCIATES architecture engineering planning

PROJECT TITLE	CLIENT NAME	DATE	STATUS OF DESIGN
Deck and Dock House	**PDA**	**18 July 2024**	**Schematic**
PROJECT LOCATION	CLIENT PROJECT NUMBER	OPA PROJECT NUMBER	ESTIMATE VALID TO
Rye Harbor **Rye, New Hampshire**		**22404.11**	**Winter 2025**

ITEM DESCRIPTION	PERCENTAGE	MATERIALS	LABOR	ESTIMATED AMOUNT
BASE BID - PROJECT COST SUMMARY				
DIVISION 01 - GENERAL REQUIREMENTS (see mark-up below)		$0	$0	$0
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DIVISION 05 - METALS		$7,500	$2,500	$10,000
DIVISION 06 - WOOD, PLASTICS, AND COMPOSITES		$239,035	$167,060	$406,095
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Subtotal				$639,082
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Subtotal				$734,944
Bond	2.5%			$18,374
Subtotal				$753,318
BASE BID TOTAL:				$753,318
BASE BID TOTAL (ROUNDED):				**$753,300**
Base Bid Goal				$775,000
Delta				-$21,682
OPTIONS				
OPTION 1 TOTAL (ELECTRIC SERVICE)				**$115,590**
OPTION 2 TOTAL (WATER SERVICE AND HOLDING TANK)				**$47,120**
PROJECT TOTAL w/OPTIONS				**$916,011**

Appledore Marine Engineering, LLC

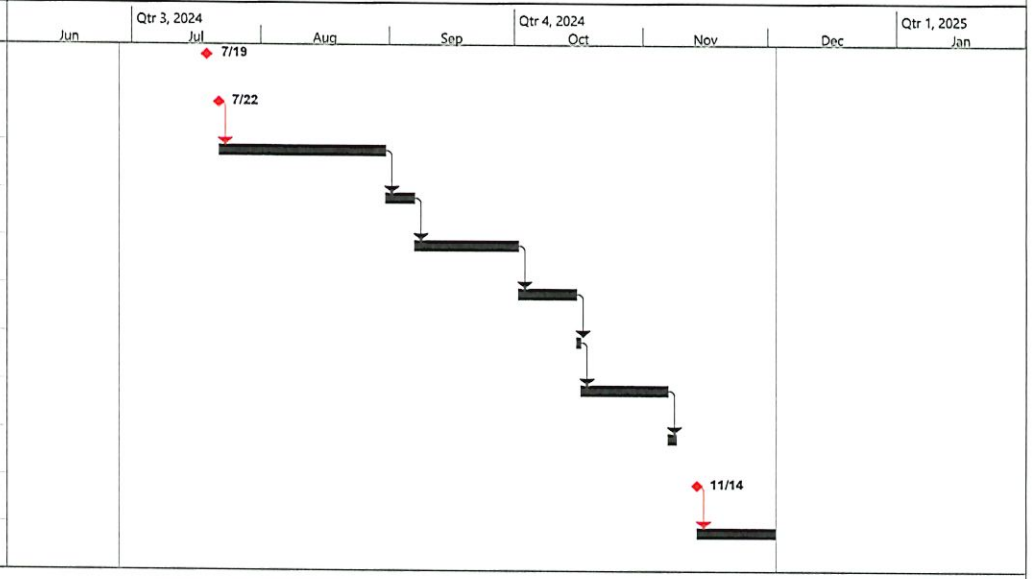
Project Schedule for

Pease Development Authority - Division of Ports and Harbors

Rye Harbor Platform

File Version: Fri 6/28/24

ID	Task Name	Duration	Start	Finish
1	Schematic Submission	0 days	Fri 7/19/24	Fri 7/19/24
2	Port Committee Meeting	0 days	Mon 7/22/24	Mon 7/22/24
3	Pre-Final Design Submission	40 days	Mon 7/22/24	Fri 8/30/24
4	PDA to Request Legal Review of EJCDC specs	7 days	Sat 8/31/24	Fri 9/6/24
5	Final Submission	25 days	Sat 9/7/24	Tue 10/1/24
6	PDA Review	14 days	Wed 10/2/24	Tue 10/15/24
7	Advertise Contract Documents for Bidding Public	1 day	Wed 10/16/24	Wed 10/16/24
8	Bids Due	21 days	Thu 10/17/24	Wed 11/6/24
9	Bid Summary AME Recommendation to DPH	2 days	Thu 11/7/24	Fri 11/8/24
10	PDA Board Meeting	0 days	Thu 11/14/24	Thu 11/14/24
11	Contract Award	19 days	Thu 11/14/24	Mon 12/2/24



Raeline O'Neil

From: Myles Greenway
Sent: Thursday, July 18, 2024 4:10 PM
To: Paul Brean
Subject: RE: Rye Harbor - Deck and Dock House Schematic Submission

Exactly !

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, July 18, 2024 4:10 PM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Rye Harbor - Deck and Dock House Schematic Submission

Thanks Myles. Looks like the gift shops in Corolla, OBX next to the go-kart track....

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, July 18, 2024 3:38 PM
To: Paul Brean <P.Brean@peasedev.org>
Subject: FW: Rye Harbor - Deck and Dock House Schematic Submission
Importance: High

Good afternoon, Paul

Please see the below/attached for Rye Harbor - Deck and Dock House Schematic Submission.

Brenda is sending to Port Committee like last submission as well.

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director

Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Travis Baker <tbaker@appledoremarine.com>
Sent: Thursday, July 18, 2024 3:23 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>; Vanessa Swasey <VSwasey@appledoremarine.com>
Subject: FW: Rye Harbor - Deck and Dock House Schematic Submission

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon,

Please find attached schematic drawings and estimated costs for the Deck and Dock House project (otherwise known as raised platform and sheds) at Rye Harbor.

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    a. Limited development within the tidal buffer zone
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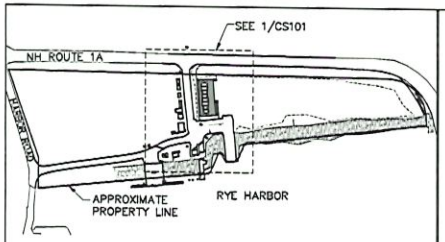
Please let us know of you have any questions or concerns.

Thanks,
Travis

Travis Baker, P.E.
Appledore Marine Engineering
600 State Street, Suite E, Portsmouth, NH 03801
Office: 603.766.1870
Cell: 207.951.5113
www.appledoremarine.com



VICINITY MAP
SCALE: 1"=200'

LOCUS MAP
SCALE: 1"=1,500'

LEGEND

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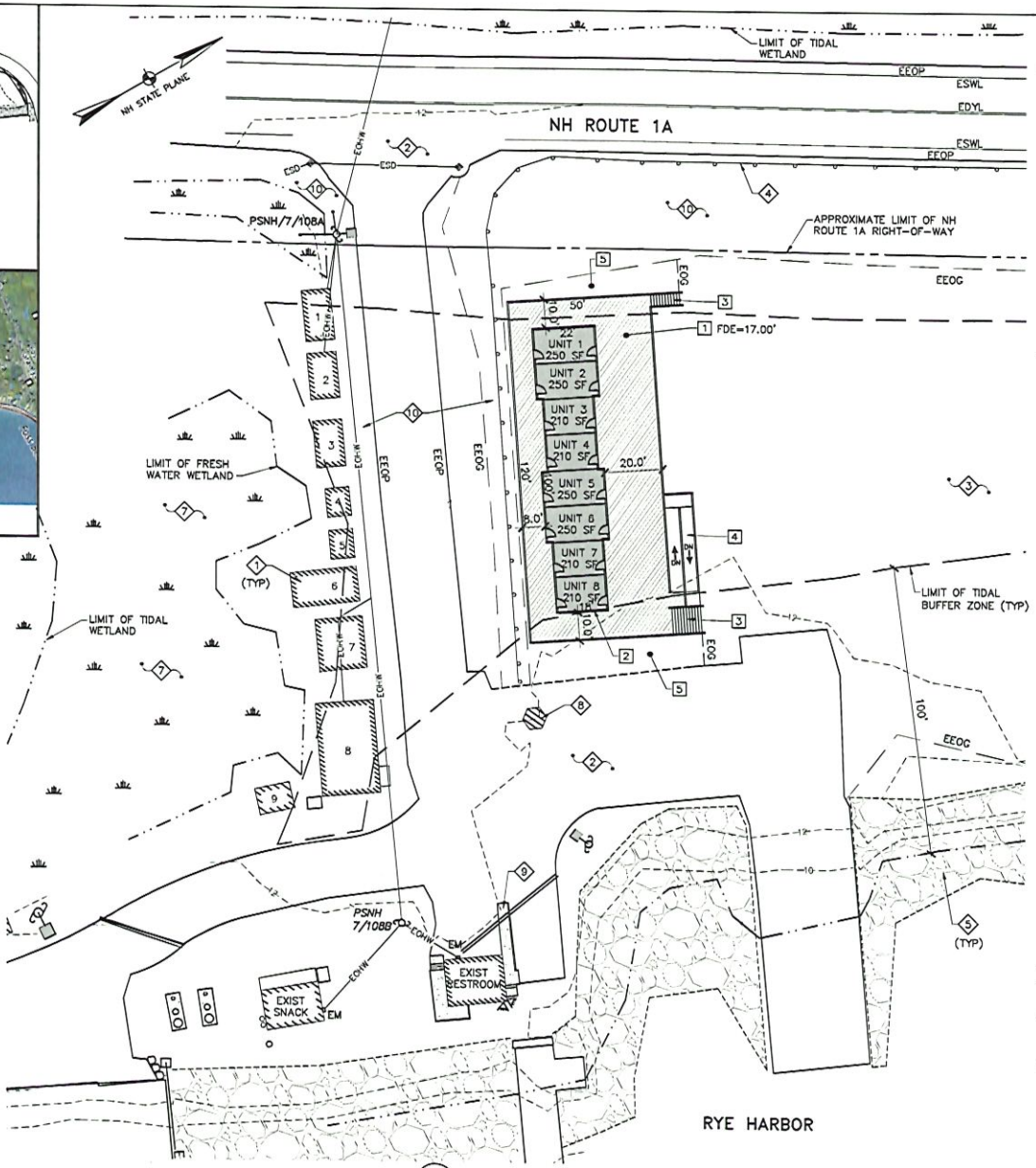

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1"=20'
CHECK GRAPHIC SCALE BEFORE USING

OAK POINT ASSOCIATES
85 Middle Street Portsmouth, NH 03801 (T) 603.431.4008 F) 603.431.4005
www.oakpointassociates.com

DESIGNED BY: SES
DRAWN BY: SES
CHECKED BY: SES
PROJECT: 2404.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

CONCEPT SITE PLAN

SCALE: AS NOTED
DATE: 07-18-24
DWG.: CS101
SHEET: OF .

1 AE101 CONCEPT FLOOR PLAN
SCALE: 1/4"=1'-0"

OAK POINT ASSOCIATES
85 Middle Street Portsmouth NH 03801 (T) 603.431.4448 (F) 603.431.4379
www.oakpt.com

NOT FOR CONSTRUCTION

DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 22404.11

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS
55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

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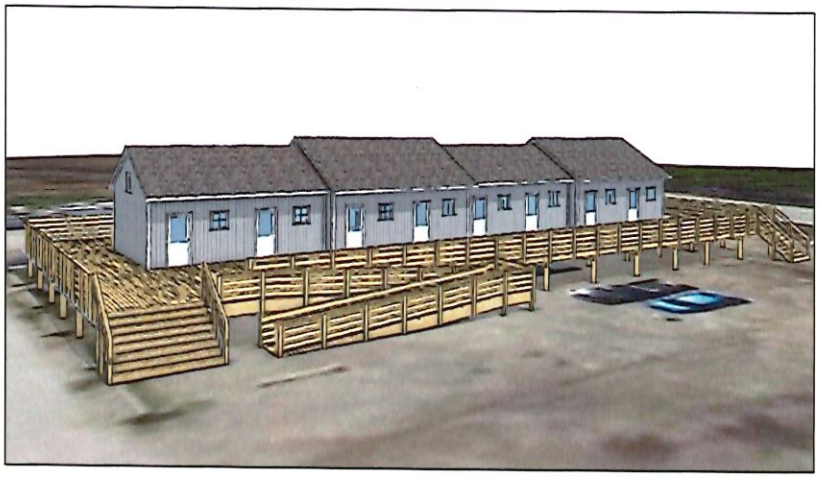

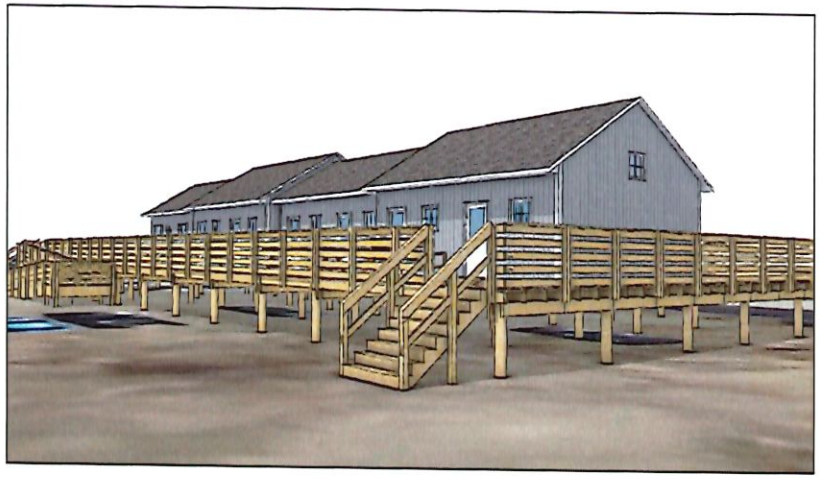

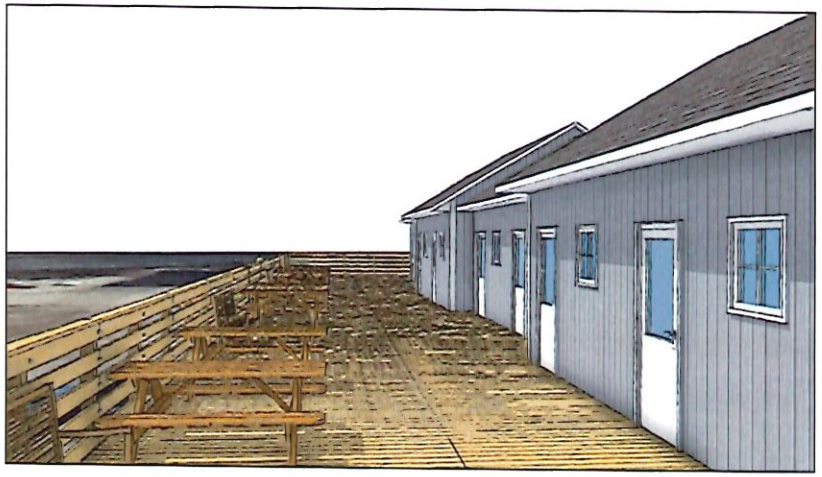

OAK POINT ASSOCIATES

NOT FOR CONSTRUCTION

DESIGNED BY: XXX
DRAWN BY: XXX
CHECKED BY: XXX
PROJECT: 2240411

PEASE DEVELOPMENT AUTHORITY
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55 Market Street
Portsmouth, NH

RYE HARBOR
DECK AND DOCK HOUSE
1870 Ocean Boulevard
Rye, NH

3D VIEWS

SCALE: AS NOTED

DATE: 07-18-24

DWG.: AE201

SHEET: OF .

ESTIMATE OF PROBABLE COST

OAK POINT ASSOCIATES architecture engineering planning

PROJECT TITLE	CLIENT NAME	DATE	STATUS OF DESIGN
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PROJECT LOCATION	CLIENT PROJECT NUMBER	OPA PROJECT NUMBER	ESTIMATE VALID TO
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PROJECT TOTAL w/OPTIONS				**$916,011**

Raeline O'Neil

From: Myles Greenway
Sent: Thursday, July 18, 2024 3:39 PM
To: Travis Baker;Brenda Therrien
Cc: Noah J. Elwood, P.E.;Vanessa Swasey
Subject: RE: Rye Harbor - Deck and Dock House Schematic Submission

Good Afternoon – received – thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Travis Baker <tbaker@appledoremarine.com>
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Travis Baker, P.E.
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600 State Street, Suite E, Portsmouth, NH 03801
Office: 603.766.1870
Cell: 207.951.5113
www.appledoremarine.com

Raeline O'Neil

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To: Travis Baker;Myles Greenway
Cc: Noah J. Elwood, P.E.;Vanessa Swasey
Subject: RE: Rye Harbor - Deck and Dock House Schematic Submission

Thank you Travis,

We will be sending this out to the Port Committee tonight, along with the draft schedule.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
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    b. Stick-built provides greater durability and longevity.

Oak Point plans to be on site tomorrow to mark geotechnical boring locations and to meet with Eversource to review the electrical service. Drilling is tentatively planned for the week of 7/29 and we will let you know once that has been confirmed.

Please let us know of you have any questions or concerns.

Thanks,
Travis

Travis Baker, P.E.
Appledore Marine Engineering
600 State Street, Suite E, Portsmouth, NH 03801
Office: 603.766.1870
Cell: 207.951.5113
www.appledoremarine.com

Raeline O'Neil

From: Myles Greenway
Sent: Thursday, July 18, 2024 1:56 PM
To: Paul Brean
Subject: RE: let me know FW: Extension of September 30th obligation date Rye-PFP

Perfect – I asked her if Monday @ 1400 works for her… standing by for reply – thank you!

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, July 18, 2024 1:55 PM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: let me know FW: Extension of September 30th obligation date Rye-PFP

Hi Myles,

Yes, Monday is better for me.

PB

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, July 18, 2024 1:49 PM
To: Paul Brean <P.Brean@peasedev.org>
Subject: FW: let me know FW: Extension of September 30th obligation date Rye-PFP
Importance: High

Good Afternoon Paul,

Received the below from Lisa within the GOFERR office – regarding extension for ARPA funding.

Looks like before they move forward – they need some additional information and a call to discuss this Friday/Monday – do you want to be on the call with me? I can schedule for tomorrow afternoon/Monday afternoon if they are available…

"You mention that the project won't go out to bid until October – when are the bids due? Will you have enough time to get the bids back, assess & choose a vendor, and then get the contract to G&C by 12/31/2024 – or, rather, the last G&C date before 12/31/2024, whatever that date may be?

The 12/31/2024 is a very important date because it is the ARPA SFRF obligation deadline. We need to get a better understanding of how your project timeline will work in relation to the obligation deadline, as that date is non-negotiable."

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Thursday, July 18, 2024 11:54 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Suzy Anzalone <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Extension of September 30th obligation date Rye-PFP

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you, Brenda.

I think it would make sense at this point to schedule a call for tomorrow or Monday, with you and whomever else on your end that can help give us some details on the project and project timeline. Can you please suggest some times that would work for you on those days?

Thank you!
Lisa

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, July 18, 2024 11:41 AM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Anzalone, Susanne <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Extension of September 30th obligation date Rye-PFP

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Hi Lisa,

My apologies, I should have included the proposed timelines, please see attached. If qualified bids are received, the plan is to award both contracts no later than Dec 2nd.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Thursday, July 18, 2024 11:24 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Suzy Anzalone <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Extension of September 30th obligation date Rye-PFP
Importance: High

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Hi Brenda:

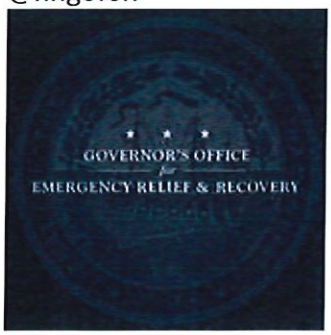
Before you move this forward, we need some additional information.

You mention that the project won't go out to bid until October – when are the bids due? Will you have enough time to get the bids back, assess & choose a vendor, and then get the contract to G&C by 12/31/2024 – or, rather, the last G&C date before 12/31/2024, whatever that date may be?

The 12/31/2024 is a very important date because it is the ARPA SFRF obligation deadline. We need to get a better understanding of how your project timeline will work in relation to the obligation deadline, as that date is non-negotiable.

Thank you!
Lisa

Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, July 16, 2024 2:33 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Anzalone, Susanne <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: Extension of September 30th obligation date Rye-PFP

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Good afternoon Tom and Lisa,

Regarding the attached request, G & C item # 76 (May 1 2024) and Fiscal item #24-115, the Division will be going back to Fiscal and G & C to ask for approval to extend the date to obligate the funds from Sept 30, 2024 to Dec 31, 2024.

While the Division is currently under contract for design, engineering services, etc. with Appledore Marine Engineering for both projects they won't go out to bid for construction until 10/4 (PFP) and 10/16 (Rye).

Steve McLocklin at DAS is working on the approval request with us, and suggested we let your office know about the request.

Please let us know if GOFERR has any concerns or questions.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Myles Greenway
Sent: Thursday, July 18, 2024 1:43 PM
To: Brenda Therrien
Subject: RE: let me know FW: Extension of September 30th obligation date Rye-PFP

Roger that – will see if Paul and I can get on a call Monday/Friday...thanks

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, July 18, 2024 12:20 PM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: let me know FW: Extension of September 30th obligation date Rye-PFP

Myles,

Please let me know who would be the best person/persons to be on this call with GOFERR. Or feel free to reply to Lisa directly.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Thursday, July 18, 2024 11:54 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Suzy Anzalone <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
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Cc: Anzalone, Susanne <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
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Brenda

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Subject: RE: Extension of September 30th obligation date Rye-PFP
Importance: High

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Thank you!
Lisa

Lisa Cota-Robles

Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
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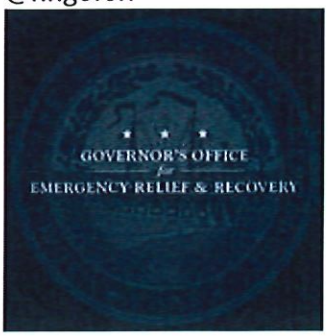

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Steve McLocklin at DAS is working on the approval request with us, and suggested we let your office know about the request.

Please let us know if GOFERR has any concerns or questions.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801

P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, July 16, 2024 12:21 PM
To: Myles Greenway
Subject: DRAFT Email for review....ARPA funding extension request
Attachments: Fiscal and G C - Rye -Portsmouth ARPA Request dated 3-18-24.pdf

See below for suggested email...it can really come from anyone, from the Port or Pease.

It will be going to Tom Broderick and Lisa Cota-Robles at the GOFERR office, with you, Paul, Suzy, and Steve McLocklin on copy

Good afternoon Tom and Lisa,

Regarding the attached request, the Division will be going to Fiscal and G & C to ask for an approval to extend the date to obligate the funds to Dec 31, 2024. The Division is currently under contract for design, engineering services, etc. with Appledore Marine Engineering for both projects and plans to go out to bid for construction around Oct 1st. With that, some of the ARPA funding is already under contract (with Appledore).

Steve McLocklin at DAS is working on the approval request with us, but suggested we let your office know about the request.

Please let us know if GOFERR has any concerns or questions.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		$0	$2,000,000	$2,000,000
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		$0	$2,000,000	$2,000,000

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

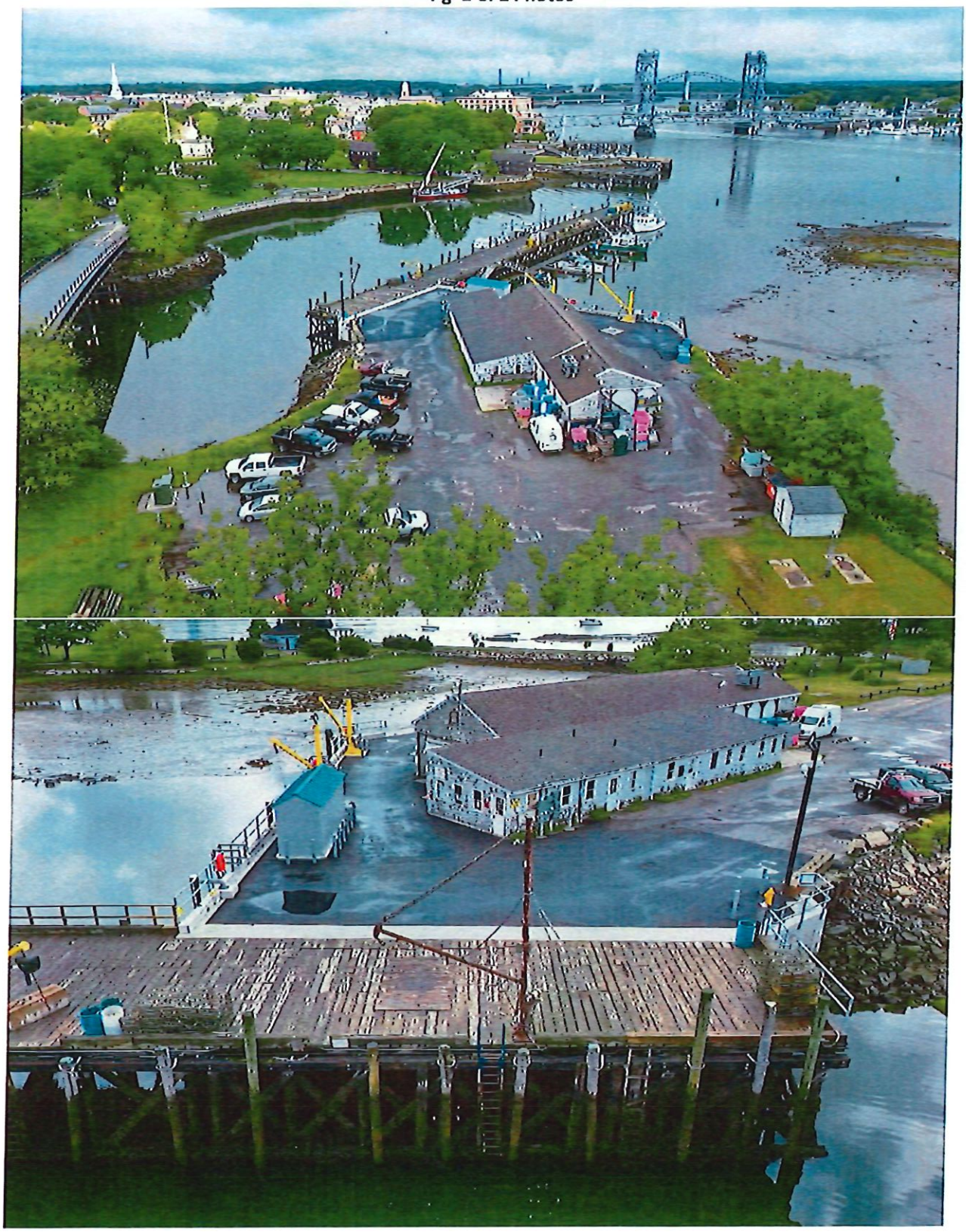
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
WA Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, July 12, 2024 1:49 PM
To: Suzy Anzalone
Subject: RE: Invoices to be paid by ARPA-PFP Building design & Rye Platform

Ok thank you

From: Suzy Anzalone <S.Anzalone@peasedev.org>
Sent: Friday, July 12, 2024 1:40 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Invoices to be paid by ARPA-PFP Building design & Rye Platform

Hi Brenda, just a heads up that these will not be submitted to Steve until the end of next week due to the switch to a new fiscal year.
Let me know if you have any questions.
Thanks
Suzy

Susanne Anzalone, CPA
Director of Finance
Pease Development Authority
55 International Drive
Portsmouth, NH 03801
s.anzalone@peasedev.org
(603) 766-9195

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, July 8, 2024 2:50 PM
To: Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: Invoices to be paid by ARPA-PFP Building design & Rye Platform

Hi Suzy,

Attached are the approved invoices for the projects and my tracking spreadsheets, along with the Board motion and original ARPA request.

Please let me know if you need anything else.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Levesque:

The Pease Development Authority Board of Directors authorizes the Executive Director to finalize and execute a contract with the Division of Ports and Harbors contracted on-call marine engineering service provider, Appledore Marine Engineering, LLC, in an amount not to exceed $218,419.00, for engineering services related to the Portsmouth Fish Pier Replacement Building; all in accordance with the memorandum of Myles Greenway, Interim Director of Ports and Harbors, dated June 4, 2024; attached hereto.

XI

N:\RESOLVES\2024\DPH – Appledore Marine – Portsmouth Fish Pier Replacement Building (6-13-24).docx

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Pease Development Authority ("PDA"), Board of Directors

FROM: Myles Greenway, Interim Director of Ports and Harbors

DATE: June 4, 2024

SUBJECT: Portsmouth Commercial Fish Pier, Replacement Building, Appledore Marine Engineering Services Proposal

Upon the completion and receipt of the Concept Study for building replacement options at the Portsmouth Commercial Fish Pier ("PFP"), the Division of Ports and Harbors (the "Division") requested and received a proposal from its on-call marine engineers, Appledore Marine Engineering, LLC ("AME") for Engineering Services for a Replacement Building at the PFP (the "Proposal"), to include the following Scope of Work:

Scope	Fee
Project Management, Meetings and QC Services	$ 52,715
Site Investigations, Surveys and Program Analysis	$ 32,483
Design Services and Preparation of Contract Documents	$ 83,017
Permitting Services	$ 19,316
Construction Period Services	$ 30,888
Total Architectural and Engineering Services	$218,419

The complete Proposal, in the amount of $218,419, is attached for further review and will be funded by utilizing a portion of the $1,000,000 ARPA award recently approved by the NH Fiscal Committee and NH Governor and Council. It is important to note that the Proposal amount is included as part of the total estimated costs outlined in the Concept Study. As you know, ARPA funded projects are on a tight schedule for getting projects "under contract" and funds "expended". Acceptance of the Proposal will help ensure that this time sensitive project will move forward and put the project "out to bid" for construction services as soon as possible. A cover letter from AME, and the Executive Summary of the results of the PFP Building Concept Study are also attached for reference.

At its meeting on June 3, 2024, the Port Committee reviewed and discussed the Proposal and the results of the Building Concept Study and expressed support for placing the Proposal on the PDA June Board agenda for consideration.

Therefore, the Division respectfully requests authorization from the PDA Board of Directors to accept AME's Proposal and to provide AME with notification to proceed with Engineering Services for the PFP Replacement Building in an amount not to exceed $218,419, as outlined in the Proposal.

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

June 04, 2024 (REV)

Myles Greenway
PDA Division of Ports & Harbors (PDA)
555 Market Street
Portsmouth, New Hampshire 03801

Cc: Atlantic States Marine Fisheries Commission (ASMFC)

Re: Portsmouth Commercial Fish Facility Building - **Concept Study**

Dear Mr. Greenway

Appledore Marine Engineering, LLC (AME) is pleased to submit this concept study for the replacement of the Commercial Fish Facility Building on Pierce Island, Portsmouth, NH. Presented in this study are a narrative description with associated drawings and opinion of probable design, permit application, and construction costs.

During concept development, it was determined that replacement of the existing facility in kind would likely exceed the anticipated budget by a significant amount. It was jointly decided between PDA and AME that that most logical course of action for the study would be to focus on developing a base bid concept that satisfies the minimum core functions of the facility and bid options for opportunities to expand the scope of the project, should additional funding become available. The anticipated cost for the base bid concept exceeds the current anticipated budget, but it is our opinion that it represents the minimum scope required to maintain operations at the facility. The table below provides a summary of anticipated costs associated with the Base Bid and potential Bid Options:

Table 1: Summary of Anticipated Costs

TASK	AMOUNT
Engineering Studies / Design	$99,400
Permit Application Development	$14,200
Construction Engineering / Administration	$106,500
Design / Engineering / Permitting Subtotal	**$220,100**
Demolition / HAZMAT / Removals	$239,980
Construction of New Facility	$959,920
Demolition / Construction Subtotal	**$1,199,900**
BASE BID TOTAL	**$1,420,000**
BID OPTION 1 – Design / Construct Bait Storage Area (Lump Sum)	**$278,100**
BID OPTION 2 – Design / Construct Ice Storage Area (Lump Sum)	**$290,100**
BID OPTION 3 – Provide Temporary Dock Power (Lump Sum)	**$ 41,200**
TOTAL POTENTIAL PROJECT COST	**$2,029,400**

This effort represents the conceptual phase of design with the intent to provide a viable replacement concept for the building, general arrangement plan, and opinion of the probable costs. The next phase of this project would be to progress the concept development to the design of construction documents and develop/submit permit applications.

Thank you for the opportunity to work with you on this study. If you have any questions or require additional information, please do not hesitate to contact us.

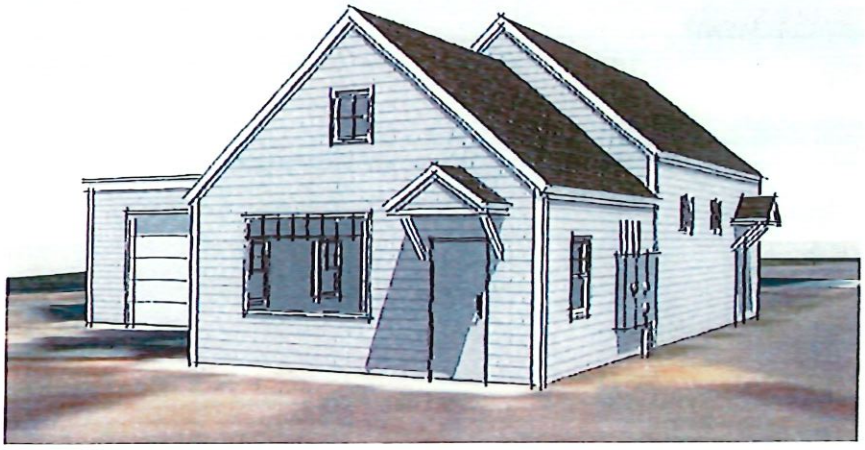
Noah J. Elwood, PE, D.PE, D.OE
President

Travis Baker, PE
Project Manager

STUDY

PEASE INTERNATIONAL
DIVISION OF PORTS & HARBORS
PORTSMOUTH NH

BUILDING REPLACEMENT STUDY
Pease Development Authority Portsmouth Commercial Fish Pier
Piscataqua River, Portsmouth, New Hampshire



Prepared For:

Pease Development Authority
Division of Ports and Harbors
555 Market Street, PO Box 369
Portsmouth, New Hampshire
May 14, 2024

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OAK POINT ASSOCIATES
architecture
engineering
planning

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1 - Executive Summary

1.1 Project Overview

The New Hampshire Port Authority – Division of Ports and Harbors (PDA) is interested in replacing the existing building at the Commercial Fish Pier at Peirce Island Road in Portsmouth, New Hampshire. Built circa 1978 with two additions added in later years, the existing building is inefficient for its current needs and is in a state of disrepair, requiring either substantive repairs and improvements, or replacement.

Funding for the project was reportedly established by the PDA at $1.0 million, which includes construction, design services, permitting services, construction period services, construction contingency, and miscellaneous PDA construction administration costs.

1.2 Recommendations

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

Due to funding limitations, it is recommended to remove the existing building in its entirety and replace the existing original 1978 portion of the building in the same location. Existing foundations should be reused, if determined feasible during the design process. The office, restroom, and utility room should be finished as a part of the base-bid contract, as well as all necessary demolition and paving. The following scope items should be provided as bid options:

1. Insulation and cooling for the bait storage area;
2. Insulation and cooling for the ice making/storage area; and
3. Temporary dock power.

1.3 Estimate of Project Costs

An Estimate of probable project costs has been prepared for the scope of work considered in this Study. These costs are considered preliminary, due to the limited level of site investigations and design and are intended to assist the PDA in determining the level of funding needed to provide the program defined herein.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

2 - Introduction

2.1 Study Objectives

The objectives of this study include completing assessment of the existing building conditions, research, surveys, analysis and concept design to confirm the scope of work, and project costs for the replacement of the existing building.

2.2 Site Investigations

The following surveys and investigations were completed to verify existing conditions within the vicinity of the project area for the purposes of this study:

1. Field investigations, including measurement and inspection of the existing structures;
2. A partial topographic survey completed by Doucet Survey in March 2024 to supplement record survey information;
3. Utility location within the vicinity of the project area completed by Doucet Survey in March 2024 to confirm and supplement record information;
4. Review of available geotechnical data and field conditions, and development of preliminary recommendations by R.W. Gillespie and Associates;
5. Hazardous materials survey completed by RPF Environmental; and
6. Hydrant flow test completed by Utility Testing Services and witnessed by Oak Point Associates.

2.3 Coordination

To verify project requirements and constraints the following authorities and organizations were contacted:

- City of Portsmouth Department of Public Works; and
- New Hampshire Department of Environmental Services

3 - Existing Conditions

3.1 Existing Building

The existing Fish Pier building is a one-story, wood-framed building with a slab-on-grade ground floor. The original building was constructed circa 1978 and had two later additions on the east end of the original building. The building additions are a combination of wood framed and concrete masonry unit (cmu) block structures.

Structural

There are structural framing plans available for the original building, but there are no plans available for the additions.

A visual assessment of the existing building structure was conducted on March 29, 2024, which was limited due to the existing finishes in the building. The existing building structure shows no apparent signs of distress or damage. There are signs of deterioration of the existing exterior finishes along the roof eaves that are most likely allowing water to penetrate into the interior of the structure and there could be hidden deterioration of the existing wood framing that cannot be visually assessed. Based on soundings taken, the existing cmu walls in the addition do not appear to be reinforced (all cells appear to be hollow), which would have been a typical construction practice at the time the building was constructed.

An analysis of the existing framing and foundation systems was not conducted as part of this study. The existing roof framing system consists of pre-engineered metal-plate-connected wood trusses. Based on the age of the building, the existing wood trusses would not have been designed to support unbalanced snow loads, which is now required by the current building code for buildings of this size and configuration. There is no indication of the loads the trusses were designed for in the record drawings. If constructed today, the current code mandated unbalanced snow load is 60 PSF for the original building. It is unlikely that the existing trusses are capable of supporting the code mandated unbalanced snow loads. Based on the age of the structure, it is also unlikely that the building wall and roof framing systems have a properly designed lateral force resisting system (shear walls and roof diaphragm) to resist seismic and wind forces.

Record drawings depict the configuration of the existing foundation system for the portion of the building constructed circa 1978. There is no apparent information for the foundations associated with other portions of the building.

Inspection of the existing building foundations did not find any visual signs of foundation settlement or movement. Due to the lack of subsurface information and documentation, the condition is unknown, but assumed to be in fair to good condition.

The record drawings indicate most of the original building floor consists of a 6-inch-thick concrete slab, but, in the bait storage area, the floor consists of a 4-inch-thick concrete slab underlain by 4 inches of rigid insulation placed over an 8-inch-thick concrete slab.

Architectural

Exterior finishes consist of painted wood shake siding, painted wood trim, and asphalt shingle roofing. Openings consist of double hung windows, single entry doors, louvers, and overhead doors. In general, exterior finishes show significant signs of deterioration.

Interior finishes consist of painted gypsum board walls and ceilings, painted CMU walls, FRP panels, VCT flooring, and poured concrete floors. Painted wood doors and painted wood trim are present throughout the interior space. Hazardous materials have also been documented in the building. Miscellaneous equipment and furniture are located throughout the interior spaces. In general, interior finishes show significant signs of deterioration.

Mechanical

HVAC

Heat throughout the occupied spaces is provided via electric baseboard heaters with wall mounted thermostats. The work room between the coolers has an electric unit heater that is in poor condition and not functional. All of the heating units are in poor condition. Some offices contain window mounted air conditioners in fair to poor condition. The only observed mechanical ventilation equipment was ceiling exhaust fans in the single user restrooms. Each had its own switch-activated ceiling exhaust fan. They are in poor condition. There is a louvered vent on the gable wall above the outside cooler door to the bait cooler. Record drawings indicate there was a wall exhaust fan in the work room. A wall patch observed on the exterior of the work room wall marks the apparent location where the fan was located.

Process Equipment

The facility has two coolers; a bait cooler and a cooler used to store fish and ice filled containers. Each cooler has its own functioning refrigeration system. The condensing unit for each cooler is located at the exterior on a ground-level pad. The enclosures are weathered, and in fair condition. The facility also has a functioning 5-ton ice making machine. The ice machine's refrigeration system has been changed out at least once, as the original R-22 refrigeration identification label has been manually revised to reflect the use of R-404 refrigerant. The equipment is in fair condition. The air-cooled condenser unit is located on the gable roof where service access is very difficult.

Plumbing

A sanitary waste and vent piping system is present in the building that serves floor drains in the coolers and work room between the coolers, two single user restrooms, and a single-bowl counter mounted convenience sink in the office addition. Each fixture gravity drains to one of two sump pits. One is in the floor of the mechanical room, and the other is in the floor of an abandoned bathroom. The collected waste in the sumps is pumped out of the building to a force main in Peirce Island Road.

The 1-1/2-inch domestic water entrance piping is equipped with a water meter and backflow preventer. There is also another water meter located on a branch water service. The domestic water entrance equipment is in fair to poor condition. Domestic hot water needs are served by a 40-gallon electric water heater with a hand-written installation date of September 24, 2021. It is in good condition.

The facility's two single user restrooms are equipped with floor mounted toilets with manual flush valves and a wall mounted vitreous china lavatory with manual faucet. One restroom has had the fixtures updated and is in good condition. The other restroom does not appear to be actively used and is in poor condition.

There is also an abandoned bathroom. It contains a shower enclosure, a counter-mounted lavatory with half the counter cut off, and an empty resurfaced floor space where a toilet was once located. A sanitary sump pump pit with PVC

discharge and vent piping is located at the bathroom entrance.

A single bowl stainless steel counter sink in the office area is in poor condition.

Wall hydrants and hose bibbs for the building are varied in their condition with some being worn and at the end of their useful life.

Electrical

The existing electrical service is provided by Eversource via underground medium voltage conductors from a pad-mounted utility owned transformer, located at the southeast of the building, near Peirce Island Road. Secondary power extends underground from the pad mounted transformer to a 4-meter commercial electrical meter stack located on the building exterior. The underground electrical service was installed circa 2021 as part of the Bulkhead Rehabilitation project.

The electrical power distribution system within the building is over 20 years old and in fair to poor condition. The main panelboards and equipment are located in the utility room in the administration office area.

There is a 100-amp, 100 milli-amp (ma) ground fault protection circuit in the utility room, which serves the existing pier power distribution boxes.

Power from the main utility room serves the existing office area lighting and general-purpose receptacles. Power for on-site refrigeration equipment, ice making equipment, and warehouse/cooler/freezer lighting is provided from utility room panelboards.

Power wiring and disconnect equipment serving refrigeration and ice making equipment is in fair to poor condition. Open junction boxes and unsupported wiring were observed in several locations, including the ice machine equipment room.

The 120-volt power wiring and 120-volt duplex receptacles in the building are old and in fair to poor condition. Some receptacles were noted as broken and damaged. There are some ground fault (GF) receptacles in damp areas, however the location of ground fault protection does not comply with current National Electrical Code (NEC) requirements.

Power and control wiring serving the boat fuel dispenser equipment was new circa 2021 and is in good to excellent condition. Conduit seal fittings at the building and at the dispenser locations are in compliance with NEC. The on-site fuel storage monitoring system control panel is located in the existing electric room.

Lighting

Lighting systems within the office areas of the building include ceiling mounted fluorescent fixtures with magnetic ballasts and wrap around acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in the warehouse, coolers, and freezer areas are surface, ceiling mounted fluorescent fixtures with magnetic ballasts, florescent lamps, and damp location acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in support spaces, toilet rooms, and closets include fluorescent and incandescent fixtures. These fixtures are old and in poor condition.

Existing site lighting includes pole and building mounted LED fixtures. The fixtures are relatively new. The wiring appears to be older and in fair condition.

Telephone

Telephone service extends from a utility pole adjacent to Peirce Island Road to the building in an underground conduit provided circa 1978. This conduit is smaller than the phone company's current standards. Spare conduits intended for future telephone and internet service were provided from a utility pole near Peirce Island Road to the building alongside the power service constructed as a part of the Bulkhead Rehabilitation Project.

Telephone service into the building terminates at a terminal block in the Utility Room. The telephone wiring is limited to a few internal phone jacks for voice phone service and is in poor to fair condition.

Security Systems

The existing site closed circuit television (CCTV) system includes a series of exterior mounted, wet location, exterior cameras, which are hard-wired back to video equipment in the building Utility Room. The CCTV cameras were partially funded by homeland security funds and the coverage includes views of the adjacent Piscataqua River and surrounding areas.

Hazardous Materials

RPF Environmental completed a hazardous materials survey for the existing building. The survey included accessible asbestos containing material in accordance with the initial asbestos inspection requirements prior to renovation or demolition work as stated in the New Hampshire State regulations and applicable federal regulations. In addition, the survey included screening for lead paint (LP) and other hazardous or regulated materials.

Several types of suspect asbestos containing material (ACM) were observed by RPF, including friable and nonfriable suspect material. Based on the testing performed by RPF, asbestos was detected in the following materials:

- 12-inch tan floor tile
- Tan vinyl sheet flooring and adhesive

Based on the year of construction and extent of renovation conducted over the years, it is reasonable to assume that some lead paint (LP) is present. RPF conducted limited spot testing of paint and LP was absent on various interior and exterior building components. The intent of the lead testing was for potential lead hazardous waste disposal screening purposes only.

Based on the RPF visual observations, potential polychlorinated biphenyl (PCB) containing light ballasts, mercury containing switches, and fluorescent light bulbs are present throughout the building.

The Hazardous Material Survey is included in Appendix D.

3.2 Site and Utilities

Existing site conditions in the vicinity of the Fish Pier Building are depicted on the Existing Conditions Site Plan (Sheet CX101), included in Appendix B. The existing site conditions for the project area are based on a limited topographic survey completed by Doucet Survey in March 2024, and record drawings. The location of underground utilities is based on utility location paint marks completed by Doucet Survey in March 2024, and record drawings.

Horizontal control for the project is based on the New Hampshire State Plane Coordinate System 2800, West Zone, North American Datum of 1983. The vertical datum is based on mean lower low water (MLLW), which is 4.62 feet above NAVD88.

Circulation and Accessibility

Vehicles gain access to the site from Peirce Island Road. The area surrounding the building and extending to the bulkhead is paved and allows for vehicle circulation around the building and access to the building and waterfront.

Subsurface Soil Conditions

Record boring logs indicate that subsurface conditions in the vicinity of the Fish Pier Building consist of granular fill (sand and gravel, some silt) over naturally deposited silt and sand over bedrock. The logs indicate that the fill extends to depths of about 15 feet below the ground surface and contains materials described as debris and wood. The fill thicknesses appear consistent with the record information for the original building. Record design drawings called for construction to follow New Hampshire Department of Public Works and Highways Standard Specifications dated 1974 and the use of gravel fill. The materials are consistent with gravel fill; however, it appears to contain deleterious material locally. Limited Standard Penetration Test N-values indicate consistent fill relative density, suggesting compactive effort was applied as the fill was placed.

Preliminary Geotechnical Recommendations for the project, prepared by R.W. Gillespie and Associates is included in Appendix C.

Pavements

Significant cracking is present throughout the parking lot, except at the west of the Fish Pier Building, where pavements were replaced as a part of the Bulkhead Rehabilitation project.

Utilities

Storm Drainage

Stormwater runoff from site development generally sheet-flows over paved and vegetated areas, over the embankment, and into the Piscataqua River.

Sanitary Sewer

A duplex submersible sewer pump station is present within the building's Utility Room, which receives flow from the building's bathrooms and floor drains. A 2-inch sewer force main extends out the south side of the building, then turns to the east and runs parallel to the water main and connects to two force mains in Peirce Island Road (recently installed 24-inch diameter and an old force main). Installation of the 24-inch force main included partial replacement of the Fish Pier service pipe and valves within the limits of the road.

Water

A 6-inch water service extends from the City's distribution pipe within Peirce Island Road to the south side of the existing building where it terminates at a hydrant that was constructed circa 2021. A 2-inch water service extends to the building from the 6-inch line.

Fuel

A 3,000-gallon and a 15,000-gallon underground fuel storage tank are present at the east of the building. Underground fuel piping and controls extend along the north of the building to a fuel dispensing structure located at the west of the building. Gas and diesel storage tank high-level alarm panels are mounted to the west side of the cold-storage structure.

Flood Elevations

According to the current FEMA Flood Map, the project site is not within a flood hazard zone. The base flood elevation of the Piscataqua River, in the vicinity of the project site is 12.86 feet (MLLW). Pavement elevations around the existing building are approximately 14.50 feet.

4 - Program Requirements

4.1 Building

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

The existing structure will be demolished in its entirety and a new building will be constructed in the same location as the original 1978 structure. If possible, the existing foundations for the original building will be reused. Areas within the building that are not occupied by the identified program will be used to replicate the existing bait storage area and provide space for general storage.

5 - Recommended Scope of Work

5.1 Base Bid

The following narrative describes the recommended Base Bid scope of work to achieve the project objectives, considering the project budget constraints.

5.1.1 Site and Utilities

Removals

Removals will include existing asphalt pavement around the perimeter of foundations and utilities to support new utility services and connections.

Pavement Repairs

The bituminous pavement section used to restore disturbed areas will consist of 18 inches of base course and 4 inches of bituminous concrete pavement that conforms to New Hampshire Department of Transportation Standard Specifications placed on a prepared subgrade.

Site Facilities

Bollards will be provided at each overhead door, building corners, and to protect above-grade utility systems that could be damaged by vehicle circulation.

Utilities

Sanitary Sewer: A 4-inch gravity sanitary sewer service will be extended from the building to a submersible sewer pump station located at the exterior of the building. The discharge pipe will be connected to the existing 2-inch force main that extends to the City's sewer force mains in Peirce Island Road.

Water: The existing 2-inch water service will be replaced to 5 feet outside of the building and extended into the Utility Room.

Fuel System: The existing fuel system will be temporarily shut down during the construction of the building due to budget limitations.

5.1.2 Structural

Removals

Removals will include the entire existing building structure and foundation system. The existing foundation system, not within the area of the building construction, will only be removed to 12 inches below the existing ground surface for budgetary reasons.

If it is determined during the design process that the existing foundations for the 1978 portion of the building are sufficient to support the new structure, then removal of foundations will not be required.

Building Structure

The new structure's roof will consist of both sloped and flat metal-plate-connected wood trusses connected to the wall framing with truss connectors. Plywood roof sheathing will be provided for the roof diaphragm.

The new structure's wall framing will consist of wood stud walls connected to the foundation with shear wall hold-down anchors. Plywood wall sheathing will be provided for the shear walls.

Foundations

The new structure's foundation system will consist of reinforced concrete foundation footings and reinforced concrete foundation walls. A reinforced concrete slab-on-ground will be provided to support the imposed building occupant load and forklift vehicle loads.

Since there are record drawings of the original building's foundation system, it may be possible to reuse the existing foundation system to support the building structure. A structural analysis of the existing foundation will be necessary to determine if it has sufficient capacity to support the current code mandated loads. Also, geotechnical investigations will be necessary to prove that the existing site soil conditions are suitable for supporting the proposed new structure (refer to geotechnical report in Appendix C).

5.1.3 Architectural

Exterior

The proposed building will have an approximate footprint of 2,000 square feet. The characteristics of the building will aim to blend with the architectural style with the surrounding neighborhood while also relating to the original commercial fish pier building.

The new, single-story structure will be made up of several distinct building volumes with varying wall heights and roof styles. Wood or composite shake style siding will wrap the building envelope and be accented with wood or composite trim. Several window styles will be incorporated into the design to allow for sightlines, natural ventilation, and natural lighting. The gable roof surfaces will be finished with an asphalt shingle system and the low-sloped roof surface will have a membrane system. Entry doors and overhead doors will be located on various building elevations to allow for efficient building access and operation.

Interior

Interior spaces will be arranged in a similar manner to the existing building. The PDA office space, which will include a bathroom and utility room, will be located at the west end of the building adjacent to the waterfront. Interior access from the office space into the ice production space and cold storage space will be provided. Interior finishes will be selected as the design is further developed.

5.1.4 Fire Protection/Life Safety

Requirements for Provision of a Sprinkler System

A sprinkler system is not required for the building due to the limited building size and occupancy classification. The 2018 NFPA 101 does not require sprinkler systems for Business or Storage occupancies without other extenuating circumstances that do not apply here (such as a high-rise or limited access building). This is per NFPA 101, Sections 42.3.8 and Chapter 38. The 2018 IBC does not require a sprinkler system for B occupancies, or S-1 occupancies that are single story or under 12,000 square feet per Sections 903 and 903.2.9. A sprinkler system is not required and will not be provided.

Requirements for Provision of a Fire Alarm System

A fire alarm system is not required for the building due to the limited building size and occupancy classification. Under the 2018 NFPA 101 Business occupancies are not required to have a fire alarm system unless they are three or more stories in height, have 50 or more occupants above or below the level of exit discharge, or have more than 300 total occupants (Section 38.3.4.1). Storage occupancies with ordinary hazard storage are not required to have a fire alarm system unless the area exceeds 100,000 SF per NFPA 101, Section 42.3.4.1.2. The 2018 IBC does not require a fire alarm system for B occupancies unless there is a combined occupant load of 500 or more, there are more than 100 people above or below the level of exit discharge, or there is an ambulatory care facility (Section 907.2.2). IBC, Section 907 does not require a fire alarm system for a typical S occupancy. The building is to be a single story with an area under 2,000 SF and a calculated occupant load of approximately 10 people. A fire alarm system is not required and will not be provided.

Required Fire Flow

The fire flow is to be in accordance with NFPA 1. For a building of combustible construction that is not fire-resistance rated, and has an area below 3,600 square feet, NFPA 1, Table 18.4.5.2.1, requires a minimum fire flow of 1,500 gallons per minute (gpm) at 20 pounds per square inch (psi) for a duration of 2 hours.

A hydrant flow test was conducted on March 20, 2024, by Underground Testing & Services LLC, on hydrants in the vicinity of the planned building. The hydrant flow test indicated an available fire flow of 1,506 gpm at 20 psi.

The results of the hydrant flow test are included in Appendix E.

5.1.5 Mechanical

The heating, ventilation, and air conditioning systems installation will comply with 2018 International Mechanical Code, in accordance with New Hampshire Building Codes.

Heating, Cooling, and Ventilation

Office

Heating and Cooling: A single zone ductless split heat pump with electric resistance baseboard backup with a system remote controller/thermostat will be provided. The system will have low temperature heating with heat pump operation down to -13 degrees Fahrenheit. Wall mounted indoor and exterior wall mounted outdoor units will be provided. Condensate will drain via gravity out the wall to ground.

Ventilation: Required. Natural ventilation is permitted (International Mechanical Code 2018) with a minimum available total operable window opening of 4 percent of office floor area within the space. It is assumed that the total operable window opening area in the office will satisfy this natural ventilation requirement. The mechanical ventilation alternative would be to provide a small energy recovery ventilator.

Restroom

Heating and Cooling: Heating only will be provided via an electric baseboard with a programmable thermostat.

Ventilation: Exhaust ventilation required. A light circuit activated ceiling exhaust fan with backdraft damper will be provided with a ducted sidewall exhaust hood outlet.

Mechanical Room

Heating and Cooling: Heating only will be provided via an electric unit heater with an integral thermostatic controller.

Ventilation: Not required.

Open Storage

Heating and Cooling: Heating and high temperature relieve systems will be provided under Option 2.

Ventilation: Not required if not heated or if heated below 50 degrees F setpoint.

Ice Storage

Heating and Cooling: Heating will not be provided. A cooler and refrigeration equipment package will be provided under Option 2.

Ventilation: A cooler and refrigeration equipment package will be provided under Option 2.

Ice Making Machine Room

Heating and Cooling: A heating system will be provided under Option 2.

Ventilation: Not required.

5.1.6 Plumbing

The plumbing installation will comply with the 2018 International Plumbing Code, in accordance with New Hampshire Building Codes.

Plumbing Utilities

The domestic water entrance will be provided with a water meter and RPZ type backflow preventer.

A separate domestic water feed rough-in with a backflow preventer and water filter will be provided for the ice machine. Heat trace water pipe freeze protection is not included in the scope; however, it should be provided when the filtered water piping rough-in is extended to the ice machine.

A 10-gallon electric domestic water heater with a thermostatic mixing valve assembly in Utility Room to serve hot water needs.

Sanitary/waste gravity piping will drain to a sanitary submersible pump station located outside the building. See Section 5.1.1 Site and Utilities for description.

Plumbing Fixtures

Toilet rooms fixtures will consist of a floor-mounted ADA height water closet with a 1.28 gpf manual flush valve and wall-hung ADA compliant vitreous china lavatory with a 0.5 gpm single handle manual faucet.

Other plumbing fixtures will include a mop receptor with a 1.5 gpm wall mounted manual faucet in the Utility Room; 3-Inch floor drains outside of Ice Room and outside of anticipated cooler locations in Open Storage; two 3/4-Inch non-freeze wall hydrants, one located at the exterior of the Utility Room and one located at the north exterior wall of the Restroom; and a non-freeze utility hose connection at the north exterior wall of the Office.

Storm drainage from the roofs will be managed with roof gutters and downspouts to ground level.

5.1.7 Electrical

The existing underground electrical service and pad mounted transformer were located near the edge of the existing parking lot as a part of the Bulkhead Rehabilitation Project in order to facilitate the replacement of the existing building in the future. The system and equipment are new, in excellent condition, and will be maintained in their current locations.

Portions of the existing underground secondary power conduits near the building and wiring will be replaced.

Permanent power will be provided underground from the existing pad-mounted transformer to the new building. Electrical service will be 120/208 volts, 3 phase, 4 wire to match the existing Eversource pad transformer secondary voltage.

Site lighting will be maintained during construction.

Separate metering provisions will include a minimum of:

- House power for site lights, fuel tank inventory and leak detection systems, site fuel dispensing system, sewer pumps, administration office lights and receptacles, building security and fire alarm systems, site CCTV system, and pier power and lighting systems.
- Power for ice making equipment.
- Power for shared warehouse refrigeration areas including equipment, lights and general-purpose power.

- Provisions for separate metering for tenant/user owned on-site refrigeration structures. Provisions to include power from the transformer to a 3 phase 120/208-volt commercial meter stack with a variety of meter ampere ratings, and variety of feeder breaker sizes (to be determined) and feeder conduits from the meter stack to the vicinity of the proposed tenant/user owned refrigeration equipment. These feeders will terminate in a series of stainless steel, lockable, fused disconnect switches. Wiring beyond these disconnect switches will be tenant/user provided.

5.1.8 Communications

Communications services will be extended to the building via an existing spare conduit installed as a part of the Bulkhead Rehabilitation Project. Portions of the conduits near the building will be removed and extended to the building to accommodate construction.

5.1.9 Security

Temporary outage and modifications to the existing CCTV camera system will be necessary to accommodate construction. The recommended scope of work considers that portions of the system will be removed to accommodate construction and will be replaced/restored. Temporary facilities to support the operation of the system during construction are not included. The PDA will need to confirm constraints and requirements for the temporary outage and modifications to the CCTV camera system.

5.2 Reuse Existing Building Foundations

Based on apparent building performance and field observations, reusing the existing foundations to support the new structure appears technically feasible. However, additional subsurface investigations and design is necessary to confirm reuse of the foundations.

Reuse of foundations would include the following:

- Removal of the existing structure to the top of the existing 1978 portion of the foundations. Existing floor slabs would be completely removed;
- Post-installed anchors installed in the top of the foundation every 6 feet to anchor sill plates and post-installed hold down anchors installed in the top of the foundation walls at the ends of each shear wall;
- Elimination of removal of existing pavement around the foundations being reused; and
- Elimination of removal and reuse of the existing concrete equipment pad at the west of the building.

5.3 Option 1 - Insulation and Cooling (Bait Storage)

Option 1 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- Fork truck access door air curtain; and
- Electrical connections.

5.4 Option 2 - Insulation and Cooling (Ice Storage)

Option 2 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- 5-ton ice machine, skid mounted;
- Ice making machine room heater;
- Open storage heater;
- Open storage high temperature exhaust fan;
- Fork truck access door air curtain;

- Water connections: filtered water to ice maker, hose bibb in open storage; and
- Electrical connections.

5.5 Option 3 – Temporary Dock Power

Option 3 includes providing temporary power from the existing pad mounted transformer, via a dedicated electrical meter, to serve the existing dock power distribution system during construction.

The existing dock power system is relatively new, in excellent condition, and includes corrosion resistant, stainless-steel enclosures and panelboards with corrosion resistant copper busses. Protection for personnel is provided by 6 milliamp (ma) GFC interruption breakers in compliance with the National Electrical Code (NEC).

The existing feeders are routed under the Pier/Dock and terminate at a stainless steel, lockable disconnect at the end of the pier.

Temporary power to the pier will be metered separately and include a weatherproof, lockable, stainless steel, dedicated circuit breaker equipped with 100 ma ground fault protection for marine facilities as per the NEC.

6 - Permitting

6.1 Local Permit Requirements

Since the project is located entirely on state property, local permitting is not required, except as required for environmental permitting.

6.2 State Permit Requirements

The majority of construction activities associated with the project will be within 100 feet of the Highest Observable Tideline (HAT). Since the area of removals will exceed 3,000 square feet, a New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill Permit will be required. Additionally, a NHDES Shoreland Permit will be required to account for construction activities between 100 feet and 250 feet from the HAT.

7 - Estimate of Probable Project Costs

7.1 Methodology

The estimate of probable project costs prepared for this study is intended to reflect the opinion of Oak Point Associates relative to the financial support needed to implement the scope defined herein. Because the estimate is based on concept level design, limited site investigations, and limited discussion with review authorities, it is possible that the scope of the project will change as site investigations, design efforts, and consultations with permit authorities progress during the design phase of the project. Consequently, the estimate of probable costs should be considered preliminary.

The estimate considers an open, competitive bid solicitation and uses current published construction cost information, costs based on similar recent projects, and local cost information. Additionally, the estimate considers construction will begin during the fall of 2024 and will have a duration of 6 to 9 months.

7.2 Mark-Up Factors

The following factors have been accounted for in the estimate:

- General Conditions (7%)
- Design Contingency (15%)
- General Contractor Overhead and Profit (15%)
- General Contractor's Bond (2.5%)

Outlined below are other costs that will be incurred as a part of the project and accounted for in the estimate. These costs are included as a percentage of the total construction cost.

- Design and Permitting Services (8%)
- Construction Period Services (5%)
- Construction Contingency (6%)
- State Project Administration (2.5% assumed)

7.3 Estimated Costs

Funding for the project was reportedly established by the PDA at $1.0 million, including construction, design services, permitting services, construction period services, construction contingency, and miscellaneous construction administration costs.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

Appledore Marine Engineering, LLC

600 State Street, Suite E
Portsmouth, NH 03801
603-766-1870
www.appledoremarine.com

July 3, 2024
Project No: 5346
Invoice No: 5346001

Pease Development Authority
Attn: G. Marconi
Division of Ports & Harbors
555 Market Street
Portsmouth, NH 03801

RECEIVED JUL 08 2024

Project 5346 PFP Replacement Building Design
PFP Replacement Building Design
Attention: Geno Marconi (G.Marconi@peasedev.org); Myles Greenway (m.Greenway@peasedev.org); Brenda Therrien (B.Therrien@peasedev.org)

Professional Services from June 17, 2024 to July 1, 2024

Fee

Billing Phase	Fee	Percent Complete	Earned	Current Fee Billing
Project Mgt, Mtg & QC Services	52,715.00	10.00	5,271.50	5,271.50
Site Investigation Analysis	32,483.00	10.00	3,248.30	3,248.30
Design & Contract Docs	83,017.00	5.00	4,150.85	4,150.85
Permitting Services	19,316.00	5.00	965.80	965.80
Construction Services	30,888.00	0.00	0.00	0.00
Total Fee	218,419.00		13,636.45	13,636.45
		Previous Fee Billing	0.00	
	Total Fee			**13,636.45**
		Total this Invoice		**$13,636.45**

Billings to Date

	Current	Prior	Total
Fee	13,636.45	0.00	13,636.45
Totals	**13,636.45**	**0.00**	**13,636.45**

Contract Balance - 204,782.55

ARPA Funded

APPROVED
BY: MM DATE: 7.8.24

Appledore Marine Engineering, LLC

600 State Street, Suite E
Portsmouth, NH 03801
603-766-1870
www.appledoremarine.com

July 3, 2024
Project No: 5347
Invoice No: 5347001

Pease Development Authority
Attn: G. Marconi
Division of Ports & Harbors
555 Market Street
Portsmouth, NH 03801

RECEIVED JUL 08 2024

Project 5347 Rye Harbor Retail Platform Design
Rye Harbor Retail Platform Design
Attention: Geno Marconi (G.Marconi@peasedev.org); Myles Greenway (m.Greenway@peasedev.org); Brenda Therrien (B.Therrien@peasedev.org)

Professional Services from June 17, 2024 to July 1, 2024

Fee

Billing Phase	Fee	Percent Complete	Earned	Current Fee Billing
Project Mgt, Mtg & QC Services	63,392.00	10.00	6,339.20	6,339.20
Site Investigation Analysis	40,270.00	10.00	4,027.00	4,027.00
Design & Contract Docs	74,118.00	5.00	3,705.90	3,705.90
Permitting Services	35,384.00	5.00	1,769.20	1,769.20
Construction Services	30,096.00	0.00	0.00	0.00
Total Fee	243,260.00		15,841.30	15,841.30
		Previous Fee Billing	0.00	
	Total Fee			**15,841.30**
		Total this Invoice		**$15,841.30**

Billings to Date

	Current	Prior	Total
Fee	15,841.30	0.00	15,841.30
Totals	**15,841.30**	**0.00**	**15,841.30**

Contract Balance - 227,418.70

ARPA Funded

APPROVED
BY: _____ DATE: 7.8.24

Appledore Marine Engineering, LLC

600 State Street, Suite E
Portsmouth, NH 03801
603-766-1870
www.appledoremarine.com

July 3, 2024
Project No: 5346
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	Total Fee			**13,636.45**
		Total this Invoice		**$13,636.45**

Billings to Date

	Current	Prior	Total
Fee	13,636.45	0.00	13,636.45
Totals	**13,636.45**	**0.00**	**13,636.45**

Contract Balance - 204,782.55

ARPA Funded

APPROVED
BY: MM DATE: 7.8.24

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

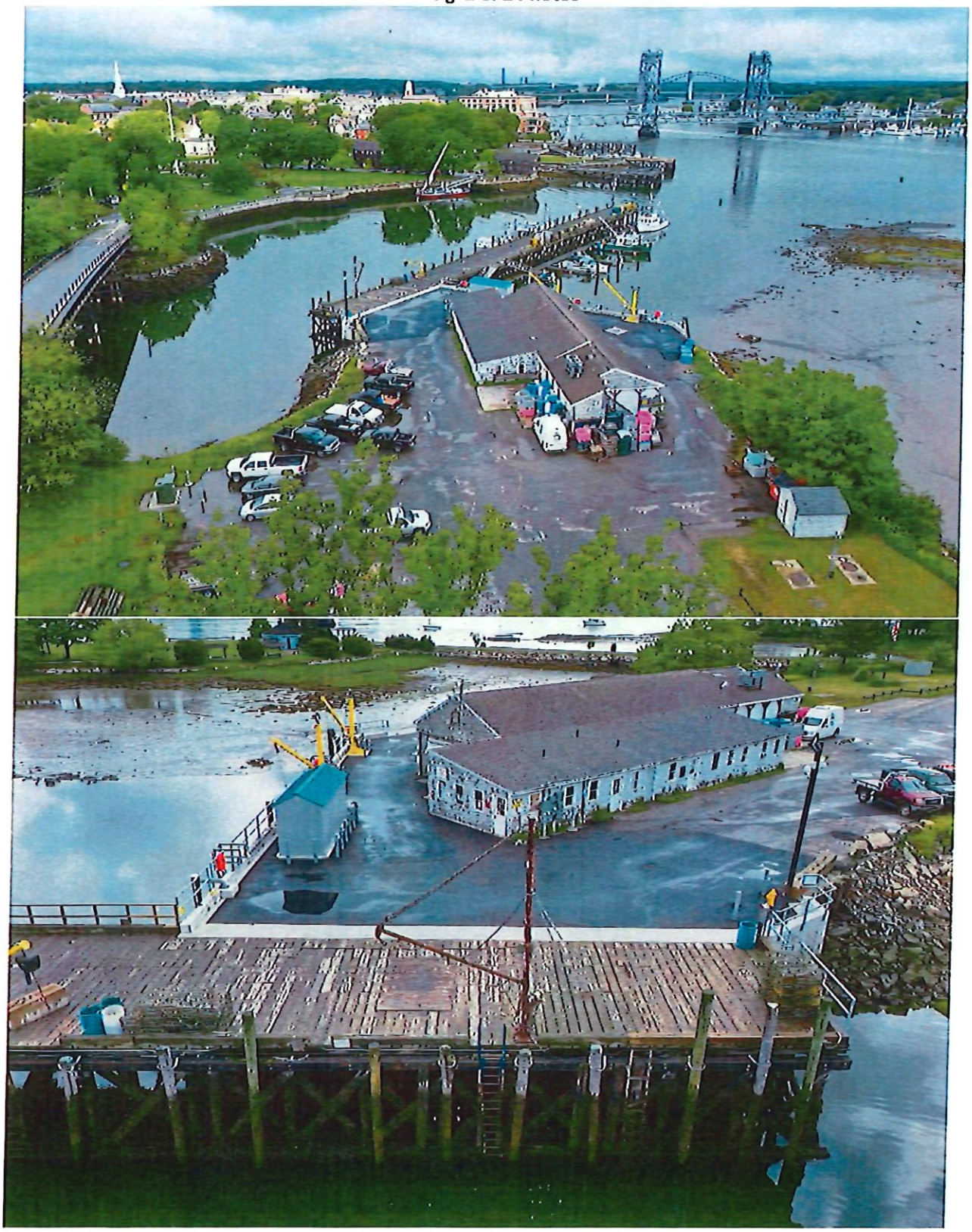
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

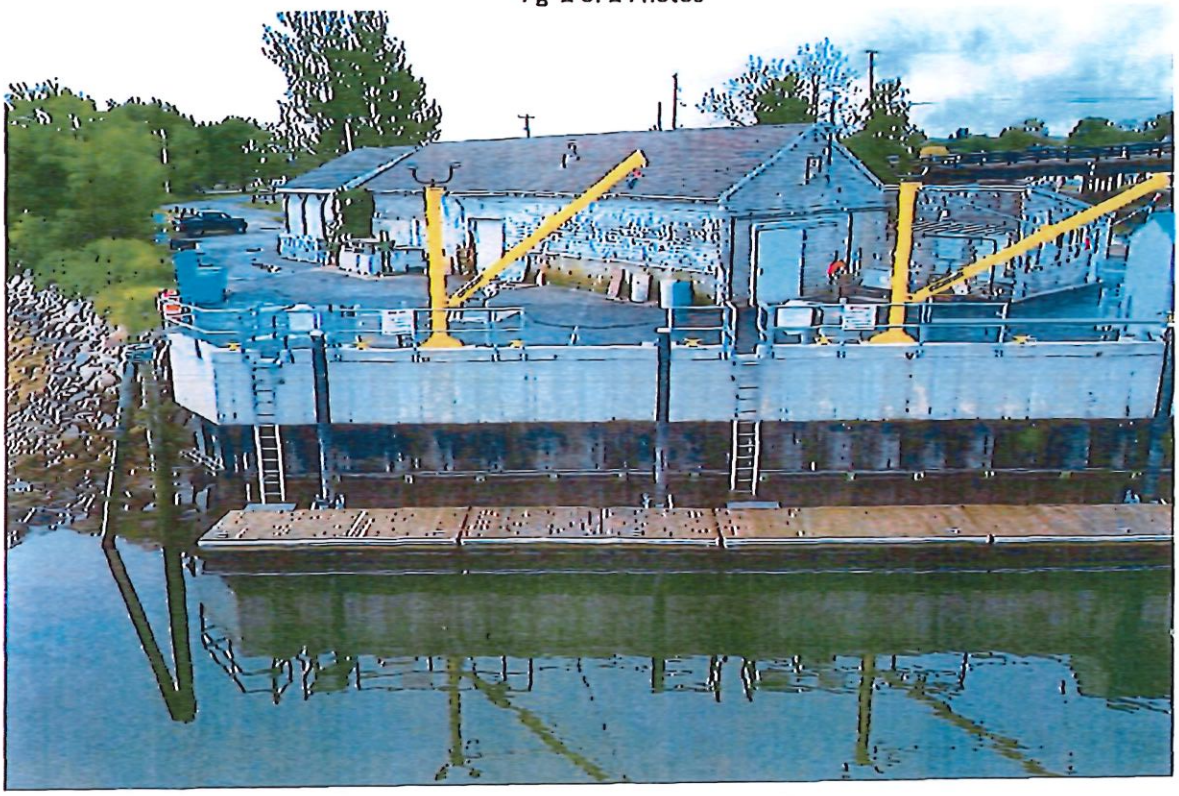
Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
WA Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos



Rye Retail Platform ARPA funded 03-13-013-130510-26xx0000	
Award	$1,000,000.00
Indirect costs	-$2,500.00
Audit fund set aside	-$997.00
Available Balance	$996,503.00
AME Proposal, Design, Etc.	-$243,260.00
Available Balance for construction	$753,243.00

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

Invoice tracking-Appledore $243,260.00 Available

Invoice number	Date	Amount		
1	$45,475.00	-$15,841.30	$227,418.70	

PFP Building Replacement ARPA funded 03-13-013-130510-26xx0000	
Award	$1,000,000.00
Indirect costs	-$2,500.00
Audit fund set aside	-$997.00
Available Balance	$996,503.00
AME Proposal, Design, Etc.	-$218,419.00
Available Balance for construction	$778,084.00

Scope	Fee
Project Management, Meetings and QC Services	$ 52,715
Site Investigations, Surveys and Program Analysis	$ 32,483
Design Services and Preparation of Contract Documents	$ 83,017
Permitting Services	$ 19,316
Construction Period Services	$ 30,888
Total Architectural and Engineering Services	**$218,419**

Invoice tracking-Appledore $218,419.00 Available

Invoice number	Date	Amount		
1		$45,475.00	-$13,636.45	$204,782.55

Raeline O'Neil

From: Paul Brean
Sent: Thursday, July 11, 2024 8:49 AM
To: Myles Greenway
Subject: RE:

Thank you.

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, July 11, 2024 8:41 AM
To: Paul Brean <P.Brean@peasedev.org>
Subject: RE:

Also sent through "Teams" because file is too big...you should be able to save on desktop.

Document: **"January 2024 Storms Rye Harbor"**

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, July 11, 2024 8:27 AM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject:

I have a meeting with a Rye selectman today about Goffer project. Can you please send me the pictures of the shacks under water

Get Outlook for iOS

Raeline O'Neil

From:	Myles Greenway
Sent:	Thursday, July 11, 2024 8:36 AM
To:	Paul Brean
Subject:	Rye selectman today about Goffer project 1 of 2
Attachments:	NH PDA Port Authority 09-14JAN24 severe storm impact doc..pdf

Roger that – please see attached.

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, July 11, 2024 8:27 AM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject:

I have a meeting with a Rye selectman today about Goffer project. Can you please send me the pictures of the shacks under water

Get Outlook for iOS

NH PDA- Port Authority
1/09-1/14/2024
Severe Storm Impact
FEMA

Prepared by:
Tom Maciel, Operations Manager

Reviewed by:
Myles Greenway, Assistant Port Director

Approved by:
Geno Marconi, Port Director

Table of Contents:

1. FEMA Impact report
    a. General overview of storm report
    b. Past storms and correlation between past two storms
    c. Conclusion, discussion of next three sections
2. Rye Harbor:
    a. FEMA report
    b. Maps and photos
3. Hampton Harbor
    a. FEMA report
    b. Maps and photos
4. Documents:
    a. 2018 post storm Marine Engineering assessment
    b. 2018 post storm clean up documentation.
    c. Lakes Region Environmental, receipts Hampton 2024

New Hampshire Port Authority
09-14JAN24 Severe Storm Impact FEMA Report

A. General Overview

New Hampshire Port Authority sustained significant damages to two of our facilities, the first and most damaged being Rye Harbor. This harbors unique positioning allows for harsh storm surges, seeing upwards of 4.5 feet of water in the parking lot. The Rye Harbor office building had its door pushed in, fridge was broken, and debris scattered throughout the office. The fueling system was destroyed with sumps concrete pads haven sunk from the wash out and electrical wiring exposed. The asphalt boat launch and recreational gangway were also both destroyed beyond repair. Most importantly the seawall protecting all of this facility was compromised, and as you will see from this documentation, A STRONG SEAWALL could have prevented a majority of damages from the storm. The second facility was Hampton Harbor, where most of the damage sustained were to the fueling system again due to high water. As of 27FEB24 we still do not have fuel at both locations mainly due to electrical wiring and weather.

B. Past Storm Correlation

The last storm in 2018 the Port Authority had submitted paperwork to FEMA, that did not look much different from the paperwork you are seeing today. Rye Harbor will continue to have storm damages of this magnitude until action is taken to address the seawall.

C. Conclusion, description of proceeding documentation

The last section of this report shows documentation from Appledore Marine Engineering, LLC, Second Nature-Pit and Lakes Regional Environmental. This documentation shows debris removal from last storm (2018), and the SEAWALL assessment that had no further actions taken. Lastly, invoices from LRE for work completed at our Hampton facility, the work there cannot be tested for functionality because the electrical system to the fueling is still down.

New Hampshire Port Authority
09-14JAN24 Severe Storm Impact FEMA Report

RYE HARBOR:

- Location of Debris – such as GPS location
    - Notated maps are also useful (if available).

Rye Harbor: 40°00'06" N 70°45'06"W

- Location of debris operations facilities – for reduction sites, staging areas, disposal sites, pickup locations, etc.

Debris was collected and disposed of by a 3rd party contract, shown in the documentation section. Sediment was collected from around the seawall as well as the parking lot. Seawall reinforcement help slow the sea surge.

- Please provide a brief statement of the percentage of work completed for the Category A work:

As of 26FEB24, 70% of sediment pushed into the parking lot and the driveway have been removed. However, the seawall and fueling area still have work to be completed. At this time, we cannot move forward on clean up of these areas due to the restrictions of electrical issues and the unstable grading of the ground and damages sustained to the seawall.

- Debris calculation sheet(s): Please provide the Debris type (vegetative; soil; mud; sand; etc.) and the total quantity of debris that was removed/needs to be removed.

Majority of the debris was sediment from the harbor, small rocks and medium size rocks moved from sea wall. A survey has not been completed post storm due to assess the erosion of seawall or boat launch. As far as the amount moved off site please refer to the invoices provided.

- Please provide any photos of the damaged site location(s): SEE DOCUMENTATION
- Force Account Labor (FAL):
    - Labor contract/agreement

      NHPA contracted out a 3rd party Second Nature- Pit, Jim Jones to help with pre/post storm fortification of seawall and debris removal.

      Lakes Region Environmental is our on call company used for the fueling systems. Documentation on the Rye Harbor facility has not been conducted due to weather restriction on sump repair.
    - Labor cost summary/sample of time sheets identifying the employees with the dates and hours worked (please separate out regular time and overtime for all employees)

      All recorded hours for employees working at this time did not include OT
    - Description of the winter storm related activities that each employee was working.

      Seawall pre storm support, securing office, inspection of gangways and skiff docks.
    - Pay policy, breakdown of rate of pay, average fringe benefit rate.

For Category D – Category G:

- Please provide the address/location of the damaged site(s)
    - Notated maps are also useful (if available).
- Damage details including a list of the facility type(s) that were damaged along with the materials of the damaged facility, and the percentage of work complete
- Damage dimensions to include size, length, capacity, etc. of the damage
- Whether the damaged facilities will be repaired or replaced and an explanation for justification
- Photograph(s) of the damaged site(s)
- Whether any equipment was damaged and a description of the damage

RYE HARBOR 09-14JAN24 FEMA IMPACT

RYE HARBOR 09-14JAN24 FEMA IMPACT

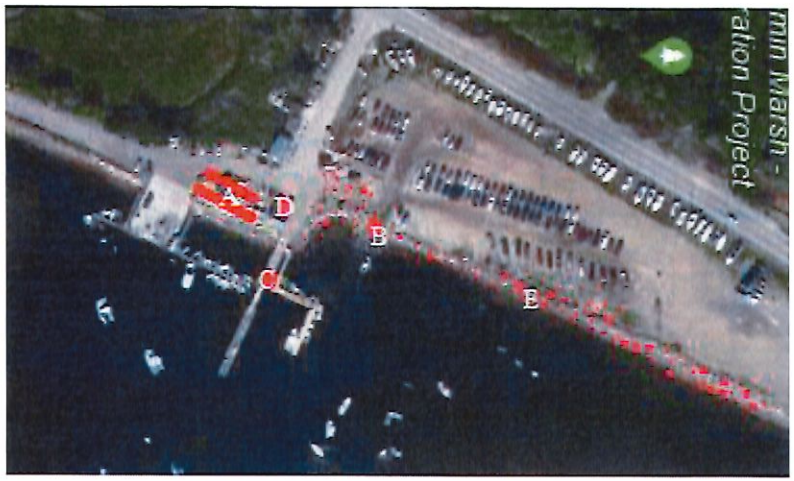
A: UNLEADE/DIESEL FUELING SYSTEM PICTURES

The following is in order of importance to get our facility back into working order. It should be noted that storm damage could have been prevented with the contraction of a new seawall to protect our facility.

- Fuel system- $14,360.23
- Boat launch- $65,000.00
- Gangway- $35,000.00
- Rye harbor office- $11,368.16
- Seawall- $425,000.00

Unfortunately, looking back at our FEMA submission in 2018, most of the damage to this facility could have been avoided if a stronger seawall had been put in place. In order for this facility to be back to 100% working order, the seawall falls to the bottom of the list. The list provided above is the "in order of importance" to this facility; however the seawall needs to be addressed to prevent future destruction.

RYE HARBOR 09-14JAN24 FEMA IMPACT



A: unleaded/ diesel fueling system (commercial)

B: Boat Launch

C: recreational pier gangway

D: Rye Harbor Office Building

E: harbor sea wall

RYE HARBOR 09-14JAN24 FEMA IMPACT

A: UNLEADE/DIESEL FUELING SYSTEM REPORT

NOTE: The New Hampshire Port Authority [NHPA] commercial and recreational fueling systems located at Rye Harbor, is represented in the regional location map (shown above) is shaded in red and label as A.

The storms occurring between January 9th and 14th, 2024, had a significant impact on the NHPA facility at Rye Harbor, specifically affecting the fueling systems at the commercial fisherman's pier. The extensive damage to the fueling system can be observed in the provided pictures above. The electrical and grading components for the fill and transfer sumps suffered sever damage.

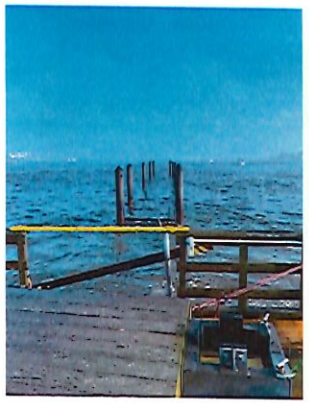
Fortunately, our fueling stations located on the commercial and recreational piers remained physically undamaged, However, assessment of the electrical damage is still pending. Unfortunately, this severe damage is not an isolated incident for the NHPA's Rye Harbor facility. The patterns of damage appear consistent with previous storms.

Prior storm damage assessment can be found at the end of this document, labeled as 2018 Storm Damage Report.

RYE HARBOR 09-14JAN24 FEMA IMPACT

RYE HARBOR 09-14JAN24 FEMA IMPACT

C: RECREATIONAL PIER GANGWAY



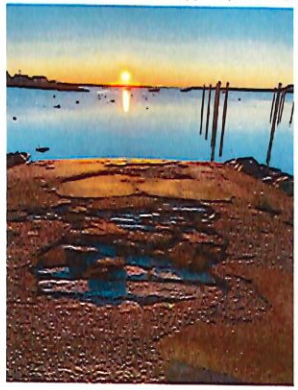
NOTE: The New Hampshire Port Authority [NHPA] recreational pier gangway at Rye Harbor, is represented in the regional location map, shown in red and label C.

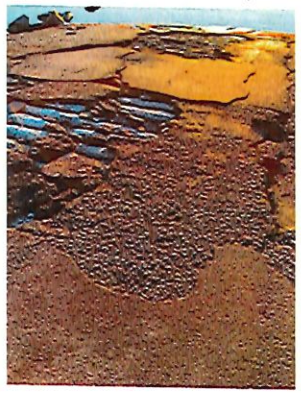
The gangway was partially removed from this location using a crane. However, half of the gangways remains in the water around the northernmost skiff dock area. Removal of this section will be scheduled for this spring before the floats are put back into water. Measurements of the gangway have been recorded, and the process of ordering a new gangway is underway.

RYE HARBOR 09-14JAN24 FEMA IMPACT

B: BOAT LAUNCH

NOTE: The New Hampshire Port Authority [NHPA] Boat Launch located at Rye Harbor, is represented in the regional location map, shown in red and label B.





The NHPA Rye boat launch is utilized by both recreational boaters and commercial fishermen from across the NH Seacoast and throughout New England. During the storms of January 9th to 14th, 2024, the boat launch sustained significant damage. An official assessment by a marine engineer has not yet been conducted at this time.

RYE HARBOR 09-14JAN24 FEMA IMPACT

The Rye Harbor Office had a tremendous amount of flooding as seen from the pictures above, showing waves over 4.5 feet. The door to the office was barricaded, unfortunately this did not stop sediment and water from damaging the office space. Electrical damage to the building caused total lose to fridge, power strips and other outlets.

New Hampshire Port Authority
09-14JAN24 Severe Storm Impact FEMA Report

HAMPTON HARBOR:

- Location of Debris – such as GPS location
  - Notated maps are also useful (if available).

Rye Harbor: 42°46'50" N 71°25'16" W

- Location of debris operations facilities – for reduction sites, staging areas, disposal sites, pickup locations, etc.

Debris was collected and disposed of by a 3rd party contract, shown in the documentation section. Sediment was collected from around the seawall as well as the parking lot

Please provide a brief statement of the percentage of work completed for the Category A work:

As of 26FEB24, 90% of sediment pushed into the parking lot and the driveway have been removed. However, the fueling area still have work to be completed. At this time, we cannot move forward on getting the fuel back online, due to the restrictions of electrical.

- Please provide any photos of the damaged site location(s): SEE DOCUMENTATION
- Force Account Labor (FAL):
  - Labor contract/agreement
    - NHPA contracted out a 3rd party- Second Nature- Pit, Jim Jones to help with pre/post storm fortification of seawall and debris removal.
    - Lakes Region Environmental is our company used for the fueling systems. Documentation on the Rye Harbor facility has not been conducted due to weather restriction on sump repair.
    - Labor cost summary/sample of time sheets identifying the employees with the dates and hours worked (please separate out regular time and overtime for all employees)

All recorded hours for employees working at this time did not include OT

  - Description of the winter storm related activities that each employee was working.

Seawall pre storm support, securing office, inspection of gangways and skiff docks.

  - Pay policy, breakdown of rate of pay, average fringe benefit rate.

For Category D – Category G:

- Please provide the address/location of the damaged site(s)
  - Notated maps are also useful (if available).
- Damage details including a list of the facility type(s) that were damaged along with the materials of the damaged facility, and the percentage of work complete
- Damage dimensions to include size, length, capacity, etc. of the damage
- Whether the damaged facilities will be repaired or replaced and an explanation for justification
- Photograph(s) of the damaged site(s)
- Whether any equipment was damaged and a description of the damage

- Fuel system- $14,360.23 with electrical work another $5,000

At this time the fueling system project has been halted, as seen in supporting documentation the electrical aspect of this repair is more intense than we foresaw.

RYE HARBOR 09-14JAN24 FEMA IMPACT

D: RYE HARBOR OFFICE BUILDING

NOTE: The New Hampshire Port Authority [NHPA] Rye Harbor Office Building, is represented in the regional location map, shown in red and label D.

RYE HARBOR 09-14JAN24 FEMA IMPACT

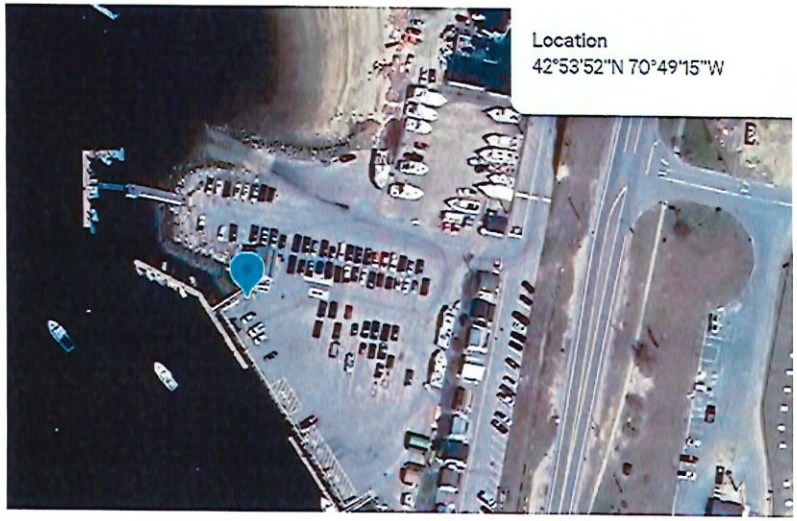
E: HARBOR SEA WALL

NOTE: The New Hampshire Port Authority [NHPA] Harbor Sea Wall at Rye Harbor, is represented in the regional location map, shown in red dots/ label E.

NHPA put preventative sea wall reinforcements (jersey block barriers), these were moved during storm serge. Breaks in the sea wall can be seen in the photo shown above. The sea wall is key in protecting this area, a strong seawall will help prevent future disasters.

HAMPTON HARBOR 09-14JAN24 FEMA IMPACT

HAMPTONHARBOR FUELING SYSTEM



HAMPTON HARBOR 09-14JAN24 FEMA IMPACT

HAMPTON HARBOR 09-14JAN24 FEMA IMPACT

NOTE: Location of Hampton Habor is located by the blue dot on the bottom right of the state (seen above)

HAMPTON HARBOR 09-14JAN24 FEMA IMPACT

HAMPTON HARBOR FUELING SYSTEMS

NHPA Hampton Harbor has had Lakes Region Environmental come to assess the fueling system at Hampton, unfortunately the electrical system has been compromised and until this has been fixed fuel will be off line until further notice.

HAMPTON HARBOR 09-14JAN24 FEMA IMPACT

New Hampshire Port Authority
09-14JAN24 Severe Storm Impact FEMA Report

Supporting documentation:

Note: the goal of these documents is to show the results and findings from the last major storm event, back dated invoices are to represent the invoices we will be receiving but have not gotten. The invoices from Lakes Region Environmental is ONLY for Hampton Harbor.

A. Preliminary Estimates of damages sustained during storms.
B. Appledore Marine Engineering, LLC -2019 "Rye Harbor Revetment Repair to Pre-Storm Condition Outline"
C. Appledore Marine Engineering, LLC- 2018 "Amended Proposal Marine Engineering Services Rye Harbor Riprap Repair"
D. Appledore Marine Engineering, LLC- 2018 "Proposal Marine Engineering Services Rye Harbor Riprap Repair"
E. Second Nature-Pit 03 Documents from the 2018 storm debris
    a. We do not have invoices yet from this storm, however same work was conducted.
F. Lakes Region Environmental Invoice 2024
    a. This is only for Hampton Harbor, still not functional due to electrical issues.

Preliminary Estimates

Category	Damage Type	Address	Description	Cost
	Debris Clearance Rye Harbor	1870 Ocean Blvd, Rye, NH 03801	Rocks and aggregate from the Rye Harbor seawall strewn across the public access road leading into Rye Harbor facility inclusive of the facility parking /storage lot. Rocks and aggregate were returned to the seawall and sticks, garbage and refuse mixed in with the aggregate was disposed of appropriately.	$6,525.00
	Buildings and Equipment – State Office Building; Flooding and Structural Damage. Rye Harbor	1870 Ocean Blvd, Rye, NH 03801	The state office located within the harbor was flooded with several inches of seawater. The building also suffered minor structural damage which at the time of this writing appears to be generally cosmetic - damaged siding, damaged flooring, and door. Majority of electrical outlets in the structure will have to be replaced from saltwater immersion.	$11,308.16
	Utility Systems – Fuel System Damage; Flooding of Sumps Rye Harbor	1870 Ocean Blvd, Rye, NH 03801	The fuel system was damaged by the storm surge during the storm and the sumps were flooded. The system was manually disabled out of an abundance of caution and our fuels system contractor responded to assess and repair the damage. Additionally, the facility's septic system was flooded during the storm surge wish cause the tank to fill to near overflowing. It had to be pumped to prevent a potential failure of the system and overflow into the wetlands.	$14,360.23
	Sea Wall Rye Harbor	1870 Ocean Blvd, Rye, NH 03801	Extensive damage to entire length of wave attenuating seawall. Smaller rocks and aggregate dislodged into parking lot and into Harbor. large rock and concrete barriers dislodged significantly.	$425,000.00 *see Appledore docs on pages to follow.
	Boat Lauch /Recovery Ramp Rye Harbor	1870 Ocean Blvd, Rye, NH 03801	Extensive damage to ramp.	$65,000.00

Preliminary Estimates

	Gangway Rye Harbor	1870 Ocean Blvd, Rye, NH 03801	Complete loss of recreational dock gangway.	$35,000.00
	Utility Systems – Fuel System Damage Hampton Harbor	1 Ocean Blvd. Hampton, NH 03842	The fuel system was damaged by the storm surge during the storm and the sumps were flooded. The system was manually disabled out of an abundance of caution and our fuels system contractor responded to assess and repair the damage.	$6,926.12
	Sea Wall Hampton Harbor	1Ocean Blvd. Hampton, NH 03842	Extensive damage to entire length of wave attenuating seawall. Smaller rocks and aggregate dislodged into parking lot. Large rock and concrete barriers dislodged significantly.	$10,000.00
			Total	$574,119.51

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

October 16, 2018

Geno Marconi
PDA Division of Ports & Harbors
555 Market Street
Portsmouth, New Hampshire 03801

Re: Proposal to Provide Marine Engineering Services
Rye Harbor Riprap Repair
Rye, NH

Dear Capt. Marconi:

Appledore Marine Engineering, Inc. (AMEI) is pleased to present this proposal for Marine Engineering services for the above-referenced project. This proposal will outline the Background, Scope of Services, Schedule of Work and Fees for Consulting Services to perform the work.

BACKGROUND

It is our understanding that the Rye Harbor facility is subject to erosion of the shoreline in the vicinity of the commercial pier and boat ramp. The shoreline along this portion of the facility is altered with riprap and the erosion typically occurs as a result of wave activity during periods of high water and storms. We understand during a spring storm of 2018, damage occurred including displacing the facility fuel lines.

We understand that the purpose of this proposal is to secure regulatory permits and develop sketches to allow a marine contractor to increase the elevation of the riprap along this portion of the shoreline.

SCOPE OF SERVICES

The scope of work for this project includes obtaining the regulatory permits, development of construction sketches, and limited consultation during construction.

Regulatory permitting support will include the development of regulatory applications to be submitted to the NHDES and meeting with the Town of Rye conservation commission. Once permit applications are prepared and regulatory permit fees are identified we will provide the required information so PDA obtain a check and submit the applications.

It is our understanding that PDA will select a local contractor to complete the work and that detailed bid plans and specifications are not required. To support the PDA in securing a quote for the work and providing direction to a contractor, a series of construction sketches will be developed providing the general limits and scope of the repairs. The sketches will be based on existing site plans and aerial drone photos, as no topographic survey is envisioned for this tasking.

A total of eight hours is included in this proposal for support during construction to respond to contractor questions and review of submittals.

SCHEDULE

Construction sketches will be completed within 20 days of a signed contract. Regulatory permit applications are anticipated to take approximately 45 days.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be in accordance with the following schedule on a firm fixed fee basis. The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work.

Task 1 Regulatory Permit Meetings and Application Development	$ 4,800
Task 2 Construction Sketches	$ 6,500
Task 3 – Construction Support	$ 2,500
TOTAL FEES	**$ 13,800**

Prompt payment of invoices is necessary for us to maintain a schedule and provide responsive service. We will invoice monthly for our engineering services and reimbursable expenses. Payment is due within thirty (30) days of date of invoice.

Thank you for giving us the opportunity to present a proposal for this work.

If you have any questions or require additional information, please do not hesitate to contact me.

Regards,

Noah Elwood

Noah J. Elwood, PE
President

This Proposal is subject and subordinate to the Agreement for Marine Engineering Services between the Parties dated July 1, 2017

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

December 4, 2018

Geno Marconi
PDA Division of Ports & Harbors
555 Market Street
Portsmouth, New Hampshire 03801

Re: Amended Proposal to Provide Marine Engineering Services
Rye Harbor Riprap Repair
Rye, NH

Dear Capt. Marconi:

Appledore Marine Engineering, Inc. (AMEI) is pleased to present this Amendment to proposal for Marine Engineering services dated October 16, 2018.

During a recent meeting with the Port Authority and FEMA, it was identified that the project will consist of additional work. The Tasks identified below as Tasks 1 thru 4 have been updated to include these additions. As such, this document supersedes previous version referenced above.

The following Amended proposal will outline the Background, Scope of Services, Schedule of Work and Fees for Consulting Services to perform the work.

BACKGROUND

It is our understanding that the Rye Harbor facility is subject to erosion of the shoreline. The shoreline of the facility is altered with riprap and the erosion typically occurs as a result of wave activity during periods of high water and storms. We understand during a spring storm of 2018, damage occurred including displacing the facility fuel lines.

We understand that the purpose of this proposal is to secure regulatory permits and develop design drawings to enact the repairs.

SCOPE OF SERVICES

The scope of work for this project includes obtaining the regulatory permits, development of design drawings and limited consultation during construction.

Regulatory permitting support will include the development of regulatory applications to be submitted to the NHDES and meeting with the Town of Rye conservation commission. Once permit applications are prepared and regulatory permit fees are identified we will provide the required information so PDA obtain a check and submit the applications.

It is our understanding that PDA will select a local contractor to complete the work. To support the PDA in securing a quote for the work and providing direction to a contractor, design drawings will be developed providing the general limits and scope of the repairs. The drawings will be based on existing site plans, surveys, and aerial drone photos.

A total of 24 hours is included in this proposal for support during construction to respond to contractor questions and review of submittals.

SCHEDULE

- Survey complete within 30 days from Notice to Proceed
- Design complete within 45 days from completion of survey

FEES FOR CONSULTING SERVICES

Fees for consulting services will be in accordance with the following schedule on a firm fixed fee basis. The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. The following table outlines the original fee and the amendment resulting in an increase of $13,500 to total cost of $27,300.

TASK	ORIGINAL	AMENDED
Regulatory Permit Meetings and Application Development	4,800	7,600
Survey (Previously Construction Sketches)	6,500	4,500
Design Sketches		12,700
Construction Support	2,500	2,500
TOTAL FEES	13,800	27,300

Prompt payment of invoices is necessary for us to maintain a schedule and provide responsive service. We will invoice monthly for our engineering services and reimbursable expenses. Payment is due within thirty (30) days of date of invoice.

Thank you for giving us the opportunity to present a proposal for this work.

If you have any questions or require additional information, please do not hesitate to contact me.

Regards,

Noah Elwood

Noah J. Elwood, PE
President

This Proposal is subject and subordinate to the Agreement for Marine Engineering Services between the Parties dated July 1, 2017

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

March 4, 2019

Geno Marconi
Pease Development Authority Division of Ports and Harbors
555 Market Street
Portsmouth, New Hampshire 03801

Re: Rye Harbor Revetment Repair to Pre-Storm Condition Outline
Rye, New Hampshire

Dear Capt. Marconi:

Appledore Marine Engineering, LLC (AME) has been tasked to quantify and define the limits of deterioration as a result of the spring 2018 storm. The outline includes project Background, Extents of Deterioration, Quantity of Revetment Loss, and Estimated Construction Cost.

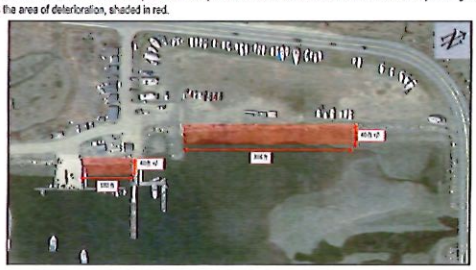
BACKGROUND

The Rye Harbor facility is subject to erosion of the shoreline between the concrete and timber pier as well as north of the boat ramp. The shoreline along this portion of the facility is altered with riprap and the erosion typically occurs as a result of wave activity during periods of high water and storm surges. A spring storm in 2018 caused erosion of the revetment and displaced the facility fuel lines.

The purpose of this outline is to determine the extent of deterioration, quantify loss of material, and estimate construction cost.

EXTENTS OF DETERIORATION

A post-event inspection was completed to identify the extent of deterioration. The inspection determined that deterioration was limited to 122 feet between the concrete pier and timber pier and 386 feet of revetment north of the boat ramp. The figure below depicts the area of deterioration, shaded in red.



QUANTITY OF REVETMENT LOSS

To quantify the revetment loss from the spring 2018 storm AME had to first determine the "Pre-Storm" condition at the facility. The pre-storm condition was determined based on archive research, previous site surveys, and as-built measurements taken at the facility. To visually depict the pre-storm condition a three-dimensional rendering of the revetment was developed using computer software.

As a part of this project a site survey was completed by Doucet Survey as a sub-consultant to AME. The survey was completed in January 2019, using a Trimble S7 Total Station and a Trimble R10 Survey Grade GPS with a Trimble TSC3 Data Collector and Sokkia B21 Auto Level. The survey results were used to determine the existing, post-event, site condition and topography.

Utilizing three-dimensional civil site computer software the January 2019 site survey was compared directly to the pre-storm condition data to quantify of loss of revetment. Drawings were developed to visually depict the loss of fill and have been provided as an attachment to this document.

Comparing the pre-storm condition and the existing site survey the loss of revetment between the timber and concrete pier (122 feet) and 386 feet north of the boat ramp is approximately 1,075 CY.

ESTIMATED CONSTRUCTION COST

An estimated construction cost was developed to provide an approximate value to use for budgetary purposes. The estimate assumes that the project will be scheduled to optimize contractor mobilization and demobilization; that the project will be completed without major interruptions to schedule, and the contract will be awarded through a competitive bid process.

The following additional assumptions were made in the development of the estimate:

- All work will be completed from the shore
- No in-water work will be required
- Stone will comply with NHDOT Class III stone

The estimated construction cost to restore the Rye Harbor revetment to the pre-storm condition is $345,000. Detailed back up has been provided as an attachment to this document.

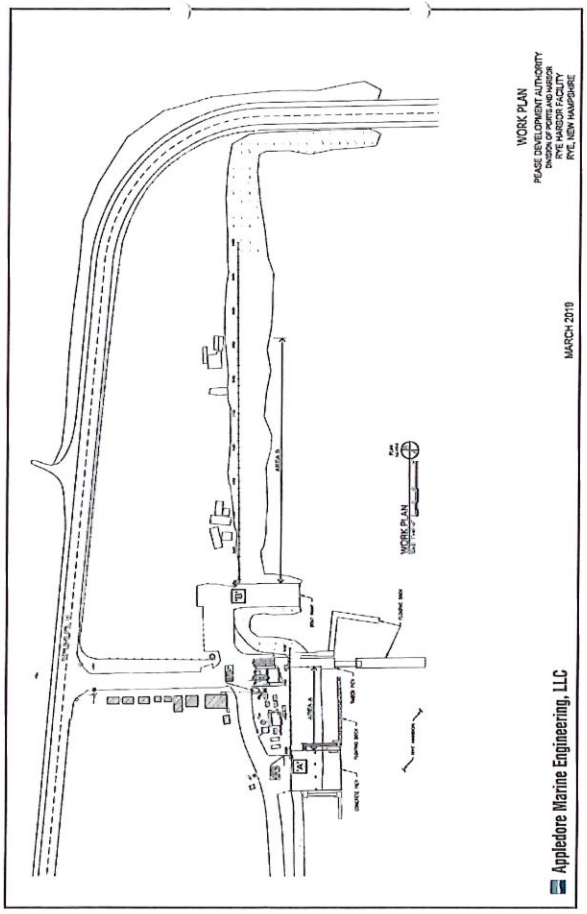
If you have any questions or require additional information, please do not hesitate to contact us.

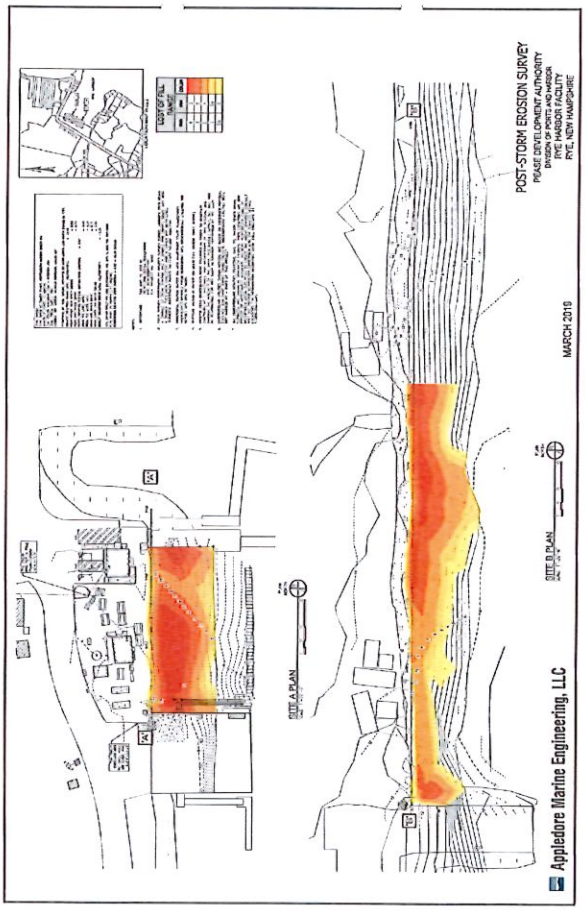
Regards,

Kirk Riden, PE
Vice President

Kyle Vandemoer, PE
Project Engineer

Attachments:
1. Rye Harbor Revetment Deterioration Drawings
2. Detailed Cost Estimate





Appledore Marine Engineering, LLC

CONCEPTUAL COST ESTIMATE

Project Name: October 2018

Rye Harbor Riprap Repair

Rye , New Hampshire

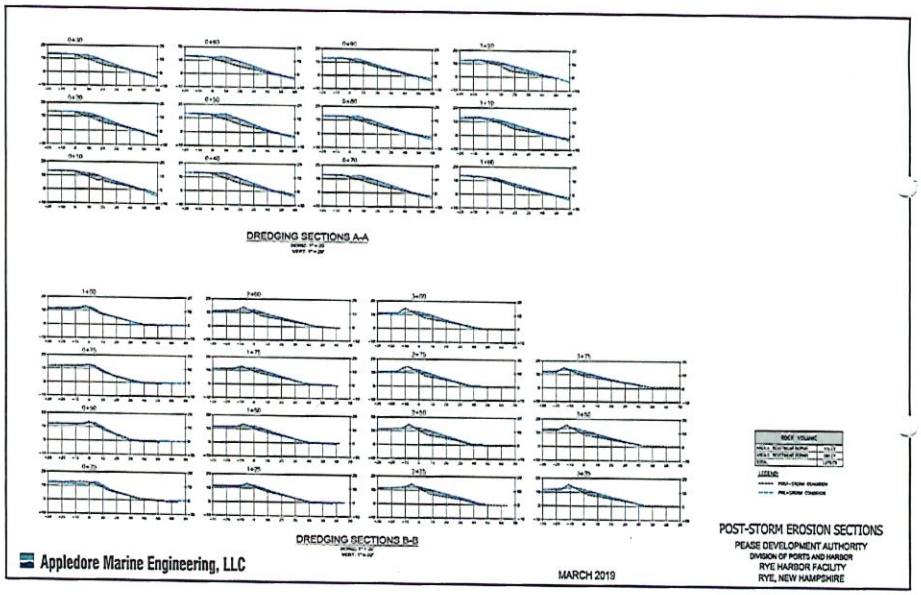
Engineer's Preliminary Estimate

Pease Development Authority

DESCRIPTION	QNTY	UNIT	UNIT COST MATERIAL	UNIT COST LABOR/EQUIP.	UNIT COST TOTAL	EXTENDED COST	AME Proj. TBD BURDENED COST
Rye Harbor Shoreline Reconstruction							
Shore Protection	1500.00	CY			$ 150	$ 225,000	$ 382,500
Site Preparation	1.00	LS			$ 25,000	$ 25,000	$ 42,500
					SUB TOTAL	$ 250,000	$ 425,000
MOBILIZATION/DEMOBILIZATION	20%					$ 50,000	Burden
CONTRACTOR'S OVERHEAD & PROFIT	25%					$ 62,500	
CONTINGENCY	25%					$ 62,500	1.70
						Total Cost	$ 425,000

Assumptions:

1. Repair recommendations and costs shown are preliminary and are to be used for future budgetary purposes.
2. Cost are based on the year in which the estimate was produced.
3. Projects will be scheduled to optimize a single contractor mobilization and demobilization.
4. Projects will be completed without major interruptions to construction schedule.
5. Contract will be awarded through a competive bid environment.
6. Costs exclude engineering services.



C1

Estimate

Date	Estimate #
3/20/2019	1

Second Nature Pit
C/O Jim Jones
207 Atlantic Avenue
No Hampton, NH 03862

Name / Address
NH Port Authority

Description	Qty	Rate	Total	Project
Repair stone embankment from Nor'Easter storm damage. Replace stones at boat boarders/Scrape parking lot from rocks, sand and stone from storm surge				
Loader	60	137.50	8,250.00	
Excavator	60	165.00	9,900.00	
40 loads Boulders	40	500.00	20,000.00	
25 loads ledge	25	500.00	12,500.00	
Trucking	80	82.50	6,600.00	
Mobilization	2	230.00	460.00	
Total			$57,693.00	

REVETMENT REPAIR - Direct Costs

Project: PDA Rye Harbor Rip Rap Repair
Location: Rye, NH

Project Number: 5298
Design Status: Preliminary
Estimated by: C. Peterlin
Date: 28-Feb-19
Reviewed by: K.VanDerHoef

Item #	Task Description	Quantity Unit	Quantity Number	Materials Unit Cost	Materials Total	Labor Cost Unit Cost	Labor Cost Total	Equipment Cost Unit Cost	Equipment Cost Total	Engineering Estimate Unit Cost	Engineering Estimate Total	Burdened Total
1	Mob/Demob	LS	1	$ -	$ -	$ -	$ -	$ 11,548	$ 11,548	$ 11,548	$ 11,548	$ 19,750
a	Rip rap repair	CY	1075	$ 123	$ 132,855	$ 34.39	$ 36,323	$ 38.28	$ 41,157	$ 210	$ 225,718	$ 329,750
	Subtotal									Direct Cost Subtotal	$ 237,270	$ 349,500
	Sales tax									0.0%	$ -	
										Total Direct Costs	$ 237,270	
	Contractor Overhead									10%	$ 23,727	
	Contractor General Conditions									5%	$ 11,864	
	Contractor Profit									10%	$ 23,727	
	Bonds									2.0%	$ 4,746	
										Total Contract Cost (Construction + Est. Rounded Up)	$ 302,400	
	Escalation to mid-point of construction									4.0%	$ 12,096	
	Construction Contingency									10.0%	$ 30,240	
										Total Design and Engineering Allowance	$ 42,336	
										Estimated Budget Amount (Rounded Up)	$ 349,500	

Second Nature-Pit

C/O Jim Jones
207 Atlantic Avenue
No Hampton, NH 03862

Estimate

Date	Estimate #
3/30/2018	2

Name / Address
N.H. Port Authority

Project

Description	Qty	Rate	Total
Rye Harbor Saw cut and Remove compromised asphalt on top of Boat ramp-regrade and repave			
Excavator	8	165.00	1,320.00
Dump Truck	16	82.50	1,320.00
Loader	8	137.50	1,100.00
Paving		14,850.00	14,850.00
		Total	$18,590.00

Second Nature-Pit

C/O Jim Jones
207 Atlantic Avenue
No Hampton, NH 03862

Estimate

Date	Estimate #
3/30/2018	3

Name / Address
N.H. Port Authority

Project

Description	Qty	Rate	Total
replace gravel washed out of parking lot with reprocessed asphalt, spread and grade			
300 yds of Blak-Pak	300	10.45	3,135.00
Trucking	30	82.50	2,475.00
Dozer	20	110.00	2,200.00
Roller Rental	20	110.00	2,200.00
Mobilization	4	220.00	880.00
		Total	$10,890.00

Second Nature-Pit

C/O Jim Jones
207 Atlantic Avenue
No Hampton, NH 03862

Estimate

Date	Estimate #
3/30/2018	4

Name / Address
N.H. Port Authority

Project

Description	Qty	Rate	Total
Remove washed in material around buildings and replace with fresh 3/4 stone. regrade and smooth			
Skid steer Rental	20	110.00	2,200.00
Mobilization	2	220.00	440.00
		2,887.50	2,887.50
Trucking	12	82.50	990.00
		Total	$6,517.50

Second Nature-Pit

C/O Jim Jones
207 Atlantic Avenue
No Hampton, NH 03862

Estimate

Date	Estimate #
3/30/2018	5

Name / Address
N.H. Port Authority

Project

Description	Qty	Rate	Total
Clean sides of road and other parking area by marsh remove excess debris and regrade with reprocessed asphalt			
skid steer Rental	20	110.00	2,200.00
75 yds of Blak-Pak	75	10.45	783.75
Trucking	10	82.50	825.00
Roller Rental	16	110.00	1,760.00
		Total	$5,568.75

Lakes Region Environmental Contractors
PO Box 1236
Belmont, NH 03220

A Small Business Company

Main Office 603-267-7000
Fax: 603-267-8039
Email: Lmowery@LRenvironmental.net

INVOICE

Invoice Number: 14285
Invoice Date: Feb 15, 2024
Page: 1

Bill To:	Ship to:
Pease Development Authority Div. of Ports & Harbors 555 Market St Portsmouth, NH 03801	Hampton State Marina 1 Ocean Blvd Hampton Beach, NH

Customer ID	Customer PO	Payment Terms	
PDA	Tyler	Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	UPS Ground		3/16/24

Quantity	Item	Description	Unit Price	Backorder Qty	Amount
		2/14 Provide labor and materials to remove the hose reel and replace it with a new one. Tested - ok.			
1.00	9915.0237	Hannay Reel Hose Reel Motor 115 Vac	532.00		532.00
1.00	SHIP	Shipping	23.44		23.44
7.50	ST	Service Tech w/ travel	110.00		825.00
7.50	ST	Service Tech w/ travel	110.00		825.00

Subtotal	2,205.44
Sales Tax	
Freight	
Total Invoice Amount	2,205.44
Payment/Credit Applied	
TOTAL	2,205.44

Check/Credit Memo No:

We will add finance charges on invoices more than 30 days overdue.

Lakes Region
ENVIRONMENTAL CONTRACTORS, INC.
Fuel Systems Specialists
P.O. Box 1236
BELMONT, NH 03220
(603) 267-7000
FAX 267-8039

WORK ORDER
10059

2/14/24

PHONE: Tom Maciel 603-312-6743 (Cell) DATE OF ORDER
CONTACT PERSON: Tyler Zubkar 603-957-1265 (Cell) CUSTOMER PO NUMBER
☒ DAY WORK ☐ CONTRACT ☐ EXTRA
JOB NAME AND LOCATION: Install New Hose Reel Motor

TYPE OF WORK: ☐ AST ☑ UST ☐ OTHER
PRODUCT: ☐ JET ☐ AVGAS ☑ GASOLINE ☐ DIESEL
☐ HEATING OIL ☐ OTHER

TO Hampton Harbor State Pier
1 Ocean Blvd,
Hampton, New Hampshire

QTY.	MATERIAL	PRICE	AMOUNT
1	Hannay hose reel motor		532
	Hannay reel motor PN: 9915.0237		

DESCRIPTION OF WORK
- Removed old Hose reel motor
- Reused old fittings and wires, cleaned up
- Installed new Hose reel motor
- Tested and verified proper operation of Hose reel

OTHER CHARGES
- Travel to - 2 hrs
- Travel from - 2 hrs
- Mob/demob - 1/2 hr

LABOR	HOURS	RATE	AMOUNT
Tech (2)	3		
Tech (60)	3		

DATE COMPLETED

Work ordered by

Lakes Region Environmental Contractors
PO Box 1236
Belmont, NH 03220

A Small Business Company

Main Office 603-267-7000
Fax: 603-267-8039
Email: Lmowery@LRenvironmental.net

INVOICE

Invoice Number: 14265
Invoice Date: Jan 31, 2024
Page: 1

Bill To:	Ship to:
Pease Development Authority Div. of Ports & Harbors 555 Market St Portsmouth, NH 03801	Hampton State Marina 1 Ocean Blvd Hampton Beach, NH

Customer ID	Customer PO	Payment Terms	
PDA	Service call	Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	UPS Ground		3/1/24

Quantity	Item	Description	Unit Price	Backorder Qty	Amount
		1/30 Troubleshoot the hose reel on the gasoline fuel system. Tested the relays - ok. Tested the motor. It was working. Will need to replace it. Also cleaned water out of the electrical box.			
4.50	ST	Service Tech w/ travel	110.00		495.00
4.50	ST	Service Tech w/ travel	110.00		495.00

Subtotal	990.00
Sales Tax	
Freight	
Total Invoice Amount	990.00
Payment/Credit Applied	
TOTAL	990.00

Check/Credit Memo No:

We will add finance charges on invoices more than 30 days overdue.

Lakes Region
ENVIRONMENTAL CONTRACTORS, INC.
Fuel Systems Specialists
P.O. Box 1236
BELMONT, NH 03220
(603) 267-7000
FAX 267-8039

WORK ORDER
10042

PHONE: Tom Maciel 603-312-6743 (Cell) DATE OF ORDER: 1/30/24
CONTACT PERSON: Tyler Zubkar 603-957-1265 (Cell) CUSTOMER PO NUMBER
☒ DAY WORK ☐ CONTRACT ☐ EXTRA
JOB NAME AND LOCATION: Service on Fuel System from Storm

TYPE OF WORK: ☐ AST ☑ UST ☐ OTHER
PRODUCT: ☐ JET ☐ AVGAS ☑ GASOLINE ☑ DIESEL
☐ HEATING OIL ☐ OTHER

TO Hampton Harbor State Pier
1 Ocean Blvd,
Hampton, New Hampshire

QTY.	MATERIAL	PRICE	AMOUNT
	Need to order		
2	Hannay P.M. motor MN: P56SX163		

DESCRIPTION OF WORK
- Trouble Shoot: Hoseveel gasoline
- Tested relays - OK
- Tested motor - non functional
- Cleaned water out of electrical box

OTHER CHARGES
- Travel to - 1 hr (storm)
- Travel from - 1 hr
- On Site - ~~D~~

LABOR	HOURS	RATE	AMOUNT
Tech (60)	1 1/2		
Tech (2)	1 1/2		

DATE COMPLETED

Work ordered by

Raeline O'Neil

From: Paul Brean
Sent: Thursday, July 11, 2024 8:27 AM
To: Myles Greenway

I have a meeting with a Rye selectman today about Goffer project. Can you please send me the pictures of the shacks under water

Get Outlook for iOS

Raeline O'Neil

From: Brenda Therrien
Sent: Monday, July 1, 2024 3:22 PM
To: Suzy Anzalone
Subject: ARPA Funding accounts-PFP RYE
Attachments: ARPA Rye & PFP SOA_FY24_2803_ARPA_atAccount_05_03_2024.xlsx

Hi Suzy,

Have you set up a tracking sheet for the projects? My guess is that we could see our first invoices from Appledore in a couple of weeks. I can use your format if you send me something.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE SERVICES - BUDGET OFFICE
STATEMENT OF APPROPRIATIONS - FISCAL YEAR: 2024 THROUGH PERIOD: 11 - MAY
RUN DATE: 05/03/2024

Co	CatGov	Dept	Agency	BurDiv	Acct Unit	Class	Account	Approp	Est Rev	Expend	Revenue	Available	Rate
10-(	03-RESO	13-PE	013-PEA:	1305-DI	28030000-ARPA PORTSMTH/RYE PROJECTS	000-FEDERAL FUNDS	400338-Federal Funds	0	-2,000,000	0.00	0.00	-2,000,000.00	0.00
10-(	03-RESO	13-PE	013-PEA:	1305-DI	28030000-ARPA PORTSMTH/RYE PROJECTS	040-INDIRECT COSTS	500800-Indirect Costs	5,000	0	0.00	0.00	5,000.00	0.00
10-(	03-RESO	13-PE	013-PEA:	1305-DI	28030000-ARPA PORTSMTH/RYE PROJECTS	041-AUDIT FUND SET ASIDE	500801-Audit Fund Set Aside	1,994	0	0.00	0.00	1,994.00	0.00
10-(	03-RESO	13-PE	013-PEA:	1305-DI	28030000-ARPA PORTSMTH/RYE PROJECTS	103-CONTRACTS FOR OP SERVICES	502664-Contracts For Operational Services	1,993,006	0	0.00	0.00	1,993,006.00	0.00
Report Totals								**2,000,000**	**-2,000,000**	**0.00**	**0.00**	**0.00**	**1.00**

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, June 28, 2024 1:29 PM
To: Paul Brean;Suzy Anzalone
Cc: Myles Greenway
Subject: RE: ARPA funding requirements for bid docs

Hi Paul,

Thanks, we will leave it up to you, if you feel that's the best route. Something we can look at next week or the week after so long as the pertinent information gets included in the bid docs.

Brenda

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, June 27, 2024 2:51 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: ARPA funding requirements for bid docs

Our grants deal with FAA ARPA which is more encompassing. We could schedule a call with GOFFER office, Chase Hagerman has been very helpful in the past.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, June 27, 2024 1:23 PM
To: Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: ARPA funding requirements for bid docs

Paul,

Is there anyone at PDA that is already well versed in this that could maybe make us a checklist to go by? I guess we are just looking for some guidance from PDA on this one so that we are sure be made aware of any specific requirements that we, or the contractor, will need to follow.

Thank you,
Brenda

From: Paul Brean <P.Brean@peasedev.org>
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To: Brenda Therrien <B.Therrien@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: ARPA funding requirements for bid docs

Brenda,

I don't see anything specific to buy America but her are some guidance resources.

https://www.goferr.nh.gov/covid-expenditures/local-fiscal-recovery-fund-program

https://www.nhmunicipal.org/sites/default/files/uploads/training_videos/2021_arpa_budget_finance.pdf

PB

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, June 27, 2024 12:58 PM
To: Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: ARPA funding requirements for bid docs

Hi Suzy,

We are meeting with Appledore this afternoon to work on the schedule for the Rye and PFP ARPA funded projects. The question came up if there are any specific requirements that need to be met for the ARPA funding. For example, any items that would need to be included in the bid documents, such as length of bid time, Buy American/America, anything along those lines.

Do you know where I would find that information?

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, June 27, 2024 4:08 PM
To: Paul Brean;Suzy Anzalone
Cc: Myles Greenway
Subject: RE: ARPA funding requirements for bid docs

The BUILD Grant used ARPA funds but I don't remember being told of any specific requirements.
We can talk about it next week

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, June 27, 2024 2:51 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: ARPA funding requirements for bid docs

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Subject: RE: ARPA funding requirements for bid docs

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Subject: RE: ARPA funding requirements for bid docs

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https://www.nhmunicipal.org/sites/default/files/uploads/training_videos/2021_arpa_budget_finance.pdf

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Do you know where I would find that information?

Thank you,

Brenda

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P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, June 27, 2024 1:49 PM
To: Paul Brean;Suzy Anzalone
Cc: Myles Greenway
Subject: RE: ARPA funding requirements for bid docs

I sent the links to Appledore , we'll see what they think and if they come up with any questions.

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, June 27, 2024 1:08 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: ARPA funding requirements for bid docs

Brenda,

I don't see anything specific to buy America but her are some guidance resources.

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https://www.nhmunicipal.org/sites/default/files/uploads/training_videos/2021_arpa_budget_finance.pdf

PB

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Cc: Paul Brean <P.Brean@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: ARPA funding requirements for bid docs

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Thank you,

Brenda

Brenda Therrien

Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Myles Greenway
Sent: Thursday, June 27, 2024 1:27 PM
To: Vanessa Swasey;Brenda Therrien
Subject: Re: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

Hello...I can meet at the Port office at 1430 if that works for you... thank you!
V/r
Myles

Get Outlook for iOS

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Thursday, June 27, 2024 8:41:16 AM
To: Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

This afternoon would be great – you guys let me know whats best – schedule is open and I will wait to hear from you

Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, June 27, 2024 8:40 AM
To: Vanessa Swasey <VSwasey@appledoremarine.com>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

OK great – I have to go to Portland in an hour ...will be available this afternoon. Will call when available... Will also be aboard Friday/Monday if that works for you..

Thank you!

V/r

Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Thursday, June 27, 2024 8:35 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

If it helps that is our plan as well – according to our schedule
I am finalizing now for you and I to review – would you have time for me? I can call or stop by

Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, June 27, 2024 8:32 AM
To: Myles Greenway <M.Greenway@peasedev.org>; Vanessa Swasey <VSwasey@appledoremarine.com>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

Hi Myles,

I thought I read somewhere that the Port Committee would discuss PFP on the 15th and Rye on the 22nd but now I can't find it. Is that the plan?

Thanks,
Brenda

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, June 27, 2024 8:30 AM

To: Vanessa Swasey <VSwasey@appledoremarine.com>
Cc: Brenda Therrien <B.Therrien@peasedev.org>
Subject: FW: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier
Importance: High

Good Morning

Understand the Port Committee will hold the two meetings during the month of July in the Board Conference Room. The first being scheduled on Monday, July 15th, at 9:30 a.m.; the second meeting has been scheduled for Monday, July 22nd, at 8:30 a.m.

I just want to make sure I have the correct dates/expectations for everything else (highlighted below)...can you please confirm/send?

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Thank you for your cooperation in the scheduling of these meetings.

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Monday, June 24, 2024 4:32 PM
To: Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>; Travis Baker <tbaker@appledoremarine.com>
Subject: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good Afternoon

Please find attached the meeting minutes from last weeks' in person meeting.

To follow up on that meeting, we have prepared the below outline for your use and request for meetings.

As you will see below the PFP schematics will be complete on or about the same date as the Port Committee so while we may not have final final information, we should be able to present at the Port Committee meeting if you wanted us to. If so, please request to be on the Agenda for the 7/11/24 meeting.

We of course will keep you apprised of the status as we move along; however, AME is more than happy to attend the next quarterly meeting on 10/15/24 to provide any update as applicable.
You will note the next PDA Board meeting falls between the schematic submission and the prefinal submission. Again, we are more than happy to attend the PDA Board meeting(s) to update all with process if you wish.

I have added these into the below outline of schedule and highlighted for your consideration.

Upon your review, perhaps I can stop over to review with you both to ensure there is no misunderstanding or confusion (likely on my part 😊)?
I am available to stop by Tuesday, Wed or Thursday this week. My only blackout right now is Tuesday from 11-1

If this all makes sense then we don't have to review...just offering – whatever you need just let me know.

Portsmouth Fish Pier

- 7/11: Port Committee
    a. Meet to review plans we are proceeding with (DRAFT) – anticipate no changes to be made. The schematics will include what can be completed for the budget
- 7/12 Schematic Submission
    a. OPA to provide Drawings and Cost Estimates for review
- 8/23 Pre-Final Design Submission
    a. OPA to provide AME for review
- 9/24 Final Submission
    a. OPA to provide AME final docs for review and advertisement
- Contract Docs The contract date may slide depending on when the contractor provides the necessary COI, Bonds etc. but must be before EOM
    a. 10/9 Advertise Bids Public on PDA website NLT
    b. 11/20 Bids Due – Public Opening
    c. 12/18 Contract Award – All documents received

- 8/8/24 AME available for PDA Board meeting status update
- 11/14/24 AME request to be on PDA Board meeting Agenda to provide update
- 12/12/24 AME available for PDA Board meeting status update

Rye Harbor Platform

- 7/11 Port Committee Meeting – Informational meeting only
    a. AME to attend Port Meeting if useful to provide update at that time – Schematics will not be ready

b. NHDES meeting being scheduled currently – OPA to identify timeline of permits and report back. We would have to proceed with the following schedule and be at risk for the permit approval Will track this closely.
c. Geotech representative scheduled for 7/9

- 7/19 Schematic Submission
  a. OPA to provide Drawings and Cost Estimates
- 8/30 Pre-Final Design Submission
  a. OPA to provide AME & DPH for review
- 10/1 Final Submission
  a. OPA to provide AME final docs for review and advertisement
- Contract Docs the signed contract date may slide depending on when the contractor provides the necessary COI, Bonds etc. but must be before EOM
  a. 10/16 Advertise Bids Public on PDA website NLT
  b. 11/27 Bids Due – Public Opening
  c. 12/18 Contract Award – All documents received

- 8/8/24 AME available for PDA Board meeting status update
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Vanessa Swasey, Office Manager

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www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, June 27, 2024 1:18 PM
To: Paul Brean;Suzy Anzalone
Cc: Myles Greenway
Subject: RE: ARPA funding requirements for bid docs

Thank you Paul,

And both of these would pertain to our award?

Brenda

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, June 27, 2024 1:08 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: ARPA funding requirements for bid docs

Brenda,

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https://www.nhmunicipal.org/sites/default/files/uploads/training_videos/2021_arpa_budget_finance.pdf

PB

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Cc: Paul Brean <P.Brean@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
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Hi Suzy,

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Do you know where I would find that information?

Thank you,

Brenda

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Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Myles Greenway
Sent: Thursday, June 27, 2024 8:36 AM
To: Brenda Therrien;Vanessa Swasey
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

Morning...

I think it is.. have to look as well. But wanted to make sure that I understood the following timeline...

Portsmouth Fish Pier

- 7/11: Port Committee

a. Meet to review plans we are proceeding with (DRAFT) – anticipate no changes to be made. The schematics will include what can be completed for the budget

- 7/12 Schematic Submission

a. OPA to provide Drawings and Cost Estimates for review

- 8/23 Pre-Final Design Submission

a. OPA to provide AME for review

- 9/24 Final Submission

a. OPA to provide AME final docs for review and advertisement

- Contract Docs The contract date may slide depending on when the contractor provides the necessary COI, Bonds etc. but must be before EOM

a. 10/9 Advertise Bids Public on PDA website NLT
b. 11/20 Bids Due – Public Opening
c. 12/18 Contract Award – All documents received

- 8/8/24 AME available for PDA Board meeting status update
- 11/14/24 AME request to be on PDA Board meeting Agenda to provide update
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a. OPA to provide AME & DPH for review

- 10/1 Final Submission

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- Contract Docs the signed contract date may slide depending on when the contractor provides the necessary COI, Bonds etc. but must be before EOM

a. 10/16 Advertise Bids Public on PDA website NLT
b. 11/27 Bids Due – Public Opening
c. 12/18 Contract Award – All documents received

- 8/8/24 AME available for PDA Board meeting status update
- 11/14/24 AME request to be on PDA Board meeting Agenda to provide update
- 12/12/24 AME available for PDA Board meeting status update

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, June 27, 2024 8:32 AM
To: Myles Greenway <M.Greenway@peasedev.org>; Vanessa Swasey <VSwasey@appledoremarine.com>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

Hi Myles,

I thought I read somewhere that the Port Committee would discuss PFP on the 15th and Rye on the 22nd but now I can't find it. Is that the plan?

Thanks,
Brenda

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Thursday, June 27, 2024 8:30 AM
To: Vanessa Swasey <VSwasey@appledoremarine.com>
Cc: Brenda Therrien <B.Therrien@peasedev.org>
Subject: FW: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier
Importance: High

Good Morning

Understand the Port Committee will hold the two meetings during the month of July in the Board Conference Room. The first being scheduled on Monday, July 15th, at 9:30 a.m.; the second meeting has been scheduled for Monday, July 22nd, at 8:30 a.m.

I just want to make sure I have the correct dates/expectations for everything else (highlighted below)...can you please confirm/send?

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Thank you for your cooperation in the scheduling of these meetings.

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Monday, June 24, 2024 4:32 PM
To: Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>; Travis Baker <tbaker@appledoremarine.com>
Subject: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good Afternoon
Please find attached the meeting minutes from last weeks' in person meeting.

To follow up on that meeting, we have prepared the below outline for your use and request for meetings.

As you will see below the PFP schematics will be complete on or about the same date as the Port Committee so while we may not have final final information, we should be able to present at the Port Committee meeting if you wanted us to. If so, please request to be on the Agenda for the 7/11/24 meeting.

We of course will keep you apprised of the status as we move along; however, AME is more than happy to attend the next quarterly meeting on 10/15/24 to provide any update as applicable.
You will note the next PDA Board meeting falls between the schematic submission and the prefinal submission. Again, we are more than happy to attend the PDA Board meeting(s) to update all with process if you wish.

I have added these into the below outline of schedule and highlighted for your consideration.

Upon your review, perhaps I can stop over to review with you both to ensure there is no misunderstanding or confusion (likely on my part 😊)?
I am available to stop by Tuesday, Wed or Thursday this week. My only blackout right now is Tuesday from 11-1

If this all makes sense then we don't have to review...just offering – whatever you need just let me know.

Portsmouth Fish Pier

- 7/11: Port Committee
    a. Meet to review plans we are proceeding with (DRAFT) – anticipate no changes to be made. The schematics will include what can be completed for the budget
- 7/12 Schematic Submission
    a. OPA to provide Drawings and Cost Estimates for review
- 8/23 Pre-Final Design Submission
    a. OPA to provide AME for review
- 9/24 Final Submission
    a. OPA to provide AME final docs for review and advertisement
- Contract Docs The contract date may slide depending on when the contractor provides the necessary COI, Bonds etc. but must be before EOM
    a. 10/9 Advertise Bids Public on PDA website NLT
    b. 11/20 Bids Due – Public Opening
    c. 12/18 Contract Award – All documents received

- 8/8/24 AME available for PDA Board meeting status update
- 11/14/24 AME request to be on PDA Board meeting Agenda to provide update
- 12/12/24 AME available for PDA Board meeting status update

Rye Harbor Platform

- 7/11 Port Committee Meeting – Informational meeting only

a. AME to attend Port Meeting if useful to provide update at that time – Schematics will not be ready
b. NHDES meeting being scheduled currently – OPA to identify timeline of permits and report back. We would have to proceed with the following schedule and be at risk for the permit approval Will track this closely.
c. Geotech representative scheduled for 7/9

- 7/19 Schematic Submission
  a. OPA to provide Drawings and Cost Estimates
- 8/30 Pre-Final Design Submission
  a. OPA to provide AME & DPH for review
- 10/1 Final Submission
  a. OPA to provide AME final docs for review and advertisement
- Contract Docs the signed contract date may slide depending on when the contractor provides the necessary COI, Bonds etc. but must be before EOM
  a. 10/16 Advertise Bids Public on PDA website NLT
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- 8/8/24 AME available for PDA Board meeting status update
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Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, June 25, 2024 2:35 PM
To: Raeline O'Neil
Subject: RE: Brad Cook's email RE: July Port Committee Meetings

Thanks Rae!

Brenda

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Tuesday, June 25, 2024 2:30 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Brad Cook's email RE: July Port Committee Meetings

Brenda,

I sent an e-mail to Brad informing him of the two meetings and "cc" you to the e-mail.

With respect to your question regarding notice, agendas and packets for these meetings, my understanding is nothing has changed. In normal course, DPH should prepare the public notices, agendas, packets and minutes for these meetings.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, June 25, 2024 2:04 PM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: Brad Cook's email RE: July Port Committee Meetings

Hi Rae,

Here is Brad Cook's email in case you don't have it: captbradatlanticfleet@comcast.net Please copy him on the email confirmation.

Will you also be doing the public notice and agendas?

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Tuesday, June 25, 2024 12:45 PM
To: Paul Brean <P.Brean@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: July Port Committee Meetings

Paul,

I would be happy to send confirmation of the 15th and 22nd to the Port Committee members. Where the Port Committee meeting on the 15th would follow the Airport Committee meeting, and in viewing Mike's draft agenda with Anthony, we could set the time of the Port Committee meeting on the 15th for 9:30 a.m. and at 8:30 a.m. on the 22nd, unless you suggest otherwise.

Please advise.

Rae

From: Paul Brean <P.Brean@peasedev.org>
Sent: Tuesday, June 25, 2024 10:27 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: July Port Committee Meetings

Due to the sensitivity of the timing to be under contract for both ARPA projects, and there will be a quorum with Director Fournier and Levesque, we should book the 15th and 22nd. The 15th will focus on the Commercial Fish Pier Building and the 22nd will focus on Rye Retail improvements.

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Paul,

I heard from Director Fournier who indicated he would be available all dates and could do a Port Committee meeting after the Airport Committee meeting on the 15th, if it were necessary. However, Director Conard advised she will be traveling July 10th through the 27th and won't be back into the office until the 29th.

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Cc: Raeline O'Neil <R.O'Neil@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Anthony

Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: Re: July Port Committee Meetings

Okay, scratch the 8th

Get Outlook for iOS

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Subject: RE: July Port Committee Meetings

Paul,

I'm getting caught up with my emails after being off for a few days.

Appledore just notified us that the earliest they could have something ready (for either project) for the Port Committee is July 11th.

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>
> Thank you,
>
> Paul

Raeline O'Neil

From: Myles Greenway
Sent: Tuesday, June 25, 2024 1:39 PM
To: Paul Brean;Raeline O'Neil
Cc: Anthony Blenkinsop;Brenda Therrien
Subject: RE: July Port Committee Meetings

Good Afternoon All

Just received confirmation from Vanessa (Appledore) regarding dates/times – SAT.

Thank You..

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Paul Brean <P.Brean@peasedev.org>
Sent: Tuesday, June 25, 2024 12:49 PM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: July Port Committee Meetings

Sounds like a plan, Myles, can you please just confirm those dates work for Appledore. If they are on board, yes Rae, please proceed.

PB

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Get Outlook for iOS

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>
> Thank you,
>
> Paul

Raeline O'Neil

From: Myles Greenway
Sent: Tuesday, June 25, 2024 12:57 PM
To: Paul Brean;Raeline O'Neil
Cc: Anthony Blenkinsop;Brenda Therrien
Subject: RE: July Port Committee Meetings

Sounds good – reaching out...

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

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Okay, scratch the 8th

Get Outlook for iOS

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Subject: July Port Committee Meetings

Brenda and Rae,

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Thank you,

Paul

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, June 25, 2024 8:32 AM
To: Vanessa Swasey;Myles Greenway
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

Ok gotcha. Thanks, I'll let PDA know the earliest for AME to have valuable information would be the 11th.

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Tuesday, June 25, 2024 8:31 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

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Based on the timeline below – OPA/AME schedule

Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, June 25, 2024 8:30 AM
To: Vanessa Swasey <VSwasey@appledoremarine.com>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

Based on whose schedule?

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Sent: Tuesday, June 25, 2024 8:30 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
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Thanks for clarification –
I won't have anything to show on the 8th – the earliest I will get PFP is 11th based on their schedule.
Hope this helps

Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, June 25, 2024 8:28 AM
To: Vanessa Swasey <VSwasey@appledoremarine.com>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

The meeting on the 11th had been cancelled, because they had the one on Jun 3rd.

Today, PDA is reaching out to the Port Committee members to schedule 2 separate meetings, at which the earliest one could be the 8th (see Myles email below). So right now the 3 dates that are on the table are the 8th, 15th and 22nd. And waiting to hear back from PDA on which dates they will be having the meetings. So once we get the dates we can decide which item will be going forward at each meeting.

Hope this makes sense, I'll let you know as soon as I know when they will be scheduled 😊

> **From:** Vanessa Swasey <VSwasey@appledoremarine.com>
> **Sent:** Tuesday, June 25, 2024 8:16 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
> **Subject:** RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier
>
> **EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the
>
> Thank you both!
>
> For clarification I have the next Port Committee meeting on 7/11 which sounds like perhaps that changed from earlier attachment
> We can present PFP on the 15th; however if we want to do both PFP and Rye at same time we could do the latter one on 22nd as I think Rye will be in a position to show what we are able to do.
>
> Thoughts?
>
> **Vanessa Swasey, Office Manager**
>
> Appledore Marine Engineering, LLC
> www.appledoremarine.com
> 600 State Street, Suite E
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To: Myles Greenway <M.Greenway@peasedev.org>; Vanessa Swasey <VSwasey@appledoremarine.com>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

Vanessa,

I'll let you know when I hear back from Raeline at PDA. So the earliest the next PC meeting will be is 7/8, and it sounds like there will be 2 meetings in July. My guess is one for PFP and one for Rye.

Brenda

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Tuesday, June 25, 2024 7:58 AM
To: Vanessa Swasey <VSwasey@appledoremarine.com>
Cc: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier
Importance: High

Good Morning

Thank you for the below- for you VIS/planning...

Brenda and Rae,

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Thank you,

Paul

V/r
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You will note the next PDA Board meeting falls between the schematic submission and the prefinal submission. Again, we are more than happy to attend the PDA Board meeting(s) to update all with process if you wish.

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Portsmouth Fish Pier

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- 8/23 Pre-Final Design Submission
    a. OPA to provide AME for review
- 9/24 Final Submission
    a. OPA to provide AME final docs for review and advertisement
- Contract Docs The contract date may slide depending on when the contractor provides the necessary COI, Bonds etc. but must be before EOM
    a. 10/9 Advertise Bids Public on PDA website NLT
    b. 11/20 Bids Due – Public Opening
    c. 12/18 Contract Award – All documents received

- 8/8/24 AME available for PDA Board meeting status update
- 11/14/24 AME request to be on PDA Board meeting Agenda to provide update
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Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

Raeline O'Neil

From: Myles Greenway
Sent: Tuesday, June 25, 2024 7:53 AM
To: Brenda Therrien
Subject: FW: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier
Attachments: Kickoff Mtg Notes - 20240617.pdf

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Monday, June 24, 2024 4:32 PM
To: Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>; Travis Baker <tbaker@appledoremarine.com>
Subject: Timeline - Request for Meetings: PDA Rye Harbor and Portsmouth Fish Pier

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

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Vanessa Swasey, Office Manager

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Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

MINUTES – KICKOFF MEETING

Date of Meeting: June 17, 2024

Project: **Portsmouth Fish Pier & Rye Harbor Pier Portsmouth, New Hampshire**
AME Job No.: 5346-5347

The following items were discussed:

Portsmouth Fish Pier

1. Building layout
    a. Current concept includes space for PDA office, bathroom, mechanical, ice storage, garage/storage and cold storage, within existing footprint.
    b. The priority of the project is to provide space for bait storage, ground-fish storage and ice making/storage.
        i. Space for PDA office and bathroom to be eliminated from the plan
        ii. Areas for cold storage should be equal to or exceed the current area.
    c. Consider eliminating the pavement to maximize the funds available for building construction.

2. Steel building option
    a. OPA to review the costs and implications for using a steel structure.
        i. It was noted that there may be issues with reusing existing foundations for a steel structure.

3. Architecture
    a. Aesthetics are not a priority.
        i. PDA considers a steel prefabricated/ industrial-looking building suitable.
    b. It was noted that it was previously identified that architecture is required to fit with surrounding neighborhood due to deed restrictions.
        i. PDA to contact the City planner to confirm.

4. Temp electrical service
    a. Power will need to be maintained to the docks, especially during winter months.
    b. OPA to review and discuss possible temp electric service for dock power with utility company and see if there is a cheaper option.

5. Project Schedule
    a. Identify approximate duration of power and cold storage outages required for construction.
    b. Construction is estimated to take about 6 months to complete.
    c. Current schedule targets October 1, 2024, for submission of final Contract Documents.
    d. ARPA funding needs to be committed (signed contract) by the end of the year.

Rye Harbor

1. Pier & Shed Design
    a. Replace the existing sheds on a platform
        i. Structure at Cuttyhunk Pier was discussed as an example.
        ii. Including a welcome center/retail space may be a consideration.
        iii. Relocating the snack shack and harbor master to the platform may be a consideration.
        iv. It is envisioned that one or more structures could have water service and waste would be connected to a sanitary holding tank.
    b. ADA accessibility is a key design consideration
    c. Location on site
        i. Initial proposed location is in the same positioning as the existing sheds.
            1. Permitting may be difficult if encroaching beyond existing development into wetland area.
        ii. Alternate location on opposite side of driveway was discussed
            1. Location may facilitate permitting, ease project phasing, and allow for a better layout.
            2. Seasonal boat storage would be impacted.
        iii. Providing a couple of smaller structures in lieu of one large structure was discussed.
            1. Area in the vicinity of the existing harbor masters building was discussed. It appears that other development would be problematic for the construction of a small platform in the area.

2. Sheds are not owned by the State. There is a lease arrangement between the state and the shed owners for $1,200 per year.

3. Town of Rye Select Board is interested in the project details.

4. Traffic study for the Rye Harbor property was previously completed by AME.

5. Parking demand would not be impacted as the use and structure size would not change.

6. Project Schedule
    a. Current schedule targets October 1, 2024, for submission of final Contract Documents. ARPA funding needs to be committed (signed contract) by the end of the year and construction needs to be completed by the end of 2026.

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, June 18, 2024 3:32 PM
To: Paul Brean;Myles Greenway;Noah J. Elwood, P.E.;Vanessa Swasey (VSwasey@appledoremarine.com)
Subject: PFP & Rye--Port Committee and PDA Board meeting schedule
Attachments: Modified 2024 Meeting Schedule.pdf

All,

The 2024 meeting schedule is attached. For the Port Committee, there is a July meeting listed, but that has been cancelled (as far as I know) since they had one in June. Their next one is scheduled for October 15th with the PDA Board meeting on Oct 17th.

With this, a date should be set for the Port Committee to meet prior to October 15th, maybe late August, or early September to discuss the 2 ARPA projects. We'll need a range of dates from AME to determine the best date to ask for.

My takeaway from yesterday's meeting is that we are going to ask the PDA Board to approve both the proposed PFP design and the Rye platform design before sending them out to bid, and that approval request should be done at the October board meeting?

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

2024 MODIFIED SCHEDULE

BOARD MEETINGS SECOND THURSDAY OF MONTH AND COMMITTEE MEETINGS MONDAY PRECEDING BOARD MEETINGS COMMENCING IN MAY (EXCEPT OCTOBER - REMAINS THIRD THURSDAY AND TUESDAY PRECEDING BOARD MEETING DUE TO PDA AUDIT)

	BOARD		FINANCE		GOLF		AUDIT		PORT		Noise Compatibility	
	Meetings at 8:30 am		Meetings at 9:00 am		Meetings at 8:30 am		Meetings at 8:30 am		Meetings at 8:00 am		Meetings at 6:30 pm	
Month	**Day**	**Date**	**Day**	**Date**	**Day**	**Date**	**Day**	**Date**	**Day**	**Date**	**Day**	**Date**
January	Thurs.	01/11/24							Tues.	01/09/24		
February	None											
March	Thurs.	03/14/24	Mon.	03/11/24	Mon.	03/11/24						
April	Thurs.	04/18/24							Thurs.	04/04/24	Thurs.	04/18/24
May	Thurs.	05/09/24										
June	Thurs.	06/13/24	Mon.	06/10/24	Mon.	6/10/2024						
July	None								Thurs.	07/11/24		
August	Thurs.	08/08/24										
September	Thurs.	09/12/24	Mon.	09/09/24	Mon.	09/09/24						
October	Thurs.	10/17/24					Tues.	10/15/24	Tues.	10/15/24	Thurs.	10/17/24
November	Thurs.	11/14/24										
December Annual	Thurs.	12/12/24	Mon.	12/09/24	Mon.	12/09/24						

NOTE: ALL MEETINGS BEGIN AT 8:30 A.M. UNLESS OTHERWISE POSTED.

Legend	
Board	**Second Thursday of Month - Except October Third Thursday**
Finance	Quarterly - Monday before Board
Golf	Quarterly - Monday before Board
Audit	Semi-Annually-Monday before Board (April/Oct)
Port	Quarterly - 1st Thursday
Noise	**Semi-Annually - 2nd Thursday (April and September)**

No Meetings in February and July

No April meeting scheduled

P:\Boardmtg\2023\2024 Proposed Mtgs - Change from 3rd Thursday to 2nd Thursday

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, June 11, 2024 8:43 AM
To: Myles Greenway
Subject: Rye Harbor ARPA & Capital Improvement requests

Hi Myles,

I got to thinking after you showed me the section at the end of the board package regarding discussions on Rye Harbor.

My thoughts are this, we are much more likely to be able to get Revetment work designed and under contract by the Dec 31st deadline and expended by the June 30, 2025 deadline, rather than the retail platform. My guess is the permitting, geotechnical, etc. in Rye for the platform will take longer than anyone can imagine.

I'm wondering if it would make sense to discuss with Pease the option of going ahead with the Design work for the platform, and then repurposing the remaining funds for the revetment design/repairs and then asking for Capital Budget funds to complete the retail platform.

Anyway, just thought I'd throw this out there since Capital funds for the revetment wouldn't be available until Jul 1, 2025 which would be about the time we'd want to go out to bid for the retail platform. In case it comes up in discussions with Paul, or anyone else, might be a good idea to plant that seed now as an option?

Since the item is already in the board package, the motion would need to fail and a board member would need to make a motion as described above instead. Or we'd wait until the August meeting to ask to repurpose the ARPA funds.

Hope this makes sense...just trying to think logically here...

Thanks for reading,
Brenda

Raeline O'Neil

From: Myles Greenway
Sent: Monday, June 10, 2024 10:35 AM
To: Brenda Therrien
Subject: Port Committee Workshop Overview.pdf
Attachments: Port Committee Workshop Overview.pdf

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Port Committee Workshop

Background and Purpose

The Pease Development Authority-Division of Ports and Harbors is authorized to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

The Portsmouth Commercial Fish Pier is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing on the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and needs replacement. The Division has been responsible for the management of the facility since circa 2002 and engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, June 6, 2024 3:12 PM
To: Suzy Anzalone
Subject: Board memo's
Attachments: MTB PFP AME proposal Engineering etc. Replacement Building.pdf; MTB AME proposal Engineering etc. Rye retail platform.pdf; MTB Rye Revetment CI Budget Amendment.pdf

Hi Suzy,

Here are the 3 board memos for the upcoming meeting.

Brenda

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Pease Development Authority ("PDA"), Board of Directors

FROM: Myles Greenway, Interim Director of Ports and Harbors

DATE: June 4, 2024

SUBJECT: Portsmouth Commercial Fish Pier, Replacement Building, Appledore Marine Engineering Services Proposal

Upon the completion and receipt of the Concept Study for building replacement options at the Portsmouth Commercial Fish Pier ("PFP"), the Division of Ports and Harbors (the "Division") requested and received a proposal from its on-call marine engineers, Appledore Marine Engineering, LLC ("AME") for Engineering Services for a Replacement Building at the PFP (the "Proposal"), to include the following Scope of Work:

Scope	Fee
Project Management, Meetings and QC Services	$ 52,715
Site Investigations, Surveys and Program Analysis	$ 32,483
Design Services and Preparation of Contract Documents	$ 83,017
Permitting Services	$ 19,316
Construction Period Services	$ 30,888
Total Architectural and Engineering Services	**$218,419**

The complete Proposal, in the amount of $218,419, is attached for further review and will be funded by utilizing a portion of the $1,000,000 ARPA award recently approved by the NH Fiscal Committee and NH Governor and Council. It is important to note that the Proposal amount is included as part of the total estimated costs outlined in the Concept Study. As you know, ARPA funded projects are on a tight schedule for getting projects "under contract" and funds "expended". Acceptance of the Proposal will help ensure that this time sensitive project will move forward and put the project "out to bid" for construction services as soon as possible. A cover letter from AME, and the Executive Summary of the results of the PFP Building Concept Study are also attached for reference.

At its meeting on June 3, 2024, the Port Committee reviewed and discussed the Proposal and the results of the Building Concept Study and expressed support for placing the Proposal on the PDA June Board agenda for consideration.

Therefore, the Division respectfully requests authorization from the PDA Board of Directors to accept AME's Proposal and to provide AME with notification to proceed with Engineering Services for the PFP Replacement Building in an amount not to exceed $218,419, as outlined in the Proposal.

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

June 04, 2024 (REV)

Myles Greenway
PDA Division of Ports & Harbors (PDA)
555 Market Street
Portsmouth, New Hampshire 03801

Cc: Atlantic States Marine Fisheries Commission (ASMFC)

Re: Portsmouth Commercial Fish Facility Building - **Concept Study**

Dear Mr. Greenway

Appledore Marine Engineering, LLC (AME) is pleased to submit this concept study for the replacement of the Commercial Fish Facility Building on Pierce Island, Portsmouth, NH. Presented in this study are a narrative description with associated drawings and opinion of probable design, permit application, and construction costs.

During concept development, it was determined that replacement of the existing facility in kind would likely exceed the anticipated budget by a significant amount. It was jointly decided between PDA and AME that that most logical course of action for the study would be to focus on developing a base bid concept that satisfies the minimum core functions of the facility and bid options for opportunities to expand the scope of the project, should additional funding become available. The anticipated cost for the base bid concept exceeds the current anticipated budget, but it is our opinion that it represents the minimum scope required to maintain operations at the facility. The table below provides a summary of anticipated costs associated with the Base Bid and potential Bid Options:

Table 1: Summary of Anticipated Costs

TASK	AMOUNT
Engineering Studies / Design	$99,400
Permit Application Development	$14,200
Construction Engineering / Administration	$106,500
Design / Engineering / Permitting Subtotal	**$220,100**
Demolition / HAZMAT / Removals	$239,980
Construction of New Facility	$959,920
Demolition / Construction Subtotal	**$1,199,900**
BASE BID TOTAL	**$1,420,000**
BID OPTION 1 – Design / Construct Bait Storage Area (Lump Sum)	**$278,100**
BID OPTION 2 – Design / Construct Ice Storage Area (Lump Sum)	**$290,100**
BID OPTION 3 – Provide Temporary Dock Power (Lump Sum)	**$ 41,200**
TOTAL POTENTIAL PROJECT COST	**$2,029,400**

This effort represents the conceptual phase of design with the intent to provide a viable replacement concept for the building, general arrangement plan, and opinion of the probable costs. The next phase of this project would be to progress the concept development to the design of construction documents and develop/submit permit applications.

Thank you for the opportunity to work with you on this study. If you have any questions or require additional information, please do not hesitate to contact us.

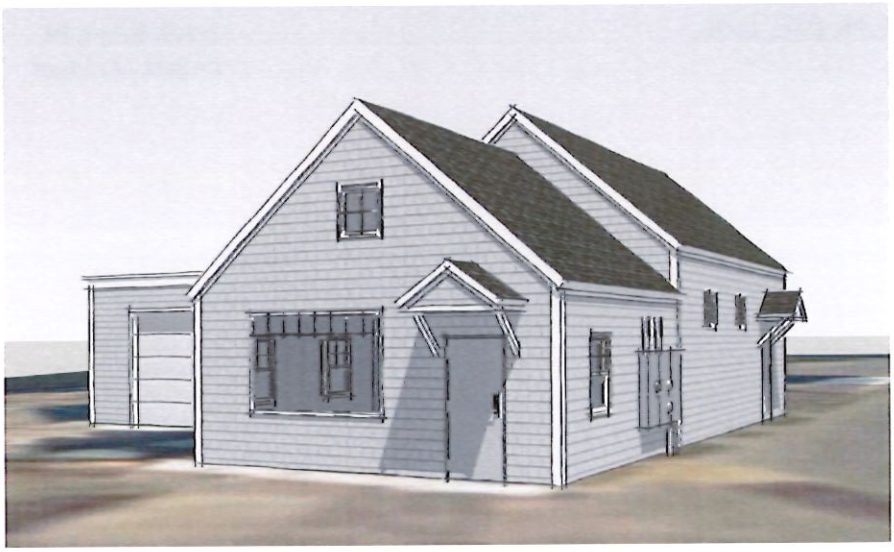
Noah J. Elwood, PE, D.PE, D.OE
President

Travis Baker, PE
Project Manager

STUDY

PEASE INTERNATIONAL
DIVISION OF PORTS & HARBORS
PORTSMOUTH, NH

BUILDING REPLACEMENT STUDY
Pease Development Authority Portsmouth Commercial Fish Pier
Piscataqua River, Portsmouth, New Hampshire



Prepared For:

Pease Development Authority
Division of Ports and Harbors
555 Market Street, PO Box 369
Portsmouth, New Hampshire
May 14, 2024

Prepared By:

Appledore Marine Engineering, LLC
Tel: 603-766-1870 | www.appledoremarine.com

OAK POINT ASSOCIATES
architecture
engineering
planning

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1.3 Estimate of Project Costs

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1 - Executive Summary

1.1 Project Overview

The New Hampshire Port Authority – Division of Ports and Harbors (PDA) is interested in replacing the existing building at the Commercial Fish Pier at Peirce Island Road in Portsmouth, New Hampshire. Built circa 1978 with two additions added in later years, the existing building is inefficient for its current needs and is in a state of disrepair, requiring either substantive repairs and improvements, or replacement.

Funding for the project was reportedly established by the PDA at $1.0 million, which includes construction, design services, permitting services, construction period services, construction contingency, and miscellaneous PDA construction administration costs.

1.2 Recommendations

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

Due to funding limitations, it is recommended to remove the existing building in its entirety and replace the existing original 1978 portion of the building in the same location. Existing foundations should be reused, if determined feasible during the design process. The office, restroom, and utility room should be finished as a part of the base-bid contract, as well as all necessary demolition and paving. The following scope items should be provided as bid options:

1. Insulation and cooling for the bait storage area;
2. Insulation and cooling for the ice making/storage area; and
3. Temporary dock power.

1.3 Estimate of Project Costs

An Estimate of probable project costs has been prepared for the scope of work considered in this Study. These costs are considered preliminary, due to the limited level of site investigations and design and are intended to assist the PDA in determining the level of funding needed to provide the program defined herein.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

2 - Introduction

2.1 Study Objectives

The objectives of this study include completing assessment of the existing building conditions, research, surveys, analysis and concept design to confirm the scope of work, and project costs for the replacement of the existing building.

2.2 Site Investigations

The following surveys and investigations were completed to verify existing conditions within the vicinity of the project area for the purposes of this study:

1. Field investigations, including measurement and inspection of the existing structures;
2. A partial topographic survey completed by Doucet Survey in March 2024 to supplement record survey information;
3. Utility location within the vicinity of the project area completed by Doucet Survey in March 2024 to confirm and supplement record information;
4. Review of available geotechnical data and field conditions, and development of preliminary recommendations by R.W. Gillespie and Associates;
5. Hazardous materials survey completed by RPF Environmental; and
6. Hydrant flow test completed by Utility Testing Services and witnessed by Oak Point Associates.

2.3 Coordination

To verify project requirements and constraints the following authorities and organizations were contacted:

- City of Portsmouth Department of Public Works; and
- New Hampshire Department of Environmental Services

3 - Existing Conditions

3.1 Existing Building

The existing Fish Pier building is a one-story, wood-framed building with a slab-on-grade ground floor. The original building was constructed circa 1978 and had two later additions on the east end of the original building. The building additions are a combination of wood framed and concrete masonry unit (cmu) block structures.

Structural

There are structural framing plans available for the original building, but there are no plans available for the additions.

A visual assessment of the existing building structure was conducted on March 29, 2024, which was limited due to the existing finishes in the building. The existing building structure shows no apparent signs of distress or damage. There are signs of deterioration of the existing exterior finishes along the roof eaves that are most likely allowing water to penetrate into the interior of the structure and there could be hidden deterioration of the existing wood framing that cannot be visually assessed. Based on soundings taken, the existing cmu walls in the addition do not appear to be reinforced (all cells appear to be hollow), which would have been a typical construction practice at the time the building was constructed.

An analysis of the existing framing and foundation systems was not conducted as part of this study. The existing roof framing system consists of pre-engineered metal-plate-connected wood trusses. Based on the age of the building, the existing wood trusses would not have been designed to support unbalanced snow loads, which is now required by the current building code for buildings of this size and configuration. There is no indication of the loads the trusses were designed for in the record drawings. If constructed today, the current code mandated unbalanced snow load is 60 PSF for the original building. It is unlikely that the existing trusses are capable of supporting the code mandated unbalanced snow loads. Based on the age of the structure, it is also unlikely that the building wall and roof framing systems have a properly designed lateral force resisting system (shear walls and roof diaphragm) to resist seismic and wind forces.

Record drawings depict the configuration of the existing foundation system for the portion of the building constructed circa 1978. There is no apparent information for the foundations associated with other portions of the building.

Inspection of the existing building foundations did not find any visual signs of foundation settlement or movement. Due to the lack of subsurface information and documentation, the condition is unknown, but assumed to be in fair to good condition.

The record drawings indicate most of the original building floor consists of a 6-inch-thick concrete slab, but, in the bait storage area, the floor consists of a 4-inch-thick concrete slab underlain by 4 inches of rigid insulation placed over an 8-inch-thick concrete slab.

Architectural

Exterior finishes consist of painted wood shake siding, painted wood trim, and asphalt shingle roofing. Openings consist of double hung windows, single entry doors, louvers, and overhead doors. In general, exterior finishes show significant signs of deterioration.

Interior finishes consist of painted gypsum board walls and ceilings, painted CMU walls, FRP panels, VCT flooring, and poured concrete floors. Painted wood doors and painted wood trim are present throughout the interior space. Hazardous materials have also been documented in the building. Miscellaneous equipment and furniture are located throughout the interior spaces. In general, interior finishes show significant signs of deterioration.

Mechanical

HVAC

Heat throughout the occupied spaces is provided via electric baseboard heaters with wall mounted thermostats. The work room between the coolers has an electric unit heater that is in poor condition and not functional. All of the heating units are in poor condition. Some offices contain window mounted air conditioners in fair to poor condition. The only observed mechanical ventilation equipment was ceiling exhaust fans in the single user restrooms. Each had its own switch-activated ceiling exhaust fan. They are in poor condition. There is a louvered vent on the gable wall above the outside cooler door to the bait cooler. Record drawings indicate there was a wall exhaust fan in the work room. A wall patch observed on the exterior of the work room wall marks the apparent location where the fan was located.

Process Equipment

The facility has two coolers; a bait cooler and a cooler used to store fish and ice filled containers. Each cooler has its own functioning refrigeration system. The condensing unit for each cooler is located at the exterior on a ground-level pad. The enclosures are weathered, and in fair condition. The facility also has a functioning 5-ton ice making machine. The ice machine's refrigeration system has been changed out at least once, as the original R-22 refrigeration identification label has been manually revised to reflect the use of R-404 refrigerant. The equipment is in fair condition. The air-cooled condenser unit is located on the gable roof where service access is very difficult.

Plumbing

A sanitary waste and vent piping system is present in the building that serves floor drains in the coolers and work room between the coolers, two single user restrooms, and a single-bowl counter mounted convenience sink in the office addition. Each fixture gravity drains to one of two sump pits. One is in the floor of the mechanical room, and the other is in the floor of an abandoned bathroom. The collected waste in the sumps is pumped out of the building to a force main in Peirce Island Road.

The 1-1/2-inch domestic water entrance piping is equipped with a water meter and backflow preventer. There is also another water meter located on a branch water service. The domestic water entrance equipment is in fair to poor condition. Domestic hot water needs are served by a 40-gallon electric water heater with a hand-written installation date of September 24, 2021. It is in good condition.

The facility's two single user restrooms are equipped with floor mounted toilets with manual flush valves and a wall mounted vitreous china lavatory with manual faucet. One restroom has had the fixtures updated and is in good condition. The other restroom does not appear to be actively used and is in poor condition.

There is also an abandoned bathroom. It contains a shower enclosure, a counter-mounted lavatory with half the counter cut off, and an empty resurfaced floor space where a toilet was once located. A sanitary sump pump pit with PVC

discharge and vent piping is located at the bathroom entrance.

A single bowl stainless steel counter sink in the office area is in poor condition.

Wall hydrants and hose bibbs for the building are varied in their condition with some being worn and at the end of their useful life.

Electrical

The existing electrical service is provided by Eversource via underground medium voltage conductors from a pad-mounted utility owned transformer, located at the southeast of the building, near Peirce Island Road. Secondary power extends underground from the pad mounted transformer to a 4-meter commercial electrical meter stack located on the building exterior. The underground electrical service was installed circa 2021 as part of the Bulkhead Rehabilitation project.

The electrical power distribution system within the building is over 20 years old and in fair to poor condition. The main panelboards and equipment are located in the utility room in the administration office area.

There is a 100-amp, 100 milli-amp (ma) ground fault protection circuit in the utility room, which serves the existing pier power distribution boxes.

Power from the main utility room serves the existing office area lighting and general-purpose receptacles. Power for on-site refrigeration equipment, ice making equipment, and warehouse/cooler/freezer lighting is provided from utility room panelboards.

Power wiring and disconnect equipment serving refrigeration and ice making equipment is in fair to poor condition. Open junction boxes and unsupported wiring were observed in several locations, including the ice machine equipment room.

The 120-volt power wiring and 120-volt duplex receptacles in the building are old and in fair to poor condition. Some receptacles were noted as broken and damaged. There are some ground fault (GF) receptacles in damp areas, however the location of ground fault protection does not comply with current National Electrical Code (NEC) requirements.

Power and control wiring serving the boat fuel dispenser equipment was new circa 2021 and is in good to excellent condition. Conduit seal fittings at the building and at the dispenser locations are in compliance with NEC. The on-site fuel storage monitoring system control panel is located in the existing electric room.

Lighting

Lighting systems within the office areas of the building include ceiling mounted fluorescent fixtures with magnetic ballasts and wrap around acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in the warehouse, coolers, and freezer areas are surface, ceiling mounted fluorescent fixtures with magnetic ballasts, florescent lamps, and damp location acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in support spaces, toilet rooms, and closets include fluorescent and incandescent fixtures. These fixtures are old and in poor condition.

Existing site lighting includes pole and building mounted LED fixtures. The fixtures are relatively new. The wiring appears to be older and in fair condition.

Telephone

Telephone service extends from a utility pole adjacent to Peirce Island Road to the building in an underground conduit provided circa 1978. This conduit is smaller than the phone company's current standards. Spare conduits intended for future telephone and internet service were provided from a utility pole near Peirce Island Road to the building alongside the power service constructed as a part of the Bulkhead Rehabilitation Project.

Telephone service into the building terminates at a terminal block in the Utility Room. The telephone wiring is limited to a few internal phone jacks for voice phone service and is in poor to fair condition.

Security Systems

The existing site closed circuit television (CCTV) system includes a series of exterior mounted, wet location, exterior cameras, which are hard-wired back to video equipment in the building Utility Room. The CCTV cameras were partially funded by homeland security funds and the coverage includes views of the adjacent Piscataqua River and surrounding areas.

Hazardous Materials

RPF Environmental completed a hazardous materials survey for the existing building. The survey included accessible asbestos containing material in accordance with the initial asbestos inspection requirements prior to renovation or demolition work as stated in the New Hampshire State regulations and applicable federal regulations. In addition, the survey included screening for lead paint (LP) and other hazardous or regulated materials.

Several types of suspect asbestos containing material (ACM) were observed by RPF, including friable and nonfriable suspect material. Based on the testing performed by RPF, asbestos was detected in the following materials:

- 12-inch tan floor tile
- Tan vinyl sheet flooring and adhesive

Based on the year of construction and extent of renovation conducted over the years, it is reasonable to assume that some lead paint (LP) is present. RPF conducted limited spot testing of paint and LP was absent on various interior and exterior building components. The intent of the lead testing was for potential lead hazardous waste disposal screening purposes only.

Based on the RPF visual observations, potential polychlorinated biphenyl (PCB) containing light ballasts, mercury containing switches, and fluorescent light bulbs are present throughout the building.

The Hazardous Material Survey is included in Appendix D.

3.2 Site and Utilities

Existing site conditions in the vicinity of the Fish Pier Building are depicted on the Existing Conditions Site Plan (Sheet CX101), included in Appendix B. The existing site conditions for the project area are based on a limited topographic survey completed by Doucet Survey in March 2024, and record drawings. The location of underground utilities is based on utility location paint marks completed by Doucet Survey in March 2024, and record drawings.

Horizontal control for the project is based on the New Hampshire State Plane Coordinate System 2800, West Zone, North American Datum of 1983. The vertical datum is based on mean lower low water (MLLW), which is 4.62 feet above NAVD88.

Circulation and Accessibility

Vehicles gain access to the site from Peirce Island Road. The area surrounding the building and extending to the bulkhead is paved and allows for vehicle circulation around the building and access to the building and waterfront.

Subsurface Soil Conditions

Record boring logs indicate that subsurface conditions in the vicinity of the Fish Pier Building consist of granular fill (sand and gravel, some silt) over naturally deposited silt and sand over bedrock. The logs indicate that the fill extends to depths of about 15 feet below the ground surface and contains materials described as debris and wood. The fill thicknesses appear consistent with the record information for the original building. Record design drawings called for construction to follow New Hampshire Department of Public Works and Highways Standard Specifications dated 1974 and the use of gravel fill. The materials are consistent with gravel fill; however, it appears to contain deleterious material locally. Limited Standard Penetration Test N-values indicate consistent fill relative density, suggesting compactive effort was applied as the fill was placed.

Preliminary Geotechnical Recommendations for the project, prepared by R.W. Gillespie and Associates is included in Appendix C.

Pavements

Significant cracking is present throughout the parking lot, except at the west of the Fish Pier Building, where pavements were replaced as a part of the Bulkhead Rehabilitation project.

Utilities

Storm Drainage

Stormwater runoff from site development generally sheet-flows over paved and vegetated areas, over the embankment, and into the Piscataqua River.

Sanitary Sewer

A duplex submersible sewer pump station is present within the building's Utility Room, which receives flow from the building's bathrooms and floor drains. A 2-inch sewer force main extends out the south side of the building, then turns to the east and runs parallel to the water main and connects to two force mains in Peirce Island Road (recently installed 24-inch diameter and an old force main). Installation of the 24-inch force main included partial replacement of the Fish Pier service pipe and valves within the limits of the road.

Water

A 6-inch water service extends from the City's distribution pipe within Peirce Island Road to the south side of the existing building where it terminates at a hydrant that was constructed circa 2021. A 2-inch water service extends to the building from the 6-inch line.

Fuel

A 3,000-gallon and a 15,000-gallon underground fuel storage tank are present at the east of the building. Underground fuel piping and controls extend along the north of the building to a fuel dispensing structure located at the west of the building. Gas and diesel storage tank high-level alarm panels are mounted to the west side of the cold-storage structure.

Flood Elevations

According to the current FEMA Flood Map, the project site is not within a flood hazard zone. The base flood elevation of the Piscataqua River, in the vicinity of the project site is 12.86 feet (MLLW). Pavement elevations around the existing building are approximately 14.50 feet.

4 - Program Requirements

4.1 Building

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

The existing structure will be demolished in its entirety and a new building will be constructed in the same location as the original 1978 structure. If possible, the existing foundations for the original building will be reused. Areas within the building that are not occupied by the identified program will be used to replicate the existing bait storage area and provide space for general storage.

5 - Recommended Scope of Work

5.1 Base Bid

The following narrative describes the recommended Base Bid scope of work to achieve the project objectives, considering the project budget constraints.

5.1.1 Site and Utilities

Removals

Removals will include existing asphalt pavement around the perimeter of foundations and utilities to support new utility services and connections.

Pavement Repairs

The bituminous pavement section used to restore disturbed areas will consist of 18 inches of base course and 4 inches of bituminous concrete pavement that conforms to New Hampshire Department of Transportation Standard Specifications placed on a prepared subgrade.

Site Facilities

Bollards will be provided at each overhead door, building corners, and to protect above-grade utility systems that could be damaged by vehicle circulation.

Utilities

Sanitary Sewer: A 4-inch gravity sanitary sewer service will be extended from the building to a submersible sewer pump station located at the exterior of the building. The discharge pipe will be connected to the existing 2-inch force main that extends to the City's sewer force mains in Peirce Island Road.

Water: The existing 2-inch water service will be replaced to 5 feet outside of the building and extended into the Utility Room.

Fuel System: The existing fuel system will be temporarily shut down during the construction of the building due to budget limitations.

5.1.2 Structural

Removals

Removals will include the entire existing building structure and foundation system. The existing foundation system, not within the area of the building construction, will only be removed to 12 inches below the existing ground surface for budgetary reasons.

If it is determined during the design process that the existing foundations for the 1978 portion of the building are sufficient to support the new structure, then removal of foundations will not be required.

Building Structure

The new structure's roof will consist of both sloped and flat metal-plate-connected wood trusses connected to the wall framing with truss connectors. Plywood roof sheathing will be provided for the roof diaphragm.

The new structure's wall framing will consist of wood stud walls connected to the foundation with shear wall hold-down anchors. Plywood wall sheathing will be provided for the shear walls.

Foundations

The new structure's foundation system will consist of reinforced concrete foundation footings and reinforced concrete foundation walls. A reinforced concrete slab-on-ground will be provided to support the imposed building occupant load and forklift vehicle loads.

Since there are record drawings of the original building's foundation system, it may be possible to reuse the existing foundation system to support the building structure. A structural analysis of the existing foundation will be necessary to determine if it has sufficient capacity to support the current code mandated loads. Also, geotechnical investigations will be necessary to prove that the existing site soil conditions are suitable for supporting the proposed new structure (refer to geotechnical report in Appendix C).

5.1.3 Architectural

Exterior

The proposed building will have an approximate footprint of 2,000 square feet. The characteristics of the building will aim to blend with the architectural style with the surrounding neighborhood while also relating to the original commercial fish pier building.

The new, single-story structure will be made up of several distinct building volumes with varying wall heights and roof styles. Wood or composite shake style siding will wrap the building envelope and be accented with wood or composite trim. Several window styles will be incorporated into the design to allow for sightlines, natural ventilation, and natural lighting. The gable roof surfaces will be finished with an asphalt shingle system and the low-sloped roof surface will have a membrane system. Entry doors and overhead doors will be located on various building elevations to allow for efficient building access and operation.

Interior

Interior spaces will be arranged in a similar manner to the existing building. The PDA office space, which will include a bathroom and utility room, will be located at the west end of the building adjacent to the waterfront. Interior access from the office space into the ice production space and cold storage space will be provided. Interior finishes will be selected as the design is further developed.

5.1.4 Fire Protection/Life Safety

Requirements for Provision of a Sprinkler System

A sprinkler system is not required for the building due to the limited building size and occupancy classification. The 2018 NFPA 101 does not require sprinkler systems for Business or Storage occupancies without other extenuating circumstances that do not apply here (such as a high-rise or limited access building). This is per NFPA 101, Sections 42.3.8 and Chapter 38. The 2018 IBC does not require a sprinkler system for B occupancies, or S-1 occupancies that are single story or under 12,000 square feet per Sections 903 and 903.2.9. A sprinkler system is not required and will not be provided.

Requirements for Provision of a Fire Alarm System

A fire alarm system is not required for the building due to the limited building size and occupancy classification. Under the 2018 NFPA 101 Business occupancies are not required to have a fire alarm system unless they are three or more stories in height, have 50 or more occupants above or below the level of exit discharge, or have more than 300 total occupants (Section 38.3.4.1). Storage occupancies with ordinary hazard storage are not required to have a fire alarm system unless the area exceeds 100,000 SF per NFPA 101, Section 42.3.4.1.2. The 2018 IBC does not require a fire alarm system for B occupancies unless there is a combined occupant load of 500 or more, there are more than 100 people above or below the level of exit discharge, or there is an ambulatory care facility (Section 907.2.2). IBC, Section 907 does not require a fire alarm system for a typical S occupancy. The building is to be a single story with an area under 2,000 SF and a calculated occupant load of approximately 10 people. A fire alarm system is not required and will not be provided.

Required Fire Flow

The fire flow is to be in accordance with NFPA 1. For a building of combustible construction that is not fire-resistance rated, and has an area below 3,600 square feet, NFPA 1, Table 18.4.5.2.1, requires a minimum fire flow of 1,500 gallons per minute (gpm) at 20 pounds per square inch (psi) for a duration of 2 hours.

A hydrant flow test was conducted on March 20, 2024, by Underground Testing & Services LLC, on hydrants in the vicinity of the planned building. The hydrant flow test indicated an available fire flow of 1,506 gpm at 20 psi.

The results of the hydrant flow test are included in Appendix E.

5.1.5 Mechanical

The heating, ventilation, and air conditioning systems installation will comply with 2018 International Mechanical Code, in accordance with New Hampshire Building Codes.

Heating, Cooling, and Ventilation

Office

Heating and Cooling: A single zone ductless split heat pump with electric resistance baseboard backup with a system remote controller/thermostat will be provided. The system will have low temperature heating with heat pump operation down to -13 degrees Fahrenheit. Wall mounted indoor and exterior wall mounted outdoor units will be provided. Condensate will drain via gravity out the wall to ground.

Ventilation: Required. Natural ventilation is permitted (International Mechanical Code 2018) with a minimum available total operable window opening of 4 percent of office floor area within the space. It is assumed that the total operable window opening area in the office will satisfy this natural ventilation requirement. The mechanical ventilation alternative would be to provide a small energy recovery ventilator.

Restroom

Heating and Cooling: Heating only will be provided via an electric baseboard with a programmable thermostat.

Ventilation: Exhaust ventilation required. A light circuit activated ceiling exhaust fan with backdraft damper will be provided with a ducted sidewall exhaust hood outlet.

Mechanical Room

Heating and Cooling: Heating only will be provided via an electric unit heater with an integral thermostatic controller.

Ventilation: Not required.

Open Storage

Heating and Cooling: Heating and high temperature relieve systems will be provided under Option 2.

Ventilation: Not required if not heated or if heated below 50 degrees F setpoint.

Ice Storage

Heating and Cooling: Heating will not be provided. A cooler and refrigeration equipment package will be provided under Option 2.

Ventilation: A cooler and refrigeration equipment package will be provided under Option 2.

Ice Making Machine Room

Heating and Cooling: A heating system will be provided under Option 2.

Ventilation: Not required.

5.1.6 Plumbing

The plumbing installation will comply with the 2018 International Plumbing Code, in accordance with New Hampshire Building Codes.

Plumbing Utilities

The domestic water entrance will be provided with a water meter and RPZ type backflow preventer.

A separate domestic water feed rough-in with a backflow preventer and water filter will be provided for the ice machine. Heat trace water pipe freeze protection is not included in the scope; however, it should be provided when the filtered water piping rough-in is extended to the ice machine.

A 10-gallon electric domestic water heater with a thermostatic mixing valve assembly in Utility Room to serve hot water needs.

Sanitary/waste gravity piping will drain to a sanitary submersible pump station located outside the building. See Section 5.1.1 Site and Utilities for description.

Plumbing Fixtures

Toilet rooms fixtures will consist of a floor-mounted ADA height water closet with a 1.28 gpf manual flush valve and wall-hung ADA compliant vitreous china lavatory with a 0.5 gpm single handle manual faucet.

Other plumbing fixtures will include a mop receptor with a 1.5 gpm wall mounted manual faucet in the Utility Room; 3-Inch floor drains outside of Ice Room and outside of anticipated cooler locations in Open Storage; two 3/4-Inch non-freeze wall hydrants, one located at the exterior of the Utility Room and one located at the north exterior wall of the Restroom; and a non-freeze utility hose connection at the north exterior wall of the Office.

Storm drainage from the roofs will be managed with roof gutters and downspouts to ground level.

5.1.7 Electrical

The existing underground electrical service and pad mounted transformer were located near the edge of the existing parking lot as a part of the Bulkhead Rehabilitation Project in order to facilitate the replacement of the existing building in the future. The system and equipment are new, in excellent condition, and will be maintained in their current locations.

Portions of the existing underground secondary power conduits near the building and wiring will be replaced.

Permanent power will be provided underground from the existing pad-mounted transformer to the new building. Electrical service will be 120/208 volts, 3 phase, 4 wire to match the existing Eversource pad transformer secondary voltage.

Site lighting will be maintained during construction.

Separate metering provisions will include a minimum of:

- House power for site lights, fuel tank inventory and leak detection systems, site fuel dispensing system, sewer pumps, administration office lights and receptacles, building security and fire alarm systems, site CCTV system, and pier power and lighting systems.
- Power for ice making equipment.
- Power for shared warehouse refrigeration areas including equipment, lights and general-purpose power.

- Provisions for separate metering for tenant/user owned on-site refrigeration structures. Provisions to include power from the transformer to a 3 phase 120/208-volt commercial meter stack with a variety of meter ampere ratings, and variety of feeder breaker sizes (to be determined) and feeder conduits from the meter stack to the vicinity of the proposed tenant/user owned refrigeration equipment. These feeders will terminate in a series of stainless steel, lockable, fused disconnect switches. Wiring beyond these disconnect switches will be tenant/user provided.

5.1.8 Communications

Communications services will be extended to the building via an existing spare conduit installed as a part of the Bulkhead Rehabilitation Project. Portions of the conduits near the building will be removed and extended to the building to accommodate construction.

5.1.9 Security

Temporary outage and modifications to the existing CCTV camera system will be necessary to accommodate construction. The recommended scope of work considers that portions of the system will be removed to accommodate construction and will be replaced/restored. Temporary facilities to support the operation of the system during construction are not included. The PDA will need to confirm constraints and requirements for the temporary outage and modifications to the CCTV camera system.

5.2 Reuse Existing Building Foundations

Based on apparent building performance and field observations, reusing the existing foundations to support the new structure appears technically feasible. However, additional subsurface investigations and design is necessary to confirm reuse of the foundations.

Reuse of foundations would include the following:

- Removal of the existing structure to the top of the existing 1978 portion of the foundations. Existing floor slabs would be completely removed;
- Post-installed anchors installed in the top of the foundation every 6 feet to anchor sill plates and post-installed hold down anchors installed in the top of the foundation walls at the ends of each shear wall;
- Elimination of removal of existing pavement around the foundations being reused; and
- Elimination of removal and reuse of the existing concrete equipment pad at the west of the building.

5.3 Option 1 - Insulation and Cooling (Bait Storage)

Option 1 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- Fork truck access door air curtain; and
- Electrical connections.

5.4 Option 2 - Insulation and Cooling (Ice Storage)

Option 2 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- 5-ton ice machine, skid mounted;
- Ice making machine room heater;
- Open storage heater;
- Open storage high temperature exhaust fan;
- Fork truck access door air curtain;

- Water connections: filtered water to ice maker, hose bibb in open storage; and
- Electrical connections.

5.5 Option 3 – Temporary Dock Power

Option 3 includes providing temporary power from the existing pad mounted transformer, via a dedicated electrical meter, to serve the existing dock power distribution system during construction.

The existing dock power system is relatively new, in excellent condition, and includes corrosion resistant, stainless-steel enclosures and panelboards with corrosion resistant copper busses. Protection for personnel is provided by 6 milliamp (ma) GFC interruption breakers in compliance with the National Electrical Code (NEC).

The existing feeders are routed under the Pier/Dock and terminate at a stainless steel, lockable disconnect at the end of the pier.

Temporary power to the pier will be metered separately and include a weatherproof, lockable, stainless steel, dedicated circuit breaker equipped with 100 ma ground fault protection for marine facilities as per the NEC.

6 - Permitting

6.1 Local Permit Requirements

Since the project is located entirely on state property, local permitting is not required, except as required for environmental permitting.

6.2 State Permit Requirements

The majority of construction activities associated with the project will be within 100 feet of the Highest Observable Tideline (HAT). Since the area of removals will exceed 3,000 square feet, a New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill Permit will be required. Additionally, a NHDES Shoreland Permit will be required to account for construction activities between 100 feet and 250 feet from the HAT.

7 - Estimate of Probable Project Costs

7.1 Methodology

The estimate of probable project costs prepared for this study is intended to reflect the opinion of Oak Point Associates relative to the financial support needed to implement the scope defined herein. Because the estimate is based on concept level design, limited site investigations, and limited discussion with review authorities, it is possible that the scope of the project will change as site investigations, design efforts, and consultations with permit authorities progress during the design phase of the project. Consequently, the estimate of probable costs should be considered preliminary.

The estimate considers an open, competitive bid solicitation and uses current published construction cost information, costs based on similar recent projects, and local cost information. Additionally, the estimate considers construction will begin during the fall of 2024 and will have a duration of 6 to 9 months.

7.2 Mark-Up Factors

The following factors have been accounted for in the estimate:

- General Conditions (7%)
- Design Contingency (15%)
- General Contractor Overhead and Profit (15%)
- General Contractor's Bond (2.5%)

Outlined below are other costs that will be incurred as a part of the project and accounted for in the estimate. These costs are included as a percentage of the total construction cost.

- Design and Permitting Services (8%)
- Construction Period Services (5%)
- Construction Contingency (6%)
- State Project Administration (2.5% assumed)

7.3 Estimated Costs

Funding for the project was reportedly established by the PDA at $1.0 million, including construction, design services, permitting services, construction period services, construction contingency, and miscellaneous construction administration costs.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Pease Development Authority ("PDA"), Board of Directors

FROM: Myles Greenway, Interim Director of Ports and Harbors

DATE: June 5, 2024

SUBJECT: Rye Harbor Marine Facility, Retail Platform, Appledore Marine Engineering Services Proposal

Following the NH Fiscal Committee and NH Governor and Council's recent approval of the $1,000,000 ARPA award for retail improvements at the Rye Harbor Marine Facility, the Division of Ports and Harbors (the "Division") requested and received a proposal from its on-call marine engineers, Appledore Marine Engineering, LLC ("AME") for Engineering Services related to construction of a Retail Platform at the Facility (the "Proposal"). The Proposal is attached and includes the following Scope of Work:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

ARPA funded projects are on a tight schedule for getting projects "under contract" and funds "expended". Acceptance of the Proposal will help ensure that this time sensitive project will move forward and put the project "out to bid" for construction services as soon as possible.

As such, if the Board is interested in moving this project forward, the Division respectfully requests authorization from the PDA Board of Directors to accept AME's Proposal and to provide AME with notification to proceed with Engineering Services for the Retail Platform in an amount not to exceed $243,260, as outlined in the Proposal.

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Rye Harbor – Retail Platform Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Rye Harbor facility has a section along the entrance drive dedicated to the retail sale of fish and light-prepared foods. These "fish shack" buildings allow the fishing industry to sell directly to the public fresh off the boat.

Figure 1 Area of the subject project fish shacks.

Rising water levels and an increase in the intensity of storms have resulted in periodic flooding of the fish shacks, causing severe damage and an interruption to operations. To improve the resiliency of the fish shacks, a project is being proposed to construct an elevated platform above the highest anticipated water level to support prefabricated buildings.

Figure 2 Flooding in early 2024. Note fish shacks on the top left.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a retail platform and prefabricated buildings.

Scope of Work

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to design a new platform and prefabricated buildings. The proposal includes the following:

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions to support the progression of the design services.

1. A topographic survey of the project area, including the location of wetland flags by a Wetland Scientist, the location of the Highest Observable Tide Line outside and along the limit of the survey area, and the location of apparent property boundary monuments (boundary information to be provided by the PDA.
2. Geotechnical subsurface investigations include up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type and requirements, subgrade preparation, and reuse of on-site materials; and
3. Identification and field delineation of jurisdictional wetlands and the highest observable tide line within 100 feet of the project area.

2. Design Services and Preparation of Contract Documents

We will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural, to support the platform design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed;
2. Structural plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of plumbing systems;
5. Design of electrical systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH must provide a check for the applicable permitting fees before submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.
    a. Meetings include a site walk with NHDES wetlands and the Town of Rye Conservation Commission and attendance at the Town of Rye Conservation Commission public meetings.
    b. The project site is expected to be considered "developed" by NHDES Wetlands. If the project impacts undeveloped areas, then a Coastal Functional Assessment may be required by NHDES Wetlands, which is not included in this fee proposal. A modification to the contract may be processed if this is required.
3. An NHDES Application for an individual sewage disposal system. This item is associated with replacing/modifying the existing sewage holding tank for the food preparation shack.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.
- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME/OPA personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;

4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;
11. Permitting except as noted above; and
12. Commissioning.

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule, we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC. PE, BC. OE

President

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority (PDA), Board of Directors

From: Myles Greenway, Interim Director of Ports and Harbors BT for MG

Date: June 6, 2024

Subject: Revetment Improvements at Rye Harbor Marine Facility

At the June 3, 2024, PDA Port Committee meeting, the importance of revetment enhancements to restore and protect any future improvements at the Rye Harbor Marine Facility was discussed. During the meeting a 2019 cost estimate for revetment repair associated with a 2018 storm surge at the harbor was discussed. It was identified that $345,000 was estimated at that time to restore and strengthen revetment at the harbor, see attached report. The Port Committee requested an updated cost estimate factoring in increased construction costs, the additional 2023 and 2024 storm damage, and consideration of increasing elevation at the facility. A new cost estimate was requested from Appledore Marine Engineering, and the scope of work has been identified at a revised estimated cost of $691,412. Please see attached cost estimate from Appledore Marine Engineering.

As additional information, not covered at the June 3rd Port Committee meeting, in the current Division of Ports and Harbors Capital Improvement Plan ("CIP") presented to the Board at the April 2024, meeting, $425,000 was allocated for Rye Harbor revetment improvement. This request was included in the recent FY26/27 Legislative Capital Budget submission to the State of NH. Now that the estimated cost for revetment improvements in Rye has been revised to present day numbers, the Division will work with the State of NH to amend the original submission for this important work.

At the June 13, 2024, PDA Board Meeting, please confirm the direction the Board would like the Division to take on funding Rye Harbor revetment improvements, and, if appropriate, authorize Executive Director Paul Brean to request an amendment to the FY26/27 Legislative Capital Budget submission.

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

March 4, 2019

Geno Marconi
Pease Development Authority Division of Ports and Harbors
555 Market Street
Portsmouth, New Hampshire 03801

Re: Rye Harbor Revetment Repair to Pre-Storm Condition Outline
Rye, New Hampshire

Dear Capt. Marconi:

Appledore Marine Engineering, LLC (AME) has been tasked to quantify and define the limits of deterioration as a result of the spring 2018 storm. The outline includes project Background, Extents of Deterioration, Quantity of Revetment Loss, and Estimated Construction Cost.

BACKGROUND

The Rye Harbor facility is subject to erosion of the shoreline between the concrete and timber pier as well as north of the boat ramp. The shoreline along this portion of the facility is altered with riprap and the erosion typically occurs as a result of wave activity during periods of high water and storm surges. A spring storm in 2018 caused erosion of the revetment and displaced the facility fuel lines.

The purpose of this outline is to determine the extent of deterioration, quantify loss of material, and estimate construction cost.

EXTENTS OF DETERIORATION

A post-event inspection was completed to identify the extent of deterioration. The inspection determined that deterioration was limited to 122 feet between the concrete pier and timber pier and 386 feet of revetment north of the boat ramp. The figure below depicts the area of deterioration, shaded in red.

QUANTITY OF REVETMENT LOSS

To quantify the revetment loss from the spring 2018 storm AME had to first determine the "Pre-Storm" condition at the facility. The pre-storm condition was determined based on archive research, previous site surveys, and as-built measurements taken at the facility. To visually depict the pre-storm condition a three-dimensional rendering of the revetment was developed using computer software.

As a part of this project a site survey was completed by Doucet Survey as a sub-consultant to AME. The survey was completed in January 2019, using a Trimble S7 Total Station and a Trimble R10 Survey Grade GPS with a Trimble TSC3 Data Collector and Sokkia B21 Auto Level. The survey results were used to determine the existing, post-event, site condition and topography.

Utilizing three-dimensional civil site computer software the January 2019 site survey was compared directly to the pre-storm condition data to quantify of loss of revetment. Drawings were developed to visually depict the loss of fill and have been provided as an attachment to this document.

Comparing the pre-storm condition and the existing site survey the loss of revetment between the timber and concrete pier (122 feet) and 386 feet north of the boat ramp is approximately 1,075 CY.

ESTIMATED CONSTRUCTION COST

An estimated construction cost was developed to provide an approximate value to use for budgetary purposes. The estimate assumes that the project will be scheduled to optimize contractor mobilization and demobilization; that the project will be completed without major interruptions to schedule; and the contract will be awarded through a competitive bid process.

The following additional assumptions were made in the development of the estimate:

- All work will be completed from the shore
- No in-water work will be required
- Stone will comply with NHDOT Class III stone

The estimated construction cost to restore the Rye Harbor revetment to the pre-storm condition is $345,000. Detailed back up has been provided as an attachment to this document.

If you have any questions or require additional information, please do not hesitate to contact us.

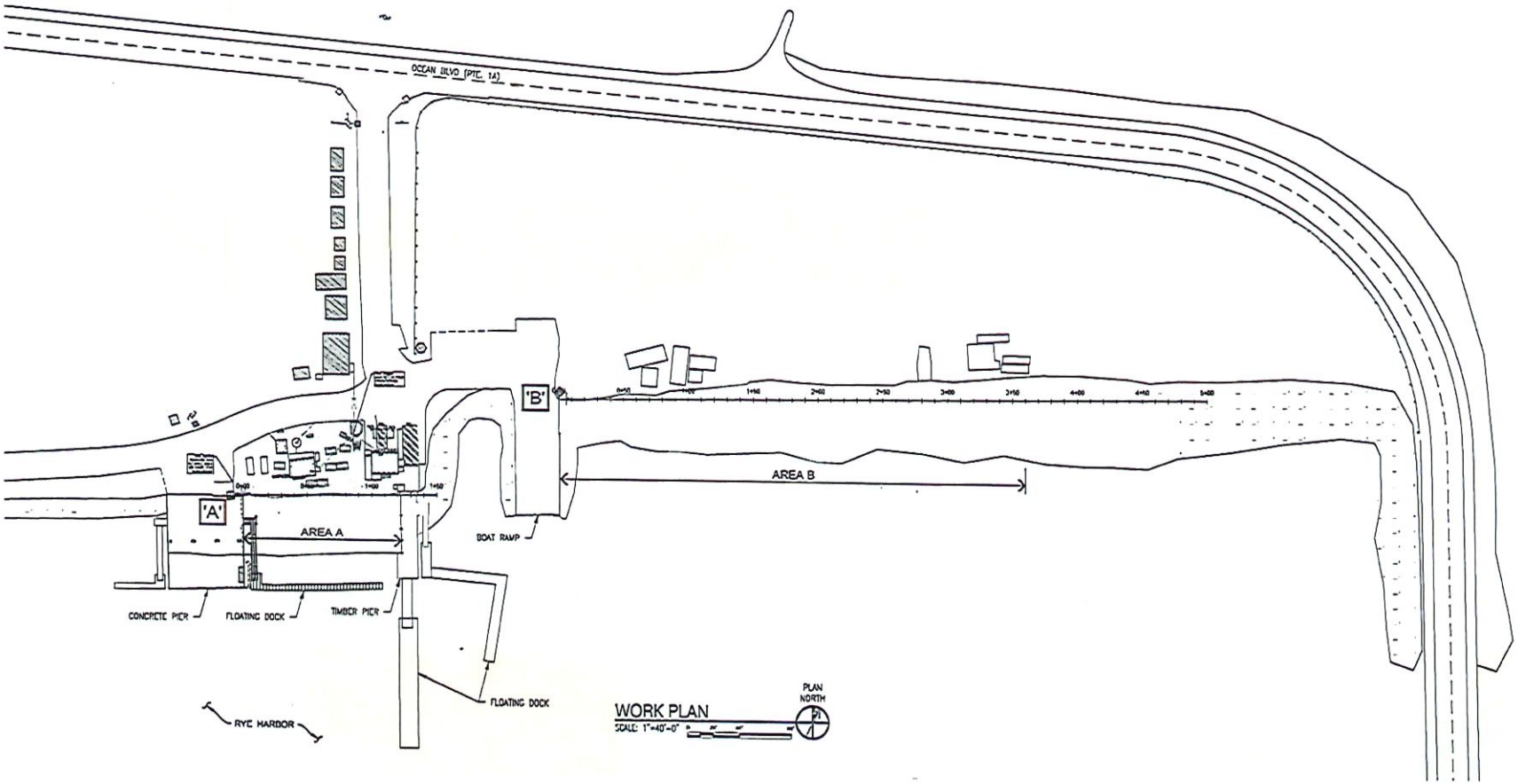
Regards,

Kirk Riden, PE
Vice President

Kyle Vandemoer, PE
Project Engineer

Attachments:

1. Rye Harbor Revetment Deterioration Drawings
2. Detailed Cost Estimate

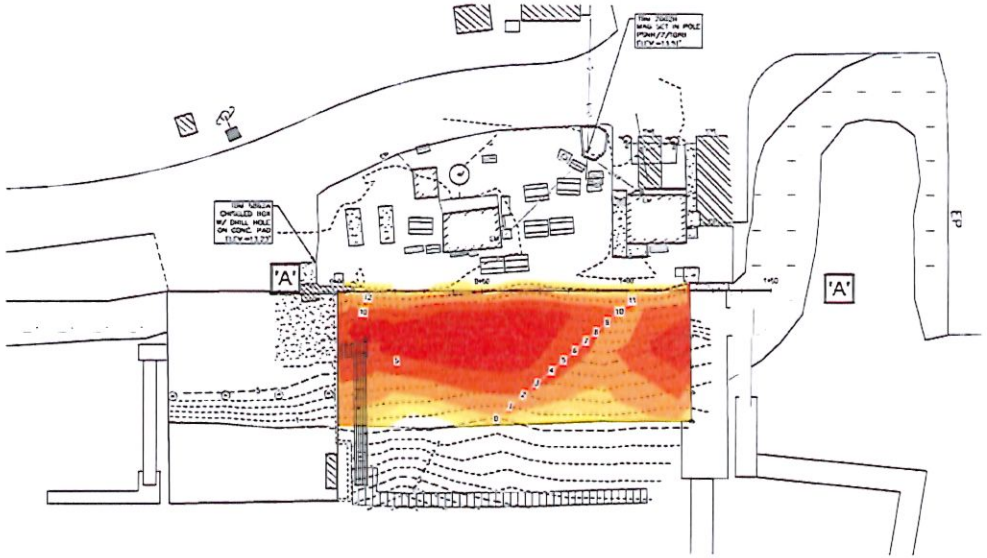


Appledore Marine Engineering, LLC

MARCH 2019

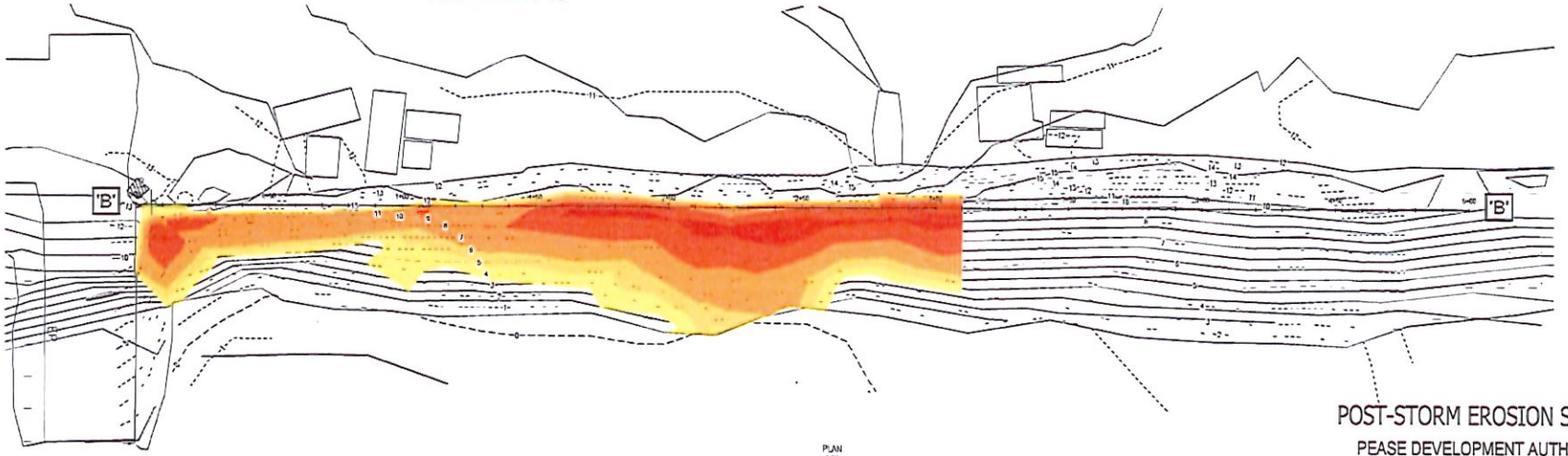
WORK PLAN

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBOR
RYE HARBOR FACILITY
RYE, NEW HAMPSHIRE



SITE A PLAN
SCALE: 1"=20'-0"

PLAN NORTH



SITE B PLAN
SCALE: 1"=20'-0"

PLAN NORTH

TIDAL DATUMS.
TIDAL DATUM AT TEMPLE PIERS, PORTSMOUTH HARBOR BASED ON
LENGTH OF SERIES: 12 MONTHS.
TIME PERIOD: NOVEMBER 2000 – OCTOBER 2001
TIDAL EPOCH: THIS – 2001
CONTROL TIDE STATION: PORTSMOUTH, PISCATAQUA RIVER

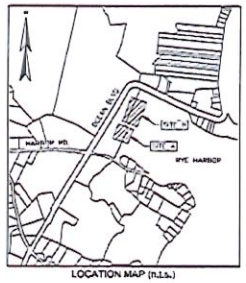
ESTIMATIONS OF TIDAL DATUMS REFERRED TO MEAN LOWER LOW WATER (MLLW) IN FEET

HIGHEST OBSERVED WATER LEVEL (02/19/1972)	= 12.24
MEAN HIGHER HIGH WATER (MHHW)	= 8.84
MEAN HIGH WATER (MHW)	= 8.43
NORTH AMERICAN VERTICAL DATUM-1988 (NAVD88)	= 4.62
MEAN SEA LEVEL (MSL)	= 4.43
MEAN TIDE LEVEL (MTL)	= 4.37
MEAN LOW WATER (MLW)	= 0.72
MEAN LOWER LOW WATER (MLLW)	= 0.00
LOWEST OBSERVED WATER LEVEL (02/10/1977)	= -5.24

THE DATUM BASED ON DGS DESIGNATION: PEASE GPS 3, NGS PID XX1-0000
ELEV. 9.547 (U.S. SURVEY FEET) (NAVD88)
CONVERSION EQUATION USED (NAVD88 + 4.62 = MLLW DATUM)

NOTES:

1. REFERENCE: TAX MAP 12, LOT 91
   1870-1898 OCEAN BOULEVARD
   RYE, NEW HAMPSHIRE
   D.O. PROJECT NO. 5862
2. FIELD SURVEY PERFORMED BY DOUCET SURVEY DURING JANUARY 2019 USING A TRIMBLE S7 TOTAL STATION AND A TRIMBLE R10 SURVEY GRADE GPS WITH A TRIMBLE TSC3 DATA COLLECTOR AND A NIKON B2Y AUTO LEVEL. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARES ANALYSIS.
3. HORIZONTAL DATUM BASED ON NEW HAMPSHIRE STATE PLANE(2800) NAD83(2011) DERIVED FROM REDUNDANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
4. VERTICAL DATUM IS BASED ON MLLW (NGS DATUM TABLE ABOVE.)
5. PROPER FIELD PROCEDURES WERE FOLLOWED IN ORDER TO GENERATE CONTOURS AT 1' INTERVALS. ANY MODIFICATION OF THIS INTERVAL WILL DIMINISH THE INTEGRITY OF THE DATA, AND DOUCET SURVEY, INC. WILL NOT BE RESPONSIBLE FOR ANY SUCH ALTERATION PERFORMED BY THE USER.
6. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON OBSERVED PHYSICAL EVIDENCE AND PAINT MARKS FOUND ON-SITE. UNDERGROUND UTILITIES WERE NOT MARKED AS A PART OF THIS PROJECT.
7. ALL UNDERGROUND UTILITIES (ELECTRIC, GAS, TEL, WATER, SEWER DRAIN, SERVICES) ARE SHOWN IN SCHEMATIC FASHION. THEIR LOCATIONS ARE NOT PRECISE OR NECESSARILY ACCURATE. NO WORK WHATSOEVER SHALL BE UNDERTAKEN USING THIS PLAN TO LOCATE THE ABOVE SERVICES. CONSULT WITH THE PROPER AUTHORITIES CONCERNED WITH THE SUBJECT SERVICE LOCATIONS FOR INFORMATION REGARDING SUCH. CALL DIG-SAFE AT 1-800-DIG-SAFE.



LOCATION MAP (n.t.s.)

LOST OF FILL RANGE

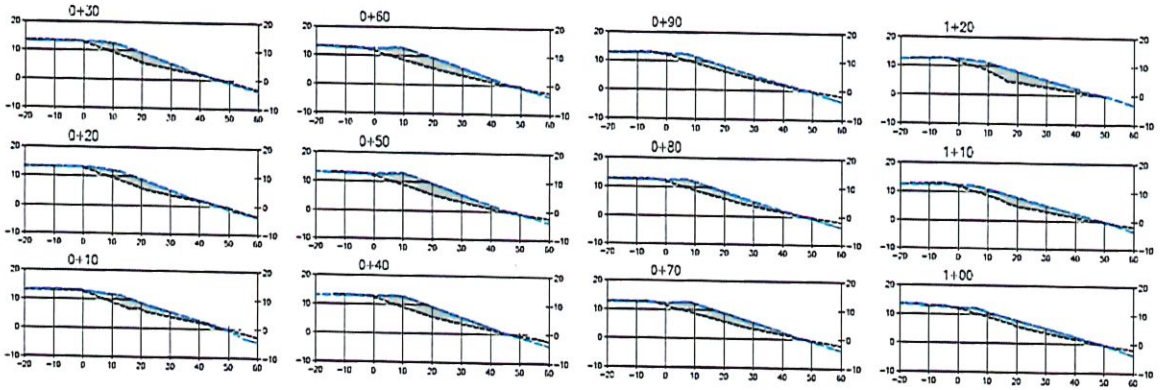
MAX	MIN	COLOR
4	3	
3	2	
2	1	
1	0.5	
0.5	0	

Appledore Marine Engineering, LLC

MARCH 2019

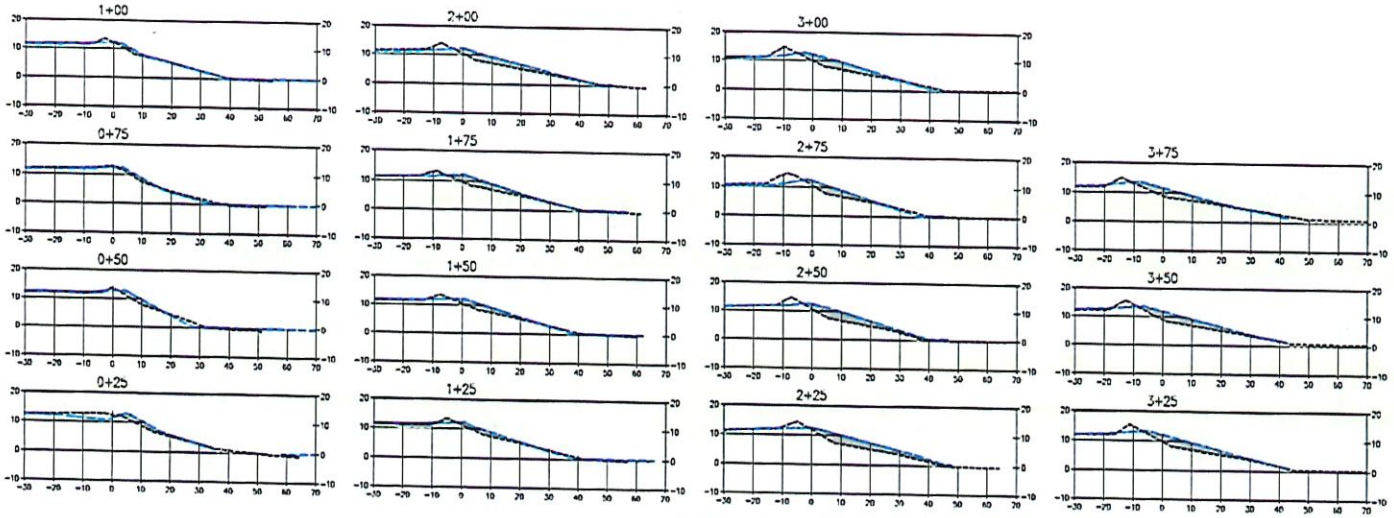
POST-STORM EROSION SURVEY

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBOR
RYE HARBOR FACILITY
RYE, NEW HAMPSHIRE



DREDGING SECTIONS A-A

HORIZ: 1" = 20'
VERT: 1" = 20'



DREDGING SECTIONS B-B

HORIZ: 1" = 20'
VERT: 1" = 20'

ROCK VOLUME	
AREA A REVETMENT REPAIR	475 CY
AREA B REVETMENT REPAIR	600 CY
TOTAL	1,075 CY

LEGEND:

----- POST-STORM CONDITION

- - - PRE-STORM CONDITION

POST-STORM EROSION SECTIONS

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBOR
RYE HARBOR FACILITY
RYE, NEW HAMPSHIRE

Appledore Marine Engineering, LLC

MARCH 2019

Project: PDA Rye Harbor Rip Rap Repair
Location: Rye, NH

Project Number: 5238
Design Status: Preliminary
Estimated by: C. Polselli
Date: 28-Feb-19
Reviewed by: K.Vandemoer

REVETMENT REPAIR - Direct Costs

		Quantity		Materials		Labor Cost		Equipment Cost		Engineering Estimate		Burdened Total
Item #	Task Description	Unit	Number	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	
1	Mob/Demob	LS	1	$ -	$ -	$ -	$ -	$ 11,544	$ 11,544	$ 11,544	$ 11,544	$ 16,784
2	Rip rap repair	CY	1075	$ 123	$ 132,455	$ 36.39	$ 39,123	$ 50.38	$ 54,157	$ 210	$ 225,734	$ 328,216
										Direct Cost Subtotal	$ 237,278	$ 345,000
	Sales tax									0.0%	$ -	
										Total Direct Costs	$ 237,278	
	Contractor Overhead									10%	$ 23,728	
	Contractor General Conditions									5%	$ 11,864	
	Contractor Profit									10%	$ 23,728	
	Bonds									2.0%	$ 4,746	
										Total Contract Cost (Contractors Bid, Rounded Up)	$ 302,000	
	Escalation to mid-point of construction									4.0%	$ 12,196	
	Construction Contingency									10.0%	$ 30,200	
										Total Design and Engineering Allowance	$ 42,396	
										Estimated Budget Amount (Rounded Up)	$ 345,000	

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

June 4, 2024

Mr. Myles Greenway
Acting Director
PDA – Division of Ports & Harbors
555 Market Street
Portsmouth, NH 03801

RE: Rye Harbor Revetment

Dear Mr. Greenway

As request, we have reviewed the prior studies completed on Rye Harbor from 2018/2019 and offer the following for your consideration:

The spring 2018 storm damaged the existing shore protection and fuel system. A post-storm assessment identified two areas with more advanced damage including a 122-foot section between the commercial and recreational piers and a 386-foot section north of the boat ramp. It was estimated that 1,075 cubic yards of shore protection were lost due to the storm. It's important to note that this project's scope was limited to repairing damaged areas and did not involve increasing the elevation of the slope protection nor increasing the size of the armoring stone.

Following a similar approach to repairing damaged sections, we recommend a project budget of $691,412. This includes project escalation, expansion for additional damage, field studies, engineering, and regulatory permitting. The estimated costs are broken down below.

2019 project estimate	$345,000
Escalation to 2025 (midpoint of construction)	$ 95,317
30% project increase accounting for added damage since 2019	$132,095
Surveys, Engineering, Permitting, Construction Services	$119,000
Total Estimate	$691,412

Please let me know if you need any additional information.

Kind Regards,

Noah Elwood

Noah J. Elwood, PE, BC.PE, BC.OE
President

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, June 6, 2024 11:58 AM
To: Raeline O'Neil
Subject: RE: Memos

Ok, I'll do my best. I'm currently at a Port conference with Myles and I was out of the office yesterday. I hope to be back in the office by 2

> **From:** Raeline O'Neil <R.O'Neil@peasedev.org>
> **Sent:** Thursday, June 6, 2024 11:52 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>
> **Subject:** RE: Memos
>
> Brenda,
>
> If they could be delivered by 3 this afternoon it would be appreciated as I will be copying as of 7:30 tomorrow morning.
>
> Rae
>
> > **From:** Brenda Therrien <B.Therrien@peasedev.org>
> > **Sent:** Thursday, June 6, 2024 11:44 AM
> > **To:** Raeline O'Neil <R.O'Neil@peasedev.org>
> > **Subject:** RE: Memos
> >
> > Oh, yes, sorry I didn't catch that word, original. Sorry about that. I'm back in the office this afternoon and I'll be sure to get those into the outgoing interoffice mail
> >
> > > **From:** Raeline O'Neil <R.O'Neil@peasedev.org>
> > > **Sent:** Thursday, June 6, 2024 11:36 AM
> > > **To:** Brenda Therrien <B.Therrien@peasedev.org>
> > > **Subject:** RE: Memos
> > >
> > > Brenda,
> > >
> > > I have received the original memo from the American Cruise, seen the PFP and Rye Harbor electronically but I have seen original memos for these two.
> > >
> > > Rae
> > >
> > > > **From:** Brenda Therrien <B.Therrien@peasedev.org>
> > > > **Sent:** Thursday, June 6, 2024 11:31 AM
> > > > **To:** Raeline O'Neil <R.O'Neil@peasedev.org>
> > > > **Subject:** RE: Memos

Hi Rae,

You should have the final memos for Rye and PFP.

I believe the truck scale is moving to August

Brenda

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Thursday, June 6, 2024 11:23 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: Memos

Brenda,

I anticipate the outstanding original memos to be included in the June Board materials will be delivered shortly.

1. Market Street Terminal –Truck Scale Replacement * (Fournier)
2. Portsmouth Fish Pier - Replacement Building - Appledore Marine Engineering Services * (Levesque)
3. Rye Harbor Marine Facility - Retail Platform - Appledore Marine Engineering Services * (Parker)

Rae

Raeline O'Neil

From:	Brenda Therrien
Sent:	Thursday, June 6, 2024 11:43 AM
To:	Brad Cook;Brenda Therrien;Chris Holt;Chris Snow;Chris Ward;Erik Anderson;jeffartwork@yahoo.com;Mike Donahue;Myles Greenway;William McQuillen
Subject:	RSVP-PAC Meeting packet 6/12/24
Attachments:	PAC meeing packet 6-12-2024.pdf

Good morning everyone,

Please see attached for the meeting packet. It's about 62 pages so please confirm your attendance so that I can be sure to make up the correct number of packets.

Thank you,

Brenda

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PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS ADVISORY COUNCIL
WEDNESDAY, JUNE 12, 2024 @ 6:00 P.M.
MEETING AGENDA

The meeting will be held at the Division office at 555 Market St. Portsmouth NH

1. Call meeting to order
2. Approve minutes- from the May 1, 2024 meeting
3. Finance report-Period End April 30, 2024
4. Piscataqua river vessel transit report – May 2024
5. Director's report:
    1. From the May 23, 2024 PDA Board meeting, materials in meeting packet
        - **i. Reports:**
            1. Piscataqua Maritime Commission, 2024 Sail Portsmouth Event, CGC "Eagle"
            2. New Charter Rights of Entry-Rye & Hampton
            3. Commercial Mooring Transfers
                a. Ricker to Hutchinson
                b. Collins to Perkins
                c. Moge to Crawshaw
            4. PFP Bait Cooler Users, Right of Entry, final option
        - **ii. Approvals:**
            1. Star Island/ Shoals Marine Lab Right of Entry-Correction for price per foot amount
    2. From the June 3 PDA Port Committee meeting
        - Portsmouth Commercial Fish Pier Building
            - Concept Study Results – Summary attached
            - Scope of Work Proposal-Appledore Marine Engineering
        - Rye Harbor Marine Facility
            - Scope of Work Proposal-Appledore Marine Engineering
    3. Other facility updates
6. New business
7. Committee reports
    1. Business Development/FTZ-Donahue
    2. Dredging-Holt
    3. Fisheries-Anderson
    4. Government-McQuillen
    5. Moorings-Snow
    6. PDA Liaison-Cook
    7. Recreational Piers-Ward
8. Old business
9. Public comment
10. Press questions
11. Adjournment

Division of Ports and Harbors Advisory Council
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PORT ADVISORY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 1, 2024 6:00 PM

PRESENT: Brad Cook, Chair
Mike Donahue, Vice-Chair
Erik Anderson
Bill McQuillen
Chris Holt
Chris Snow (arrived 6:07 pm)
Chris Ward
Myles Greenway, Assistant Director, PDA-DPH

1. CALL TO ORDER

The meeting was called to order at 6:00 PM.

2. APPROVE MINUTES

McQuillen made a motion to approve the April 10, 2024 minutes, Anderson seconded. No discussion, a vote was taken, all members were in favor and the motion passed.

3. PUBLIC COMMENT-

Roger Groux introduced himself as a past a member of the Council for 12 years and Chair for 6 years. Groux spoke on his concerns about what's been happening, and started during Covid and has gotten worse. Bottom line is the PDA seems to only be concerned with Rye Harbor and the Port Advisory Council's time spent discussing Rye Harbor, which is an insignificant part of the entire operation. We've got a major Port here, the Market St. Terminal, that has been undergoing enhancements that are about 65% completed and once done will greatly increase the capacity in the laydown area. We were under orders during COVID to provide support to the Navy Yard and to not shut the pier down under any circumstances. The Port of Portsmouth is strategically important to the people of NH because almost all of the heating oil, asphalt, and salt comes through the Port. Foreign Trade-Zones are also a large part of the Port structure. Groux mentioned that the Port Committee meeting minutes have not been approved for several months because they keep getting postponed by the Chair of the Committee. Concerns during those meetings always seem to surround Rye Harbor, Groux added, Rye Harbor is the tail wagging the dog. PDA needs to figure out their priorities. Groux commented on Port Director Marconi's administrative leave, he has known him for over 12 years, and found him to be a totally honorable man who works hard, far exceeding anything he needs to do, especially regarding getting funding for Port projects and moving things along. What is happening to him now is political, and any pending charges would have no basis. Groux suggested the Council consider taking a vote of confidence in Geno.

Wendy Lull, for full disclosure she is a resident of Berwick ME, but is here as President of the Propellor Club of Portsmouth, commented that they have no information on what happened with Geno so it's difficult for the club to take a position. Geno is a Board Member of the Propellor Club. There are over 100 members and several significant sponsors so without knowing the situation the Club is in an awkward position and with that the Club encourages clarification as soon as possible.

4. FINANCE REPORT

The report FY ending March 31, 2024 was included in the meeting packet. Suzy Anzalone, PDA Finance Director, went over the report with the Council. Operating revenue and expenses are operating under budget. Wages and Benefits are also under budget. Currently, the net operating loss is at about $47,000 YTD. Business Unit analysis is also provided. Anzalone explained the rest of the report in detail. Donahue noted that that the net income went up by another $100,000 for year to date, in other words, the Port has $100,000 less of a loss that it had budgeted for, and that is important for the PDA to take note of since the PDA Board approved the budget with a projected loss and there is substantially less of a loss than what was budgeted. The Port Council believes that they expect to come out of the year with a positive net income with the expected ships and fuel system repairs. Further discussion included the construction projects listed on the last page of the report, the figures that make up those numbers can be found on the Statement of Net Position page.

5. PISCATAQUA RIVER VESSEL TRANSIT REPORT

Holt reported that there were a couple of double moves and one triple move in the month of April. Discussion included the hard times that hit the ship "Genco Picardy" they were attacked by a drone in the Red Sea, then they had equipment problems, so they had to be moved off the Sprague dock, they went to anchor for 3 days, went back to Sprague, and had to be moved again (temporarily) to allow an oil ship to come in. They were finally able to offload their cargo and sail out. This type of situation really affects the crew morale. There was also a tallow ship that came in, which we haven't seen in a couple years.

6. DIRECTOR'S REPORT

Greenway reported on the following From the April 18, 2024 PDA Board meeting:

- i. Reports:
    1. Morton Salt, License and Operating Agreement, last of 3 one-year options
    2. Commercial Mooring for Hire Applications
    3. Commercial Mooring Transfers
        a. Steaker Charters to Kirkland
        b. Nudd to Rydbeck
        c. Tirone to Levine
        d. Carter to Elwell
    4. Tasha Fuel Right of Entry, diesel fuel deliveries to vessels(6-month ROE)

DRAFT

ii. Approvals:
    1. Star Island Right of Entry
    2. Shoals Marine Lab Right of Entry
    3. Granite State Minerals, first of 3 one-year options
    4. Diesel Direct Right of Entry, diesel fuel deliveries to vessels
    5. Hampton Harbor Tackle, Right of Entry, storage cooler
    6. Riverside & Pickering, Rye Harbor, Gangway purchase
    7. Lakes Region Environmental, Rye Harbor fuel system repairs

Greenway also reported on replacing the truck scale at the Market St. Terminal. RFP's were received and are under review. The gangway in Rye is scheduled to be installed May 13th. Work on the fuel systems at Rye and Hampton will begin during the first couple of weeks in May. The Division is gathering information for a potential DHHS grant for Security Camera replacement and Security fencing. The PFP Building Concept Study draft has been received and is under review. The final report will be received by May 15th. Greenway attended the Governor and Council meeting in Concord today, and the Division was approved for ARPA funds in the amount of $2,000,000 for Rye and PFP. The Functional Replacement project is waiting on the ACOE permit. The second-round of bids won't go out until all permits are in place. Will keep an eye on the current permits to make sure they don't expire. Further discussion on ARPA funds, they are held at the State treasury, permitting process may delay the progress on the projects, especially in Rye.

7. NEW BUSINESS-

No new business

8. COMMITTEE REPORTS

- Business Development/FTZ- Donahue spoke about Off Shore Wind, handed out a graphic showing the newest lease areas. There are about 1 million acres to be leased out, this should generate about 15GW of power and has the potential to provide energy for about 5 million homes. The comment period ends on July 1st. The date of the lease areas bidding will be announced after the comment period and is on track to occur in the 4th quarter. Further discussion on the requirements for the bidders which includes a $2 million deposit (per lease area) just to enter a bid. The Propellor Clubs next event is May 16th and Coast Guard Captain of the Port, Florentino will be the speaker. The annual lobster bake is being held on June 21st at the Coast Guard station. Anderson indicated that the fisheries groups have submitted comments whenever they can regarding the OSW efforts. He believes that most transmission lines will probably go to Maine and Massachusetts. Once the leases are acquired, the investment for research and development will proceed (paid for by the winning bidder). Onshoring of the power will be determined during the R & D periods. Holt commented that he believes the OSW projects will be more detrimental for the maritime industry and marine life than anything else afloat. Environmental organizations have received funding from OSW developers and seem to have gone silent on the subject. Anderson spoke about a compensation plan for any fishing businesses impacted by the OSW activity. Discussion on the failed OSW lease areas in New Jersey. Anderson mentioned again that onshoring transmission lines could involve having to install "cooling stations" which will use and recycle back into the ocean 4 to 7 million gallons per day, water is taken in at ambient temperature and released at a warmer temperature, also the water will have chlorine added to it as part of the cooling process.

- Dredging- Holt reported that there is a dredge meeting on May 15th. The ACOE have replaced the buoys in the Piscataqua River. The large rock in the middle of the Turning Basin is still there, no news about plans to remove it. Having the rock there reduces the depth clearance to 34' instead of 36' MLLW.

- Fisheries- Anderson said local fishing industry is getting their gear ready. The Portsmouth Fish Pier construction is beginning soon, with that the users were told to remove their gear off the pier by May 1st.

- Government- McQuillen reported that local and state agencies met with FEMA regarding the January storms and requests for public assistance are due within the next 2 weeks.

- Moorings- Snow mentioned Moorings for Hire and Mooring Transfers are listed in the packet.

- PDA- Cook reported on the April 18th PDA meeting, at which Geno was placed on paid administrative leave during a Non-Public session. As a result, he was left with a series of questions and after discussion with a couple of the other Council members, and in line with Article 8, Section 1 of the PAC Bylaws he drafted a letter to PDA Chair, which you all have a copy of. He received a response letter back from the AG's office yesterday, copies were handed out to the members and content was discussed. Further discussion on the Right to Know Law in NH, and how it could help. Holt asked if the PDA Board private meeting is recorded? Minutes are required to be maintained; however, they did vote to seal those minutes, and not sure if/when those minutes would or could be released. Also discussed was what the process should be (going forward) for the Council Chair writing a letter without consulting the Council members, if we follow Robert's Rules, procedures would indicate consultation is required before writing a letter. It was mentioned the letter was written with the intent of getting information for tonight's meeting. Also a concern was raised about the statements made in the letter against one particular board member, if they were accusations or factual. Chair stated they were factual statements and can be proven. Additionally, the concern is more procedural than what is written in the letter. Discussion on the Channel 9 news clip.

- Recreational Piers- The ramp in Rye has been resurfaced. Bauer seems to be spreading out in the parking lot a bit and it should be addressed with him now before the busy season ramps up. Chair mentioned that it is a cooperative effort down there, and its all about how each other responds to things and help prevent conflict. Teamwork.

9. OLD BUSINESS- Holt made a comment that he's been on the river for 26 years and remembers how disorganized and unproductive the Port of Portsmouth was. He discussed what Geno has done for the Port, he's made it a very productive, viable, safe, and a desirable place for commercial work to come. Holt made a motion to have a "Vote of Confidence" for Geno to keep his position as Port Director. Snow seconded the motion. Discussion included the great job that Geno has done here to make the Port an attractive place to be. He's done a great job at managing all of the bits and pieces of managing the Port. Cook reported that he's known Geno for his entire term here. In his opinion, all 3 of the other facilities, that were taken over from State Parks, would have failed without Geno's guidance and his and the staff efforts. A vote was taken and the motion passed unanimously.

10. PRESS QUESTIONS –

No Press present.

11. ADJOURNMENT

Holt made a motion to adjourn the meeting, and the meeting adjourned at 7:35 pm.

DRAFT

PORT AUTHORITY OF NEW HAMPSHIRE
FY2024 FINANCIAL REPORT
FOR THE TEN-MONTH PERIOD ENDING
APRIL 30, 2024

PORT ADVISORY COUNCIL
JUNE 12, 2024

PEASE
INTERNATIONAL

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - DIVISION OF PORTS AND HARBORS-UNRESTRICTED
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	$44,725	$47,116	($2,391)	(5.1%)	$382,350	$365,165	($2,815)	(2.7%)
CONCESSION REVENUE	0	0	0	-	49,202	6,000	43,202	720.0%
MOORING FEES	37,677	39,583	(1,907)	(4.8%)	376,768	395,834	(19,066)	(4.8%)
PARKING	4,409	5,235	(815)	(15.6%)	85,409	85,466	(56)	(0.1%)
REGISTRATIONS	9,236	18,083	(8,847)	(48.9%)	159,809	180,833	(21,024)	(11.6%)
FUEL FLOWAGE	654	0	654	-	15,411	12,342	3,068	24.9%
WHARFAGE AND DOCKAGE	19,554	65,367	(45,813)	(70.1%)	375,377	530,370	(154,993)	(29.2%)
FUEL SALES	17,239	37,115	(19,879)	(53.6%)	436,153	688,969	(252,817)	(36.7%)
INTEREST	-	-	-	-	-	-	-	-
OTHER REVENUE	9,330	8,721	609	7.0%	117,157	108,301	8,856	8.2%
TOTAL OPERATING REVENUES	**142,836**	**221,223**	**(78,388)**	**(35.4%)**	**1,997,636**	**2,393,280**	**(395,645)**	**(16.5%)**
EXPENSES								
0								
WAGES AND FRINGE BENEFITS	141,413	146,215	4,801	3.3%	1,333,367	1,446,074	112,708	7.8%
BUILDING AND FACILITIES	9,226	19,385	10,160	52.4%	164,289	227,852	63,563	27.9%
GENERAL AND ADMINISTRATIVE	9,336	11,891	2,554	21.5%	117,745	118,488	744	0.6%
UTILITIES	10,389	30,055	19,666	65.4%	95,384	160,405	65,021	40.5%
PROFESSIONAL SERVICES	10,354	7,629	(2,755)	(36.1%)	75,650	83,286	7,636	9.2%
MARKETING AND PROMOTION	311	217	(94)	(43.5%)	1,075	2,167	1,092	50.4%
OTHER OPERATING EXPENSES	11,539	28,889	17,350	60.1%	306,641	527,540	220,899	41.9%
TOTAL OPERATING EXPENSES	**192,598**	**244,281**	**51,681**	**21.2%**	**2,094,151**	**2,565,813**	**471,661**	**18.4%**
OPERATING INCOME/(LOSS)	**(49,763)**	**(23,058)**	**(26,707)**	**115.8%**	**(96,515)**	**(172,533)**	**76,018**	**(44.1%)**
NON-OPERATING (INCOME) EXPENSE	(6,855)	(183)	6,672	(3639.3%)	(65,657)	(1,833)	63,824	(3481.4%)
DEPRECIATION	96,920	80,393	(16,527)	(20.6%)	892,286	811,535	(180,761)	(22.3%)
NET OPERATING INCOME/(LOSS)	**(139,828)**	**(103,268)**	**(36,563)**	**35.4%**	**(1,023,154)**	**(982,235)**	**(40,921)**	**4.2%**

Unrestricted operating revenues through April for the DPH are trending under budget by $396,000 (16.5%). Significant line items trending lower than budget include fuel sales and wharfage and dockage fees.

Year-to-date operating expenses are under budget by $472,000 (18.4%) and are attributable to lower fuel purchases, full-time wages and benefits, contractor services and utilities expenses.

BUSINESS UNIT ANALYSIS	RYE HARBOR	HAMPTON HARBOR	PORTS. FISH PIER	MARKET ST.	HARBOR MGMT	ADMIN	TOTAL
OPERATING REVENUES	292,032	238,188	200,076	730,846	536,494	0	1,997,636
OPERATING EXPENSES*	224,330	345,136	256,745	409,860	435,561	422,519	2,094,151
*Excluding Depreciation							
OPERATING INCOME	67,702	(106,948)	(56,669)	320,984	100,933	(422,519)	(96,515)

DIVISION OF PORTS AND HARBORS-UNRESTRICTED
Statement of Net Position
For the Ten Months Ended April 30, 2024

	2024 Ending	2023 Ending
ASSETS		
Cash and Investments	$1,841,262	$2,107,996
Accounts Receivable - Net	276,014	642,343
Inventories	44,529	55,177
Prepaids	2,876	4,556
	2,164,680	2,810,072
RESTRICTED ASSETS		
Loans Receivable - NHFL		
NON-CURRENT ASSETS		
Land	376,641	376,641
Construction-in-Process	9,494,260	5,846,086
Other Capital Assets - Net	17,051,659	12,775,935
TOTAL NON-CURRENT ASSETS	26,922,561	18,998,663
TOTAL ASSETS	29,087,241	21,808,735
DEFERRED OUTFLOWS OF RESOURCES		
Pension	282,947	282,604
OPEB	347,561	479,175
LIABILITIES		
ACCOUNTS PAYABLE AND ACCRUED EXPENSES	366,425	621,775
Retainage	78,500	0
Unearned Revenues	408,747	398,852
Long-Term Liabilities		
Net Pension Liability	1,094,497	893,071
Net OPEB Liability	2,884,107	3,192,720
Due in more than 1 Year	21,598	17,522
	4,853,874	5,123,940
RESTRICTED LIABILITIES		
Long-Term Liabilities		
Due within 1 Year	0	0
Due in more than 1 Year	0	0
TOTAL LIABILITIES	4,853,874	5,123,940
DEFERRED INFLOWS OF RESOURCES		
Pension	50,473	281,343
OPEB	250,130	162,948
NET POSITION		
Net Investment in Capital Assets	26,922,561	18,998,663
Restricted For:		
Unrestricted	(2,359,290)	(1,996,380)
TOTAL NET POSITION	24,563,271	17,002,283

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - FOREIGN TRADE ZONE
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	14,000	12,000	2,000	16.7%
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	-	-	-	-	-	-	-
TOTAL OPERATING REVENUES	**-**	**-**	**-**	**-**	**14,000**	**12,000**	**2,000**	**16.7%**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	104	104	100.0%	1,250	1,042	(208)	(20.0%)
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	708	708	100.0%	7,653	7,083	(569)	(8.0%)
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**-**	**813**	**813**	**100.0%**	**8,903**	**8,125**	**(778)**	**(9.6%)**
OPERATING INCOME	**-**	**(813)**	**813**	**(100.0%)**	**5,097**	**3,875**	**1,222**	**31.5%**
NON-OPERATING (INCOME) EXPENSE	(1)	-	-	(145.5%)	(5)	(3)	2	(58.8%)
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**1**	**(812)**	**813**	**(100.1%)**	**5,103**	**3,878**	**1,224**	**31.6%**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - HARBOR DREDGING
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	14,464	10,000	4,464	44.6%	90,381	100,000	(9,619)	(9.6%)
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	1,550	583	967	165.7%	6,950	5,833	1,117	19.1%
TOTAL OPERATING REVENUES	**16,014**	**10,583**	**5,430**	**51.3%**	**97,331**	**105,833**	**(8,502)**	**(8.0%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	5,917	5,917	100.0%	-	59,167	59,167	100.0%
GENERAL AND ADMINISTRATIVE	25	1,000	975	97.5%	282	10,000	9,718	97.2%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**25**	**6,917**	**6,892**	**99.6%**	**282**	**69,167**	**68,885**	**99.6%**
OPERATING INCOME	**15,989**	**3,667**	**12,322**	**336.1%**	**97,049**	**36,667**	**60,382**	**164.7%**
NON-OPERATING (INCOME) EXPENSE	(812)	(95)	777	(2219.7%)	(6,029)	(950)	5,079	(1622.6%)
DEPRECIATION	6,161	5,917	(245)	(4.1%)	60,135	59,167	(969)	(1.6%)
NET OPERATING INCOME	**10,639**	**(2,215)**	**12,854**	**(580.3%)**	**42,942**	**(22,150)**	**65,093**	**(293.8%)**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - REVOLVING LOAN FUND
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	2,774	3,000	(226)	(7.5%)	28,187	30,000	(1,813)	(6.0%)
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	75	(75)	(100.0%)	448	750	(302)	(40.3%)
TOTAL OPERATING REVENUES	**2,774**	**3,075**	**(301)**	**(9.8%)**	**28,635**	**30,750**	**(2,115)**	**(6.9%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	50	42	(8)	(20.0%)	168	417	249	59.7%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	610	1,250	640	51.2%	12,448	12,500	52	0.4%
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**660**	**1,292**	**632**	**49.5%**	**12,616**	**12,917**	**301**	**2.3%**
OPERATING INCOME	**2,114**	**1,783**	**331**	**18.5%**	**16,019**	**17,833**	**(1,814)**	**(10.2%)**
NON-OPERATING (INCOME) EXPENSE	(17)	-	17	-	(181)	-	181	-
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**2,131**	**1,783**	**348**	**19.5%**	**16,200**	**17,833**	**(1,633)**	**(9.2%)**

REVOLVING LOAN FUND ($ 000's)	BALANCE AT 04-30-2024	BALANCE AT 04-30-2023
CASH BALANCES		
GENERAL FUNDS	201	184
SEQUESTERED FUNDS	-	-
	201	184
LOANS OUTSTANDING (20)		
CURRENT	129	117
LONG TERM	952	954
	1,081	1,071
TOTAL CAPITAL BASE	1,282	1,255
CAPITAL UTILIZATION RATE -% *	84.3%	84.7%

*EXCLUDES SEQUESTERED FUNDS

SUMMARY OF CONSTRUCTION WORK IN PROCESS
AS OF APRIL 30 2024

($000's)

PROJECT NAME	BALANCE AT 06-30-23	CURRENT YEAR EXPENDITURES	TRANSFER TO PLANT IN SERVICE	NET CURRENT YEAR CHANGE	BALANCE AT 4/30/2024
DIVISION OF PORTS AND HARBORS (DPH)					
MAIN PIER (BUILD GRANT)	2,653	6,362	-	6,362	9,015
FUNCTIONAL REPLACEMENT - BARGE DOCK	-	75	-	75	75
HAMPTON DOCK REPLACEMENT (ARPA)	131	-	-	-	131
PFP BRACING & DECKING (ARPA)	123	151	-	151	274
RYE GATE HOUSE	-	21	(21)	-	-
PFP HOIST	-	5	(5)	-	-
RYE FUEL DISPENSER	13	80	(93)	(13)	-
	2,920	**6,694**	**(119)**	**6,575**	**9,495**

VESSEL TRANSIT LOG FOR THE PORTS OF PORTSMOUTH AND NEWINGTON NEW HAMPSHIRE

Employer:	Portsmouth Fish, Inc.	Date From:	April 01, 2024	To:	April 30, 2024

Name of Pilot	ENT	Name of Vessel and Towing Tug	Homeport	Cargo	Date In LT/DST	Tide	Weather	Date Out LT/DST	Tide	Weather	ENT Capacity Tonnage	NH Assist Tug	Dock	Length	Beam	Draft	Actual Load / Dock Tonnage
VT	I	[illegible]	USA	EQUIPMENT	4/1 LT	L	CLEAR	I	I	I	500	I	NHSP	114	50	10	I
CH	RH	[illegible] C	BOSTON, MA	[illegible]	4/8 LT	H	CLEAR	4/9 LT	L	CLEAR	21,501	1-1400 1-800	SPK	554	86	29	3,500 L
CH	RH	ALEX PHILIPPIDIS	BOSTON, MA	OIL	4/9 LT	H	CLEAR	4/9 LT	H	RAIN	27,476	1-1400 1-800	MYNG	624	90	36	32,000 D
VT	VT	[illegible]	USA	OIL	4/9 LT	L	RAIN	4/9 LT	L	CLEAR	9,252	1-1400	SPK	397	68	23	7,500 D
RH	CH	[illegible]	Richmond	CABLE	4/11 LT	H	CLEAR	4/12 LT	H	CLEAR	16,917	2-1400	SUNCOM	415	76	24	8,000 L
VT	VT	[illegible]	BOSTON, MA	ASPHALT	4/12 LT	L	CLEAR	4/12 LT	H	CLEAR	14,913	1-1400 1-800	SPK	417	76	27	9,000 D
VT	VT	[illegible]	Richmond	CABLE	4/12 LT	L	CLEAR	4/12 LT	H	CLEAR	16,570	1-1400 1-800	SUNCOM	415	76	24	8,000 L
VT	CH	[illegible]	BOSTON, MA	ASPHALT	4/12 LT	L	CLEAR	4/12 LT	H	CLEAR	14,913	1-1400 1-800	SPK	417	76	23	8,000 D
CH	VT	[illegible]	Richmond	CRANE	4/12 LT	L	CLEAR	4/13 LT	H	CLEAR	28,200	1-1400 1-800	SPK	476	94	26	32,000 D
CH	RH	ALEX PHILIPPIDIS	BOSTON, MA	OIL	4/16 LT	H	RAIN	4/17 LT	L	CLEAR	27,476	1-1400 1-800	MYNG	624	90	36	28,000 D
VT	I	[illegible]	USA	GEN	4/16 LT	H	RAIN	I	I	I	I	I	PNSY	378	68	32	4,000 D
I	VT	[illegible]	USA	GEN	I	I	I	4/18 LT	L	RAIN	8,500	1-1800	PNSY	378	68	32	I
VT	RH	[illegible]	USA	[illegible]	4/21 LT	L	CLEAR	4/21 LT	H	CLEAR	16,056	1-1400	SUNCOM	468	69	18	8,000 L
RH	RH	[illegible]	[illegible]	GYPSUM	4/22 LT	H	CLEAR	4/23 LT	L	MIST	43,713	2-1400 1-800	SPK	606	106	35	45,000 D
VT	I	[illegible]	USA	BOOTHS	4/24 LT	L	CLEAR	I	I	I	8,000	I	PNSY	397	54	21	500 D
VT	CH	[illegible]	BOSTON, MA	ASPHALT	4/28 LT	L	CLEAR	4/5 LT	L	CLEAR	14,913	2-1400	SPK	417	76	28	8,000 D

I certify that the statements and information in the enclosed report are true, complete, or entirely to the best of my knowledge and belief that, and I am designated as the official who is the best of my knowledge and belief true, accurate and complete. I am aware that any statement or information or omission may be submitted to the Federal Government Authority for submitting false statements and information or omitting required statements and information.

Christopher York, Captain — Richard Holt Jr., Captain — Vincent Tarantino, Captain

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Pease Development Authority ("PDA"), Executive Director

FROM: Myles Greenway, Interim Director of Ports and Harbors

DATE: May 6, 2024

RE: Piscataqua Maritime Commission, 2024 Sail Portsmouth Event

The Division of Ports and Harbors (the "Division") received a request (attached) from the Piscataqua Maritime Commission ("PMC") to provide dockage and land use for its annual Sail Portsmouth event. Since 1998, PMC has hosted public ship tours in Portsmouth Harbor in support of this event. The PMC has continually worked cooperatively with the Division, which has provided access to the Portsmouth Commercial Fish Pier and the Market St. Terminal, for past Sail Portsmouth events.

Although there will be no events held at the Portsmouth Commercial Fish Pier this year, the 2024 season will have PMC hosting the U.S. Coast Guard Cutter, Eagle, "America's Tall Ship", from July 26 through July 29, 2024 at the Market St. Marine Terminal. Additionally, the use of the Market St. Terminal by PMC will not interfere with, or preclude, revenue generating operations during this time period.

Therefore, in accordance with the "Delegation to Executive Director: Consent and Approval for the Waiver of Wharfage, Dockage and Related Fees for Qualified Non-profit Organizations Using Facilities of the Division of Ports and Harbors" adopted by the Board on June 27, 2002, the Division recommends approval of a Right of Entry and, whereas PMC is a non-profit organization sponsoring this community event, the Division recommends waiving the dockage and wharfage fees associated with this open-to-the-public maritime event at the Market St. Terminal.

Piscataqua Maritime Commission
Post Office Box 545
Portsmouth, NH 03802-0545

April 5 , 2024

Port of New Hampshire
Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, New Hampshire 03801

Dear Captain Marconi,

I am writing on behalf of the Piscataqua Maritime Commission, dba Sail Portsmouth, to request the Division of Ports and Harbors grant us permission to use the New Hampshire State Pier at 555 Market Street in Portsmouth beginning with the arrival of the US Coast Guard Eagle on Friday, July 26, 2024, and ending when the US Coast Guard Eagle departs on Monday, July 29, 2024. Because this is a public event, we respectfully request the wharfage and dock fees be waived.

Sincerely,

Nancy L. Cassidy

Nancy L. Cassidy
Secretary, Sail Portsmouth

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority ("PDA"), Board of Directors

From: Myles Greenway, Interim Director of Ports and Harbors

Date: May 2, 2024

Subject: Report of new Charter Boat Rights of Entry, Rye, and Hampton Harbor Marine Facility

During the month of April 2024, the Division of Ports and Harbors (the "Division") received three (3) requests from charter fishing businesses to enter into a Right of Entry ("ROE") agreement for use of the facilities at the Rye and Hampton Harbor Marine Facilities (the Premises") in association with their fishing charter businesses. In accordance with RSA 12-G:43 (b), "Aid in the development of salt water fisheries and associated industries" the Division reviewed the requests and recommended approval from Paul Brean, PDA Executive Director, in accordance with the "Delegation to Executive Director: Consent, Approval, and Execution of Charter Boat Right of Entry," adopted by the PDA Board of Directors on April 20, 2017. Approval was received and ROE agreements have been executed with the entities listed below, subject to the following terms and conditions:

PREMISES:

Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, NH
1. Hooked on Fish Charters, LLC. (Kyle Basoukas)
   - Term: April 1, 2024-March 31, 2025
2. Seacoast Maritime Charters, LLC. (Jack Farrell)
   - Term: May 1, 2024-October 31, 2024

Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, NH
1. First Light Fisheries, LLC (Peter Kirkland)
   - Term: April 1, 2024-March 31, 2025

PURPOSE OF ROE: Charter Boat Operations & Customer Parking

CUSTOMER PARKING FEE: $5.00 per vehicle for customers using the Premises parking area, subject to change during the term of the ROE.

Among other requirements of the ROE, all of the above have also met the following required conditions, in accordance with the Charter Right of Entry agreement, prior to operating the charter at the facility:

1. Secured a Pier Use Permit;
2. Provided proof of minimum insurance requirements set by the PDA to the Division; and
3. Provide documentation that the business is registered and in "Good Standing" with the Secretary of State to conduct business in New Hampshire.

XII.A.

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Myles Greenway, Acting Director, DPH

DATE: April 24, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of two commercial moorings, permit #81 and #6039, from George Ricker to David Hutchinson.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

XII.A

TAKING YOU THERE
ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

XII.A

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Myles Greenway, Interim Director, DPH

DATE: May 7, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #8148, from the Estate of Randell Collins to Lewis Perkins.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

TAKING YOU THERE
ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

XII.A

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Myles Greenway, Interim Director, DPH

DATE: May 7, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #8389, from Irene Moge to Geoffrey Crawshaw.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

TAKING YOU THERE
ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

April 26, 2024

Myles Greenway, Acting Division Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801

Assistant Director Greenway,

By way of this notice, the users of the bait cooler at the Portsmouth Commercial Fish Pier wish to exercise our final option to extend the Right of Entry agreement, effective June 1, 2021, under the same terms and conditions, through May 31, 2025.

The 10 users of the bait cooler have signed below indicating their agreement with the terms of the ROE:

Gary Glidden	F/V Last Penny	Gary Glidden
Bobby Bryant	F/V Island Lady	RV Bryant
Vinny Prien	F/V Katie Rue	
Dennis Robillard	F/V Julie Ann III	Dan P. Robillard
Jake Eaton	F/V McKenzie Nicole	
Chesley Severns	F/V Kelly Marie	Chesley Severns
Kurtis Lang	F/V Alana Renee	Kurtis Lang
Damon Frampton	F/V Vivian Mae	D. Mac II
John Borden	F/V Mary Baker	
Bruce Laurie	F/V Amanda T	Bruce Laurie
Robert Carbajal	F/V Perseverance	

Payment of $9100 will be submitted once we receive confirmation that our option has been approved.

Thank you for your consideration,
The Portsmouth Fish Pier bait cooler users

XII.A.

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive Portsmouth, NH 03801

XII.B

MOTION

Director Ferrini:

The Pease Development Authority Board of Directors hereby authorizes the Executive Director to amend the per footage fee of the approved six (6) month extensions of the Rights of Entry for Non-Exclusive Use of Parcel A-2 and Burge Wharf by Cornell University – Shoals Marine Lab and Star Island Corporation, from $118.18 per foot to $111.18 per foot; all in accordance the memorandum of Myles Greenway, Interim Director of Ports and Harbors, dated May 1, 2024; attached hereto.

N:\RESOLVES\2024\DPH-Cornell Shoals & Star Island amd fee (5-23-24).docx

PEASE INTERNATIONAL PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority (PDA) Board of Directors

From: Myles Greenway, Interim Director of Ports and Harbors

Date: May 1, 2024

Subject: Star Island & Shoals Marine Lab Right of Entry Parcel A-2 and Burge Wharf

The Division of Ports and Harbors (the "Division") received approval from the PDA Board of Directors at the April meeting to enter into 6-month Rights of Entry for Shoals Marine Lab and Star Island Corporation, to use of a portion of Parcel A-2, Burge Dock and adjacent parking lot located at the Market Street Marine Terminal. However, it was discovered that there was a typo in the "per foot" fee listed in the request. The price per foot should have been listed at $111.18, not $118.18.

Therefore, the Division is requesting approval of the amended "per foot" rate of $111.18. All other terms and conditions of the ROE, as amended, shall remain in full force.

Appledore Marine Engineering, LLC

600 State Street, Suite E | Portsmouth New Hampshire 03801

June 04, 2024 (REV)

Myles Greenway
PDA Division of Ports & Harbors (PDA)
555 Market Street
Portsmouth, New Hampshire 03801

Cc: Atlantic States Marine Fisheries Commission (ASMFC)

Re: Portsmouth Commercial Fish Facility Building - **Concept Study**

Dear Mr. Greenway

Appledore Marine Engineering, LLC (AME) is pleased to submit this concept study for the replacement of the Commercial Fish Facility Building on Pierce Island, Portsmouth, NH. Presented in this study are a narrative description with associated drawings and opinion of probable design, permit application, and construction costs.

During concept development, it was determined that replacement of the existing facility in kind would likely exceed the anticipated budget by a significant amount. It was jointly decided between PDA and AME that that most logical course of action for the study would be to focus on developing a base bid concept that satisfies the minimum core functions of the facility and bid options for opportunities to expand the scope of the project, should additional funding become available. The anticipated cost for the base bid concept exceeds the current anticipated budget, but it is our opinion that it represents the minimum scope required to maintain operations at the facility. The table below provides a summary of anticipated costs associated with the Base Bid and potential Bid Options:

Table 1: Summary of Anticipated Costs

TASK	AMOUNT
Engineering Studies / Design	$99,400
Permit Application Development	$14,200
Construction Engineering / Administration	$106,500
Design / Engineering / Permitting Subtotal	**$220,100**
Demolition / HAZMAT / Removals	$239,980
Construction of New Facility	$959,920
Demolition / Construction Subtotal	**$1,199,900**
BASE BID TOTAL	**$1,420,000**
BID OPTION 1 – Design / Construct Bait Storage Area (Lump Sum)	**$278,100**
BID OPTION 2 – Design / Construct Ice Storage Area (Lump Sum)	**$290,100**
BID OPTION 3 – Provide Temporary Dock Power (Lump Sum)	**$ 41,200**
TOTAL POTENTIAL PROJECT COST	**$2,029,400**

This effort represents the conceptual phase of design with the intent to provide a viable replacement concept for the building, general arrangement plan, and opinion of the probable costs. The next phase of this project would be to progress the concept development to the design of construction documents and develop/submit permit applications.

Thank you for the opportunity to work with you on this study. If you have any questions or require additional information, please do not hesitate to contact us.

Noah J. Elwood, PE, D.PE, D.OE
President

Travis Baker, PE
Project Manager

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Portsmouth Fish Pier – Replacement Building Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Fish Pier is the hub of commercial fishing on the seacoast of New Hampshire, providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The current condition and presence of black mold have necessitated a replacement building to be considered. In cooperation with Oak Point Associates (OPA), AME completed a concept study for a replacement building. The final study, submitted on May 15th, identified a "minimum" concept, determined in collaboration with PDA-DPH personnel, with an estimated cost of $1,420,000. The cost includes engineering, design, bidding, permitting, and construction.

Figure 1 Conceptual Rendering of Replacement Building

Further reductions in the "minimum" concepts are understood to be needed to achieve the budget goal.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a new building.

Scope of Work

Acknowledging the budget constraints, we request that the PDA-DPH define the minimum operational characteristics based on priorities. This will be essential to focus design efforts and achieve the project budget goals.

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to replace the existing building. The proposal includes the following:

1. Additional Design Phase Site Investigations, Surveys and Program Analysis;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Additional Design Phase Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions further to allow the progression of the design services.

1. Supplemental topographical survey to define gaps in the record information;

2. Geotechnical subsurface investigations including up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type, frost protection depth, foundation drainage, subgrade preparation, pavement section, and reuse of on-site materials and
3. Test pits (2) to verify the condition and dimensions of the existing foundation system. Test pits will be filled with existing excavated soils, and a gravel compacted surface will remain. Further repairs and/or paving will be completed in the follow-up building construction project.

2. Design Services and Preparation of Contract Documents

To support the replacement building design, we will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural and interior design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed, including hazardous materials as indicated in a report by others;
2. Building plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of HVAC and plumbing systems;
5. Design of electrical and communications systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH will need to provide a check for the applicable permitting fees prior to submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.

- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME's/OPA's personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant included in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;
4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 52,715
Site Investigations, Surveys and Program Analysis	$ 32,483
Design Services and Preparation of Contract Documents	$ 83,017
Permitting Services	$ 19,316
Construction Period Services	$ 30,888
Total Architectural and Engineering Services	**$218,419**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC. PE, BC. OE
President

STUDY

BUILDING REPLACEMENT STUDY
Pease Development Authority Portsmouth Commercial Fish Pier
Piscataqua River, Portsmouth, New Hampshire

Prepared For:

Pease Development Authority
Division of Ports and Harbors
555 Market Street, PO Box 369
Portsmouth, New Hampshire
May 14, 2024

Prepared By:

Appledore Marine Engineering, LLC
Tel. 603-766-1870 | www.appledoremarine.com

OAK POINT ASSOCIATES
architecture engineering planning

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1 - Executive Summary

1.1 Project Overview

The New Hampshire Port Authority – Division of Ports and Harbors (PDA) is interested in replacing the existing building at the Commercial Fish Pier at Peirce Island Road in Portsmouth, New Hampshire. Built circa 1978 with two additions added in later years, the existing building is inefficient for its current needs and is in a state of disrepair, requiring either substantive repairs and improvements, or replacement.

Funding for the project was reportedly established by the PDA at $1.0 million, which includes construction, design services, permitting services, construction period services, construction contingency, and miscellaneous PDA construction administration costs.

1.2 Recommendations

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

Due to funding limitations, it is recommended to remove the existing building in its entirety and replace the existing original 1978 portion of the building in the same location. Existing foundations should be reused, if determined feasible during the design process. The office, restroom, and utility room should be finished as a part of the base-bid contract, as well as all necessary demolition and paving. The following scope items should be provided as bid options:

1. Insulation and cooling for the bait storage area;
2. Insulation and cooling for the ice making/storage area; and
3. Temporary dock power.

1.3 Estimate of Project Costs

An Estimate of probable project costs has been prepared for the scope of work considered in this Study. These costs are considered preliminary, due to the limited level of site investigations and design and are intended to assist the PDA in determining the level of funding needed to provide the program defined herein.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

2 - Introduction

2.1 Study Objectives

The objectives of this study include completing assessment of the existing building conditions, research, surveys, analysis and concept design to confirm the scope of work, and project costs for the replacement of the existing building.

2.2 Site Investigations

The following surveys and investigations were completed to verify existing conditions within the vicinity of the project area for the purposes of this study:

1. Field investigations, including measurement and inspection of the existing structures;
2. A partial topographic survey completed by Doucet Survey in March 2024 to supplement record survey information;
3. Utility location within the vicinity of the project area completed by Doucet Survey in March 2024 to confirm and supplement record information;
4. Review of available geotechnical data and field conditions, and development of preliminary recommendations by R.W. Gillespie and Associates;
5. Hazardous materials survey completed by RPF Environmental; and
6. Hydrant flow test completed by Utility Testing Services and witnessed by Oak Point Associates.

2.3 Coordination

To verify project requirements and constraints the following authorities and organizations were contacted:

- City of Portsmouth Department of Public Works; and
- New Hampshire Department of Environmental Services

3 - Existing Conditions

3.1 Existing Building

The existing Fish Pier building is a one-story, wood-framed building with a slab-on-grade ground floor. The original building was constructed circa 1978 and had two later additions on the east end of the original building. The building additions are a combination of wood framed and concrete masonry unit (cmu) block structures.

Structural

There are structural framing plans available for the original building, but there are no plans available for the additions.

A visual assessment of the existing building structure was conducted on March 29, 2024, which was limited due to the existing finishes in the building. The existing building structure shows no apparent signs of distress or damage. There are signs of deterioration of the existing exterior finishes along the roof eaves that are most likely allowing water to penetrate into the interior of the structure and there could be hidden deterioration of the existing wood framing that cannot be visually assessed. Based on soundings taken, the existing cmu walls in the addition do not appear to be reinforced (all cells appear to be hollow), which would have been a typical construction practice at the time the building was constructed.

An analysis of the existing framing and foundation systems was not conducted as part of this study. The existing roof framing system consists of pre-engineered metal-plate-connected wood trusses. Based on the age of the building, the existing wood trusses would not have been designed to support unbalanced snow loads, which is now required by the current building code for buildings of this size and configuration. There is no indication of the loads the trusses were designed for in the record drawings. If constructed today, the current code mandated unbalanced snow load is 60 PSF for the original building. It is unlikely that the existing trusses are capable of supporting the code mandated unbalanced snow loads. Based on the age of the structure, it is also unlikely that the building wall and roof framing systems have a properly designed lateral force resisting system (shear walls and roof diaphragm) to resist seismic and wind forces.

Record drawings depict the configuration of the existing foundation system for the portion of the building constructed circa 1978. There is no apparent information for the foundations associated with other portions of the building.

Inspection of the existing building foundations did not find any visual signs of foundation settlement or movement. Due to the lack of subsurface information and documentation, the condition is unknown, but assumed to be in fair to good condition.

The record drawings indicate most of the original building floor consists of a 6-inch-thick concrete slab, but, in the bait storage area, the floor consists of a 4-inch-thick concrete slab underlain by 4 inches of rigid insulation placed over an 8-inch-thick concrete slab.

Architectural

Exterior finishes consist of painted wood shake siding, painted wood trim, and asphalt shingle roofing. Openings consist of double hung windows, single entry doors, louvers, and overhead doors. In general, exterior finishes show significant signs of deterioration.

Interior finishes consist of painted gypsum board walls and ceilings, painted CMU walls, FRP panels, VCT flooring, and poured concrete floors. Painted wood doors and painted wood trim are present throughout the interior space. Hazardous materials have also been documented in the building. Miscellaneous equipment and furniture are located throughout the interior spaces. In general, interior finishes show significant signs of deterioration.

Mechanical

HVAC

Heat throughout the occupied spaces is provided via electric baseboard heaters with wall mounted thermostats. The work room between the coolers has an electric unit heater that is in poor condition and not functional. All of the heating units are in poor condition. Some offices contain window mounted air conditioners in fair to poor condition. The only observed mechanical ventilation equipment was ceiling exhaust fans in the single user restrooms. Each had its own switch-activated ceiling exhaust fan. They are in poor condition. There is a louvered vent on the gable wall above the outside cooler door to the bait cooler. Record drawings indicate there was a wall exhaust fan in the work room. A wall patch observed on the exterior of the work room wall marks the apparent location where the fan was located.

Process Equipment

The facility has two coolers; a bait cooler and a cooler used to store fish and ice filled containers. Each cooler has its own functioning refrigeration system. The condensing unit for each cooler is located at the exterior on a ground-level pad. The enclosures are weathered, and in fair condition. The facility also has a functioning 5-ton ice making machine. The ice machine's refrigeration system has been changed out at least once, as the original R-22 refrigeration identification label has been manually revised to reflect the use of R-404 refrigerant. The equipment is in fair condition. The air-cooled condenser unit is located on the gable roof where service access is very difficult.

Plumbing

A sanitary waste and vent piping system is present in the building that serves floor drains in the coolers and work room between the coolers, two single user restrooms, and a single-bowl counter mounted convenience sink in the office addition. Each fixture gravity drains to one of two sump pits. One is in the floor of the mechanical room, and the other is in the floor of an abandoned bathroom. The collected waste in the sumps is pumped out of the building to a force main in Peirce Island Road.

The 1-1/2-inch domestic water entrance piping is equipped with a water meter and backflow preventer. There is also another water meter located on a branch water service. The domestic water entrance equipment is in fair to poor condition. Domestic hot water needs are served by a 40-gallon electric water heater with a hand-written installation date of September 24, 2021. It is in good condition.

The facility's two single user restrooms are equipped with floor mounted toilets with manual flush valves and a wall mounted vitreous china lavatory with manual faucet. One restroom has had the fixtures updated and is in good condition. The other restroom does not appear to be actively used and is in poor condition.

There is also an abandoned bathroom. It contains a shower enclosure, a counter-mounted lavatory with half the counter cut off, and an empty resurfaced floor space where a toilet was once located. A sanitary sump pump pit with PVC

discharge and vent piping is located at the bathroom entrance.

A single bowl stainless steel counter sink in the office area is in poor condition.

Wall hydrants and hose bibbs for the building are varied in their condition with some being worn and at the end of their useful life.

Electrical

The existing electrical service is provided by Eversource via underground medium voltage conductors from a pad-mounted utility owned transformer, located at the southeast of the building, near Peirce Island Road. Secondary power extends underground from the pad mounted transformer to a 4-meter commercial electrical meter stack located on the building exterior. The underground electrical service was installed circa 2021 as part of the Bulkhead Rehabilitation project.

The electrical power distribution system within the building is over 20 years old and in fair to poor condition. The main panelboards and equipment are located in the utility room in the administration office area.

There is a 100-amp, 100 milli-amp (ma) ground fault protection circuit in the utility room, which serves the existing pier power distribution boxes.

Power from the main utility room serves the existing office area lighting and general-purpose receptacles. Power for on-site refrigeration equipment, ice making equipment, and warehouse/cooler/freezer lighting is provided from utility room panelboards.

Power wiring and disconnect equipment serving refrigeration and ice making equipment is in fair to poor condition. Open junction boxes and unsupported wiring were observed in several locations, including the ice machine equipment room.

The 120-volt power wiring and 120-volt duplex receptacles in the building are old and in fair to poor condition. Some receptacles were noted as broken and damaged. There are some ground fault (GF) receptacles in damp areas, however the location of ground fault protection does not comply with current National Electrical Code (NEC) requirements.

Power and control wiring serving the boat fuel dispenser equipment was new circa 2021 and is in good to excellent condition. Conduit seal fittings at the building and at the dispenser locations are in compliance with NEC. The on-site fuel storage monitoring system control panel is located in the existing electric room.

Lighting

Lighting systems within the office areas of the building include ceiling mounted fluorescent fixtures with magnetic ballasts and wrap around acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in the warehouse, coolers, and freezer areas are surface, ceiling mounted fluorescent fixtures with magnetic ballasts, florescent lamps, and damp location acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in support spaces, toilet rooms, and closets include fluorescent and incandescent fixtures. These fixtures are old and in poor condition.

Existing site lighting includes pole and building mounted LED fixtures. The fixtures are relatively new. The wiring appears to be older and in fair condition.

Telephone

Telephone service extends from a utility pole adjacent to Peirce Island Road to the building in an underground conduit provided circa 1978. This conduit is smaller than the phone company's current standards. Spare conduits intended for future telephone and internet service were provided from a utility pole near Peirce Island Road to the building alongside the power service constructed as a part of the Bulkhead Rehabilitation Project.

Telephone service into the building terminates at a terminal block in the Utility Room. The telephone wiring is limited to a few internal phone jacks for voice phone service and is in poor to fair condition.

Security Systems

The existing site closed circuit television (CCTV) system includes a series of exterior mounted, wet location, exterior cameras, which are hard-wired back to video equipment in the building Utility Room. The CCTV cameras were partially funded by homeland security funds and the coverage includes views of the adjacent Piscataqua River and surrounding areas.

Hazardous Materials

RPF Environmental completed a hazardous materials survey for the existing building. The survey included accessible asbestos containing material in accordance with the initial asbestos inspection requirements prior to renovation or demolition work as stated in the New Hampshire State regulations and applicable federal regulations. In addition, the survey included screening for lead paint (LP) and other hazardous or regulated materials.

Several types of suspect asbestos containing material (ACM) were observed by RPF, including friable and nonfriable suspect material. Based on the testing performed by RPF, asbestos was detected in the following materials:

- 12-inch tan floor tile
- Tan vinyl sheet flooring and adhesive

Based on the year of construction and extent of renovation conducted over the years, it is reasonable to assume that some lead paint (LP) is present. RPF conducted limited spot testing of paint and LP was absent on various interior and exterior building components. The intent of the lead testing was for potential lead hazardous waste disposal screening purposes only.

Based on the RPF visual observations, potential polychlorinated biphenyl (PCB) containing light ballasts, mercury containing switches, and fluorescent light bulbs are present throughout the building.

The Hazardous Material Survey is included in Appendix D.

3.2 Site and Utilities

Existing site conditions in the vicinity of the Fish Pier Building are depicted on the Existing Conditions Site Plan (Sheet CX101), included in Appendix B. The existing site conditions for the project area are based on a limited topographic survey completed by Doucet Survey in March 2024, and record drawings. The location of underground utilities is based on utility location paint marks completed by Doucet Survey in March 2024, and record drawings.

Horizontal control for the project is based on the New Hampshire State Plane Coordinate System 2800, West Zone, North American Datum of 1983. The vertical datum is based on mean lower low water (MLLW), which is 4.62 feet above NAVD88.

Circulation and Accessibility

Vehicles gain access to the site from Peirce Island Road. The area surrounding the building and extending to the bulkhead is paved and allows for vehicle circulation around the building and access to the building and waterfront.

Subsurface Soil Conditions

Record boring logs indicate that subsurface conditions in the vicinity of the Fish Pier Building consist of granular fill (sand and gravel, some silt) over naturally deposited silt and sand over bedrock. The logs indicate that the fill extends to depths of about 15 feet below the ground surface and contains materials described as debris and wood. The fill thicknesses appear consistent with the record information for the original building. Record design drawings called for construction to follow New Hampshire Department of Public Works and Highways Standard Specifications dated 1974 and the use of gravel fill. The materials are consistent with gravel fill; however, it appears to contain deleterious material locally. Limited Standard Penetration Test N-values indicate consistent fill relative density, suggesting compactive effort was applied as the fill was placed.

Preliminary Geotechnical Recommendations for the project, prepared by R.W. Gillespie and Associates is included in Appendix C.

Pavements

Significant cracking is present throughout the parking lot, except at the west of the Fish Pier Building, where pavements were replaced as a part of the Bulkhead Rehabilitation project.

Utilities

Storm Drainage

Stormwater runoff from site development generally sheet-flows over paved and vegetated areas, over the embankment, and into the Piscataqua River.

Sanitary Sewer

A duplex submersible sewer pump station is present within the building's Utility Room, which receives flow from the building's bathrooms and floor drains. A 2-inch sewer force main extends out the south side of the building, then turns to the east and runs parallel to the water main and connects to two force mains in Peirce Island Road (recently installed 24-inch diameter and an old force main). Installation of the 24-inch force main included partial replacement of the Fish Pier service pipe and valves within the limits of the road.

Water

A 6-inch water service extends from the City's distribution pipe within Peirce Island Road to the south side of the existing building where it terminates at a hydrant that was constructed circa 2021. A 2-inch water service extends to the building from the 6-inch line.

Fuel

A 3,000-gallon and a 15,000-gallon underground fuel storage tank are present at the east of the building. Underground fuel piping and controls extend along the north of the building to a fuel dispensing structure located at the west of the building. Gas and diesel storage tank high-level alarm panels are mounted to the west side of the cold-storage structure.

Flood Elevations

According to the current FEMA Flood Map, the project site is not within a flood hazard zone. The base flood elevation of the Piscataqua River, in the vicinity of the project site is 12.86 feet (MLLW). Pavement elevations around the existing building are approximately 14.50 feet.

4 - Program Requirements

4.1 Building

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

The existing structure will be demolished in its entirety and a new building will be constructed in the same location as the original 1978 structure. If possible, the existing foundations for the original building will be reused. Areas within the building that are not occupied by the identified program will be used to replicate the existing bait storage area and provide space for general storage.

5 - Recommended Scope of Work

5.1 Base Bid

The following narrative describes the recommended Base Bid scope of work to achieve the project objectives, considering the project budget constraints.

5.1.1 Site and Utilities

Removals

Removals will include existing asphalt pavement around the perimeter of foundations and utilities to support new utility services and connections.

Pavement Repairs

The bituminous pavement section used to restore disturbed areas will consist of 18 inches of base course and 4 inches of bituminous concrete pavement that conforms to New Hampshire Department of Transportation Standard Specifications placed on a prepared subgrade.

Site Facilities

Bollards will be provided at each overhead door, building corners, and to protect above-grade utility systems that could be damaged by vehicle circulation.

Utilities

Sanitary Sewer: A 4-inch gravity sanitary sewer service will be extended from the building to a submersible sewer pump station located at the exterior of the building. The discharge pipe will be connected to the existing 2-inch force main that extends to the City's sewer force mains in Peirce Island Road.

Water: The existing 2-inch water service will be replaced to 5 feet outside of the building and extended into the Utility Room.

Fuel System: The existing fuel system will be temporarily shut down during the construction of the building due to budget limitations.

5.1.2 Structural

Removals

Removals will include the entire existing building structure and foundation system. The existing foundation system, not within the area of the building construction, will only be removed to 12 inches below the existing ground surface for budgetary reasons.

If it is determined during the design process that the existing foundations for the 1978 portion of the building are sufficient to support the new structure, then removal of foundations will not be required.

Building Structure

The new structure's roof will consist of both sloped and flat metal-plate-connected wood trusses connected to the wall framing with truss connectors. Plywood roof sheathing will be provided for the roof diaphragm.

The new structure's wall framing will consist of wood stud walls connected to the foundation with shear wall hold-down anchors. Plywood wall sheathing will be provided for the shear walls.

Foundations

The new structure's foundation system will consist of reinforced concrete foundation footings and reinforced concrete foundation walls. A reinforced concrete slab-on-ground will be provided to support the imposed building occupant load and forklift vehicle loads.

Since there are record drawings of the original building's foundation system, it may be possible to reuse the existing foundation system to support the building structure. A structural analysis of the existing foundation will be necessary to determine if it has sufficient capacity to support the current code mandated loads. Also, geotechnical investigations will be necessary to prove that the existing site soil conditions are suitable for supporting the proposed new structure (refer to geotechnical report in Appendix C).

5.1.3 Architectural

Exterior

The proposed building will have an approximate footprint of 2,000 square feet. The characteristics of the building will aim to blend with the architectural style with the surrounding neighborhood while also relating to the original commercial fish pier building.

The new, single-story structure will be made up of several distinct building volumes with varying wall heights and roof styles. Wood or composite shake style siding will wrap the building envelope and be accented with wood or composite trim. Several window styles will be incorporated into the design to allow for sightlines, natural ventilation, and natural lighting. The gable roof surfaces will be finished with an asphalt shingle system and the low-sloped roof surface will have a membrane system. Entry doors and overhead doors will be located on various building elevations to allow for efficient building access and operation.

Interior

Interior spaces will be arranged in a similar manner to the existing building. The PDA office space, which will include a bathroom and utility room, will be located at the west end of the building adjacent to the waterfront. Interior access from the office space into the ice production space and cold storage space will be provided. Interior finishes will be selected as the design is further developed.

5.1.4 Fire Protection/Life Safety

Requirements for Provision of a Sprinkler System

A sprinkler system is not required for the building due to the limited building size and occupancy classification. The 2018 NFPA 101 does not require sprinkler systems for Business or Storage occupancies without other extenuating circumstances that do not apply here (such as a high-rise or limited access building). This is per NFPA 101, Sections 42.3.8 and Chapter 38. The 2018 IBC does not require a sprinkler system for B occupancies, or S-1 occupancies that are single story or under 12,000 square feet per Sections 903 and 903.2.9. A sprinkler system is not required and will not be provided.

Requirements for Provision of a Fire Alarm System

A fire alarm system is not required for the building due to the limited building size and occupancy classification. Under the 2018 NFPA 101 Business occupancies are not required to have a fire alarm system unless they are three or more stories in height, have 50 or more occupants above or below the level of exit discharge, or have more than 300 total occupants (Section 38.3.4.1). Storage occupancies with ordinary hazard storage are not required to have a fire alarm system unless the area exceeds 100,000 SF per NFPA 101, Section 42.3.4.1.2. The 2018 IBC does not require a fire alarm system for B occupancies unless there is a combined occupant load of 500 or more, there are more than 100 people above or below the level of exit discharge, or there is an ambulatory care facility (Section 907.2.2). IBC, Section 907 does not require a fire alarm system for a typical S occupancy. The building is to be a single story with an area under 2,000 SF and a calculated occupant load of approximately 10 people. A fire alarm system is not required and will not be provided.

Required Fire Flow

The fire flow is to be in accordance with NFPA 1. For a building of combustible construction that is not fire-resistance rated, and has an area below 3,600 square feet, NFPA 1, Table 18.4.5.2.1, requires a minimum fire flow of 1,500 gallons per minute (gpm) at 20 pounds per square inch (psi) for a duration of 2 hours.

A hydrant flow test was conducted on March 20, 2024, by Underground Testing & Services LLC, on hydrants in the vicinity of the planned building. The hydrant flow test indicated an available fire flow of 1,505 gpm at 20 psi.

The results of the hydrant flow test are included in Appendix E.

5.1.5 Mechanical

The heating, ventilation, and air conditioning systems installation will comply with 2018 International Mechanical Code, in accordance with New Hampshire Building Codes.

Heating, Cooling, and Ventilation

Office

Heating and Cooling: A single zone ductless split heat pump with electric resistance baseboard backup with a system remote controller/thermostat will be provided. The system will have low temperature heating with heat pump operation down to -13 degrees Fahrenheit. Wall mounted indoor and exterior wall mounted outdoor units will be provided. Condensate will drain via gravity out the wall to ground.

Ventilation: Required. Natural ventilation is permitted (International Mechanical Code 2018) with a minimum available total operable window opening of 4 percent of office floor area within the space. It is assumed that the total operable window opening area in the office will satisfy this natural ventilation requirement. The mechanical ventilation alternative would be to provide a small energy recovery ventilator.

Restroom

Heating and Cooling: Heating only will be provided via an electric baseboard with a programmable thermostat.

Ventilation: Exhaust ventilation required. A light circuit activated ceiling exhaust fan with backdraft damper will be provided with a ducted sidewall exhaust hood outlet.

Mechanical Room

Heating and Cooling: Heating only will be provided via an electric unit heater with an integral thermostatic controller.

Ventilation: Not required.

Open Storage

Heating and Cooling: Heating and high temperature relieve systems will be provided under Option 2.

Ventilation: Not required if not heated or if heated below 50 degrees F setpoint.

Ice Storage

Heating and Cooling: Heating will not be provided. A cooler and refrigeration equipment package will be provided under Option 2.

Ventilation: A cooler and refrigeration equipment package will be provided under Option 2.

Ice Making Machine Room

Heating and Cooling: A heating system will be provided under Option 2.

Ventilation: Not required.

5.1.6 Plumbing

The plumbing installation will comply with the 2018 International Plumbing Code, in accordance with New Hampshire Building Codes.

Plumbing Utilities

The domestic water entrance will be provided with a water meter and RPZ type backflow preventer.

A separate domestic water feed rough-in with a backflow preventer and water filter will be provided for the ice machine. Heat trace water pipe freeze protection is not included in the scope; however, it should be provided when the filtered water piping rough-in is extended to the ice machine.

A 10-gallon electric domestic water heater with a thermostatic mixing valve assembly in Utility Room to serve hot water needs.

Sanitary/waste gravity piping will drain to a sanitary submersible pump station located outside the building. See Section 5.1.1 Site and Utilities for description.

Plumbing Fixtures

Toilet rooms fixtures will consist of a floor-mounted ADA height water closet with a 1.28 gpf manual flush valve and wall-hung ADA compliant vitreous china lavatory with a 0.5 gpm single handle manual faucet.

Other plumbing fixtures will include a mop receptor with a 1.5 gpm wall mounted manual faucet in the Utility Room; 3-inch floor drains outside of Ice Room and outside of anticipated cooler locations in Open Storage; two 3/4-inch non-freeze wall hydrants, one located at the exterior of the Utility Room and one located at the north exterior wall of the Restroom; and a non-freeze utility hose connection at the north exterior wall of the Office.

Storm drainage from the roofs will be managed with roof gutters and downspouts to ground level.

5.1.7 Electrical

The existing underground electrical service and pad mounted transformer were located near the edge of the existing parking lot as a part of the Bulkhead Rehabilitation Project in order to facilitate the replacement of the existing building in the future. The system and equipment are new, in excellent condition, and will be maintained in their current locations.

Portions of the existing underground secondary power conduits near the building and wiring will be replaced.

Permanent power will be provided underground from the existing pad-mounted transformer to the new building. Electrical service will be 120/208 volts, 3 phase, 4 wire to match the existing Eversource pad transformer secondary voltage.

Site lighting will be maintained during construction.

Separate metering provisions will include a minimum of:

- House power for site lights, fuel tank inventory and leak detection systems, site fuel dispensing system, sewer pumps, administration office lights and receptacles, building security and fire alarm systems, site CCTV system, and pier power and lighting systems.
- Power for ice making equipment.
- Power for shared warehouse refrigeration areas including equipment, lights and general-purpose power.

- Provisions for separate metering for tenant/user owned on-site refrigeration structures. Provisions to include power from the transformer to a 3 phase 120/208-volt commercial meter stack with a variety of meter ampere ratings, and variety of feeder breaker sizes (to be determined) and feeder conduits from the meter stack to the vicinity of the proposed tenant/user owned refrigeration equipment. These feeders will terminate in a series of stainless steel, lockable, fused disconnect switches. Wiring beyond these disconnect switches will be tenant/user provided.

5.1.8 Communications

Communications services will be extended to the building via an existing spare conduit installed as a part of the Bulkhead Rehabilitation Project. Portions of the conduits near the building will be removed and extended to the building to accommodate construction.

5.1.9 Security

Temporary outage and modifications to the existing CCTV camera system will be necessary to accommodate construction. The recommended scope of work considers that portions of the system will be removed to accommodate construction and will be replaced/restored. Temporary facilities to support the operation of the system during construction are not included. The PDA will need to confirm constraints and requirements for the temporary outage and modifications to the CCTV camera system.

5.2 Reuse Existing Building Foundations

Based on apparent building performance and field observations, reusing the existing foundations to support the new structure appears technically feasible. However, additional subsurface investigations and design is necessary to confirm reuse of the foundations.

Reuse of foundations would include the following:

- Removal of the existing structure to the top of the existing 1978 portion of the foundations. Existing floor slabs would be completely removed;
- Post-installed anchors installed in the top of the foundation every 6 feet to anchor sill plates and post-installed hold down anchors installed in the top of the foundation walls at the ends of each shear wall;
- Elimination of removal of existing pavement around the foundations being reused; and
- Elimination of removal and reuse of the existing concrete equipment pad at the west of the building.

5.3 Option 1 - Insulation and Cooling (Bait Storage)

Option 1 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- Fork truck access door air curtain; and
- Electrical connections.

5.4 Option 2 - Insulation and Cooling (Ice Storage)

Option 2 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- 5-ton ice machine, skid mounted;
- Ice making machine room heater;
- Open storage heater;
- Open storage high temperature exhaust fan;
- Fork truck access door air curtain;

- Water connections: filtered water to ice maker, hose bibb in open storage; and
- Electrical connections.

5.5 Option 3 – Temporary Dock Power

Option 3 includes providing temporary power from the existing pad mounted transformer, via a dedicated electrical meter, to serve the existing dock power distribution system during construction.

The existing dock power system is relatively new, in excellent condition, and includes corrosion resistant, stainless-steel enclosures and panelboards with corrosion resistant copper busses. Protection for personnel is provided by 6 milliamp (ma) GFC interruption breakers in compliance with the National Electrical Code (NEC).

The existing feeders are routed under the Pier/Dock and terminate at a stainless steel, lockable disconnect at the end of the pier.

Temporary power to the pier will be metered separately and include a weatherproof, lockable, stainless steel, dedicated circuit breaker equipped with 100 ma ground fault protection for marine facilities as per the NEC.

6 - Permitting

6.1 Local Permit Requirements

Since the project is located entirely on state property, local permitting is not required, except as required for environmental permitting.

6.2 State Permit Requirements

The majority of construction activities associated with the project will be within 100 feet of the Highest Observable Tideline (HAT). Since the area of removals will exceed 3,000 square feet, a New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill Permit will be required. Additionally, a NHDES Shoreland Permit will be required to account for construction activities between 100 feet and 250 feet from the HAT.

7 - Estimate of Probable Project Costs

7.1 Methodology

The estimate of probable project costs prepared for this study is intended to reflect the opinion of Oak Point Associates relative to the financial support needed to implement the scope defined herein. Because the estimate is based on concept level design, limited site investigations, and limited discussion with review authorities, it is possible that the scope of the project will change as site investigations, design efforts, and consultations with permit authorities progress during the design phase of the project. Consequently, the estimate of probable costs should be considered preliminary.

The estimate considers an open, competitive bid solicitation and uses current published construction cost information, costs based on similar recent projects, and local cost information. Additionally, the estimate considers construction will begin during the fall of 2024 and will have a duration of 6 to 9 months.

7.2 Mark-Up Factors

The following factors have been accounted for in the estimate:

- General Conditions (7%)
- Design Contingency (15%)
- General Contractor Overhead and Profit (15%)
- General Contractor's Bond (2.5%)

Outlined below are other costs that will be incurred as a part of the project and accounted for in the estimate. These costs are included as a percentage of the total construction cost.

- Design and Permitting Services (8%)
- Construction Period Services (5%)
- Construction Contingency (6%)
- State Project Administration (2.5% assumed)

7.3 Estimated Costs

Funding for the project was reportedly established by the PDA at $1.0 million, including construction, design services, permitting services, construction period services, construction contingency, and miscellaneous construction administration costs.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Rye Harbor – Retail Platform Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Rye Harbor facility has a section along the entrance drive dedicated to the retail sale of fish and light-prepared foods. These "fish shack" buildings allow the fishing industry to sell directly to the public fresh off the boat.

Figure 1 Area of the subject project fish shacks

Rising water levels and an increase in the intensity of storms have resulted in periodic flooding of the fish shacks, causing severe damage and an interruption to operations. To improve the resiliency of the fish shacks, a project is being proposed to construct an elevated platform above the highest anticipated water level to support prefabricated buildings.

Figure 2 Flooding in early 2024. Note fish shacks on the top left.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a retail platform and prefabricated buildings.

Scope of Work

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to design a new platform and prefabricated buildings. The proposal includes the following:

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions to support the progression of the design services.

1. A topographic survey of the project area, including the location of wetland flags by a Wetland Scientist, the location of the Highest Observable Tide Line outside and along the limit of the survey area, and the location of apparent property boundary monuments (boundary information to be provided by the PDA.
2. Geotechnical subsurface investigations include up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type and requirements, subgrade preparation, and reuse of on-site materials; and
3. Identification and field delineation of jurisdictional wetlands and the highest observable tide line within 100 feet of the project area.

2. Design Services and Preparation of Contract Documents

We will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural, to support the platform design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed;
2. Structural plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of plumbing systems;
5. Design of electrical systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH must provide a check for the applicable permitting fees before submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.
    a. Meetings include a site walk with NHDES wetlands and the Town of Rye Conservation Commission and attendance at the Town of Rye Conservation Commission public meetings.
    b. The project site is expected to be considered "developed" by NHDES Wetlands. If the project impacts undeveloped areas, then a Coastal Functional Assessment may be required by NHDES Wetlands, which is not included in this fee proposal. A modification to the contract may be processed if this is required.
3. An NHDES Application for an individual sewage disposal system. This item is associated with replacing/modifying the existing sewage holding tank for the food preparation shack.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.
- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME/OPA personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;

4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;
11. Permitting except as noted above; and
12. Commissioning.

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule, we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC.PE, BC.OE

President

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, June 5, 2024 4:22 PM
To: Brad Cook (captbradatlanticfleet@comcast.net);Myles Greenway;Mike Donahue
Subject: For Review & reply-PAC meeting packet 6-12-24
Attachments: PAC meeing packet 6-12-2024.pdf; Executive Summary Section, Commercial Fish Pier - Bldg Replacement Study_05-14-24 FINAL.pdf

Good afternoon,

Please take a look at the attached and let me know if this works for Wednesday's meeting. Just a note, I didn't put in the entire Executive Summary from the Concept Study, but attached it here if you think that should go in as well.

Also, we are going to the board for approval on both of the Appledore proposals, so just let me know if you want those in there, or wait until the next PAC meeting.

Thank you for your valuable time,

Brenda

Brenda Therrien
Administrative Assistant
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PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS ADVISORY COUNCIL
WEDNESDAY, JUNE 12, 2024 @ 6:00 P.M.
MEETING AGENDA

The meeting will be held at the Division office at 555 Market St. Portsmouth NH

1. Call meeting to order
2. Approve minutes- from the May 1, 2024 meeting
3. Finance report-Period End April 30, 2024
4. Piscataqua river vessel transit report – May 2024
5. Director's report:
    1. From the May 23, 2024 PDA Board meeting, materials in meeting packet
        - **i. Reports:**
            1. Piscataqua Maritime Commission, 2024 Sail Portsmouth Event, CGC "Eagle"
            2. New Charter Rights of Entry-Rye & Hampton
            3. Commercial Mooring Transfers
                a. Ricker to Hutchinson
                b. Collins to Perkins
                c. Moge to Crawshaw
            4. PFP Bait Cooler Users, Right of Entry, final option
        - **ii. Approvals:**
            1. Star Island/ Shoals Marine Lab Right of Entry-Correction for price per foot amount
    2. From the June 3 PDA Port Committee meeting
        - Portsmouth Commercial Fish Pier Building
            - Concept Study Results – Summary attached
            - Scope of Work Proposal-Appledore Marine Engineering
        - Rye Harbor Marine Facility
            - Scope of Work Proposal-Appledore Marine Engineering
    3. Other facility updates
6. New business
7. Committee reports
    1. Business Development/FTZ-Donahue
    2. Dredging-Holt
    3. Fisheries-Anderson
    4. Government-McQuillen
    5. Moorings-Snow
    6. PDA Liaison-Cook
    7. Recreational Piers-Ward
8. Old business
9. Public comment
10. Press questions
11. Adjournment

Division of Ports and Harbors Advisory Council
555 Market St.
Portsmouth, NH 03801
Tel 603-436-8500
Fax 603-436-2780

PORT ADVISORY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 1, 2024 6:00 PM

PRESENT: Brad Cook, Chair
Mike Donahue, Vice-Chair
Erik Anderson
Bill McQuillen
Chris Holt
Chris Snow (arrived 6:07 pm)
Chris Ward
Myles Greenway, Assistant Director, PDA-DPH

1. CALL TO ORDER

The meeting was called to order at 6:00 PM.

2. APPROVE MINUTES

McQuillen made a motion to approve the April 10, 2024 minutes, Anderson seconded. No discussion, a vote was taken, all members were in favor and the motion passed.

3. PUBLIC COMMENT-

Roger Groux introduced himself as a past a member of the Council for 12 years and Chair for 6 years. Groux spoke on his concerns about what's been happening, and started during Covid and has gotten worse. Bottom line is the PDA seems to only be concerned with Rye Harbor and the Port Advisory Council's time spent discussing Rye Harbor, which is an insignificant part of the entire operation. We've got a major Port here, the Market St. Terminal, that has been undergoing enhancements that are about 65% completed and once done will greatly increase the capacity in the laydown area. We were under orders during COVID to provide support to the Navy Yard and to not shut the pier down under any circumstances. The Port of Portsmouth is strategically important to the people of NH because almost all of the heating oil, asphalt, and salt comes through the Port. Foreign Trade-Zones are also a large part of the Port structure. Groux mentioned that the Port Committee meeting minutes have not been approved for several months because they keep getting postponed by the Chair of the Committee. Concerns during those meetings always seem to surround Rye Harbor, Groux added, Rye Harbor is the tail wagging the dog. PDA needs to figure out their priorities. Groux commented on Port Director Marconi's administrative leave, he has known him for over 12 years, and found him to be a totally honorable man who works hard, far exceeding anything he needs to do, especially regarding getting funding for Port projects and moving things along. What is happening to him now is political, and any pending charges would have no basis. Groux suggested the Council consider taking a vote of confidence in Geno.

Wendy Lull, for full disclosure she is a resident of Berwick ME, but is here as President of the Propellor Club of Portsmouth, commented that they have no information on what happened with Geno so it's difficult for the club to take a position. Geno is a Board Member of the Propellor Club. There are over 100 members and several significant sponsors so without knowing the situation the Club is in an awkward position and with that the Club encourages clarification as soon as possible.

4. FINANCE REPORT

The report FY ending March 31, 2024 was included in the meeting packet. Suzy Anzalone, PDA Finance Director, went over the report with the Council. Operating revenue and expenses are operating under budget. Wages and Benefits are also under budget. Currently, the net operating loss is at about $47,000 YTD. Business Unit analysis is also provided. Anzalone explained the rest of the report in detail. Donahue noted that that the net income went up by another $100,000 for year to date, in other words, the Port has $100,000 less of a loss that it had budgeted for, and that is important for the PDA to take note of since the PDA Board approved the budget with a projected loss and there is substantially less of a loss than what was budgeted. The Port Council believes that they expect to come out of the year with a positive net income with the expected ships and fuel system repairs. Further discussion included the construction projects listed on the last page of the report, the figures that make up those numbers can be found on the Statement of Net Position page.

5. PISCATAQUA RIVER VESSEL TRANSIT REPORT

Holt reported that there were a couple of double moves and one triple move in the month of April. Discussion included the hard times that hit the ship "Genco Picardy" they were attacked by a drone in the Red Sea, then they had equipment problems, so they had to be moved off the Sprague dock, they went to anchor for 3 days, went back to Sprague, and had to be moved again (temporarily) to allow an oil ship to come in. They were finally able to offload their cargo and sail out. This type of situation really affects the crew morale. There was also a tallow ship that came in, which we haven't seen in a couple years.

6. DIRECTOR'S REPORT

Greenway reported on the following From the April 18, 2024 PDA Board meeting:

- i. Reports:
    1. Morton Salt, License and Operating Agreement, last of 3 one-year options
    2. Commercial Mooring for Hire Applications
    3. Commercial Mooring Transfers
        a. Steaker Charters to Kirkland
        b. Nudd to Rydbeck
        c. Tirone to Levine
        d. Carter to Elwell
    4. Tasha Fuel Right of Entry, diesel fuel deliveries to vessels(6-month ROE)

DRAFT

ii. Approvals:
    1. Star Island Right of Entry
    2. Shoals Marine Lab Right of Entry
    3. Granite State Minerals, first of 3 one-year options
    4. Diesel Direct Right of Entry, diesel fuel deliveries to vessels
    5. Hampton Harbor Tackle, Right of Entry, storage cooler
    6. Riverside & Pickering, Rye Harbor, Gangway purchase
    7. Lakes Region Environmental, Rye Harbor fuel system repairs

Greenway also reported on replacing the truck scale at the Market St. Terminal. RFP's were received and are under review. The gangway in Rye is scheduled to be installed May 13th. Work on the fuel systems at Rye and Hampton will begin during the first couple of weeks in May. The Division is gathering information for a potential DHHS grant for Security Camera replacement and Security fencing. The PFP Building Concept Study draft has been received and is under review. The final report will be received by May 15th. Greenway attended the Governor and Council meeting in Concord today, and the Division was approved for ARPA funds in the amount of $2,000,000 for Rye and PFP. The Functional Replacement project is waiting on the ACOE permit. The second-round of bids won't go out until all permits are in place. Will keep an eye on the current permits to make sure they don't expire. Further discussion on ARPA funds, they are held at the State treasury, permitting process may delay the progress on the projects, especially in Rye.

7. NEW BUSINESS-

No new business

8. COMMITTEE REPORTS

- Business Development/FTZ- Donahue spoke about Off Shore Wind, handed out a graphic showing the newest lease areas. There are about 1 million acres to be leased out, this should generate about 15GW of power and has the potential to provide energy for about 5 million homes. The comment period ends on July 1st. The date of the lease areas bidding will be announced after the comment period and is on track to occur in the 4th quarter. Further discussion on the requirements for the bidders which includes a $2 million deposit (per lease area) just to enter a bid. The Propellor Clubs next event is May 16th and Coast Guard Captain of the Port, Florentino will be the speaker. The annual lobster bake is being held on June 21st at the Coast Guard station. Anderson indicated that the fisheries groups have submitted comments whenever they can regarding the OSW efforts. He believes that most transmission lines will probably go to Maine and Massachusetts. Once the leases are acquired, the investment for research and development will proceed (paid for by the winning bidder). Onshoring of the power will be determined during the R & D periods. Holt commented that he believes the OSW projects will be more detrimental for the maritime industry and marine life than anything else afloat. Environmental organizations have received funding from OSW developers and seem to have gone silent on the subject. Anderson spoke about a compensation plan for any fishing businesses impacted by the OSW activity. Discussion on the failed OSW lease areas in New Jersey. Anderson mentioned again that onshoring transmission lines could involve having to install "cooling stations" which will use and recycle back into the ocean 4 to 7 million gallons per day, water is taken in at ambient temperature and released at a warmer temperature, also the water will have chlorine added to it as part of the cooling process.

- Dredging- Holt reported that there is a dredge meeting on May 15th. The ACOE have replaced the buoys in the Piscataqua River. The large rock in the middle of the Turning Basin is still there, no news about plans to remove it. Having the rock there reduces the depth clearance to 34' instead of 36' MLLW.

- Fisheries- Anderson said local fishing industry is getting their gear ready. The Portsmouth Fish Pier construction is beginning soon, with that the users were told to remove their gear off the pier by May 1st.

- Government- McQuillen reported that local and state agencies met with FEMA regarding the January storms and requests for public assistance are due within the next 2 weeks.

- Moorings- Snow mentioned Moorings for Hire and Mooring Transfers are listed in the packet.

- PDA- Cook reported on the April 18th PDA meeting, at which Geno was placed on paid administrative leave during a Non-Public session. As a result, he was left with a series of questions and after discussion with a couple of the other Council members, and in line with Article 8, Section 1 of the PAC Bylaws he drafted a letter to PDA Chair, which you all have a copy of. He received a response letter back from the AG's office yesterday, copies were handed out to the members and content was discussed. Further discussion on the Right to Know Law in NH, and how it could help. Holt asked if the PDA Board private meeting is recorded? Minutes are required to be maintained; however, they did vote to seal those minutes, and not sure if/when those minutes would or could be released. Also discussed was what the process should be (going forward) for the Council Chair writing a letter without consulting the Council members, if we follow Robert's Rules, procedures would indicate consultation is required before writing a letter. It was mentioned the letter was written with the intent of getting information for tonight's meeting. Also a concern was raised about the statements made in the letter against one particular board member, if they were accusations or factual. Chair stated they were factual statements and can be proven. Additionally, the concern is more procedural than what is written in the letter. Discussion on the Channel 9 news clip.

- Recreational Piers- The ramp in Rye has been resurfaced. Bauer seems to be spreading out in the parking lot a bit and it should be addressed with him now before the busy season ramps up. Chair mentioned that it is a cooperative effort down there, and its all about how each other responds to things and help prevent conflict. Teamwork.

9. OLD BUSINESS- Holt made a comment that he's been on the river for 26 years and remembers how disorganized and unproductive the Port of Portsmouth was. He discussed what Geno has done for the Port, he's made it a very productive, viable, safe, and a desirable place for commercial work to come. Holt made a motion to have a "Vote of Confidence" for Geno to keep his position as Port Director. Snow seconded the motion. Discussion included the great job that Geno has done here to make the Port an attractive place to be. He's done a great job at managing all of the bits and pieces of managing the Port. Cook reported that he's known Geno for his entire term here. In his opinion, all 3 of the other facilities, that were taken over from State Parks, would have failed without Geno's guidance and his and the staff efforts. A vote was taken and the motion passed unanimously.

10. PRESS QUESTIONS –

No Press present.

11. ADJOURNMENT

Holt made a motion to adjourn the meeting, and the meeting adjourned at 7:35 pm.

DRAFT

PORT AUTHORITY OF NEW HAMPSHIRE
FY2024 FINANCIAL REPORT
FOR THE TEN-MONTH PERIOD ENDING
APRIL 30, 2024

PORT ADVISORY COUNCIL
JUNE 12, 2024

PEASE INTERNATIONAL

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - DIVISION OF PORTS AND HARBORS-UNRESTRICTED
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	$44,725	$47,116	($2,391)	(5.1%)	$382,350	$385,165	($2,815)	(0.7%)
CONCESSION REVENUE	0	0	0	-	49,202	6,000	43,202	720.0%
MOORING FEES	37,677	39,583	(1,907)	(4.8%)	376,766	395,834	(19,068)	(4.8%)
PARKING	4,420	5,335	(915)	(15.6%)	85,409	85,466	(56)	(0.1%)
REGISTRATIONS	9,236	18,083	(8,847)	(48.9%)	159,809	180,833	(21,024)	(11.6%)
FUEL FLOWAGE	654	0	654	-	15,411	12,342	3,068	24.9%
WHARFAGE AND DOCKAGE	19,554	65,367	(45,813)	(70.1%)	375,377	530,370	(154,993)	(29.2%)
FUEL SALES	17,239	37,118	(19,879)	(53.6%)	436,153	688,969	(252,817)	(36.7%)
INTEREST	-	-	-	-	-	-	-	-
OTHER REVENUE	9,330	8,721	609	7.0%	117,157	108,301	8,856	8.2%
TOTAL OPERATING REVENUES	**142,835**	**221,223**	**(78,388)**	**(35.4%)**	**1,597,636**	**2,393,280**	**(395,645)**	**(16.5%)**
EXPENSES								
0								
WAGES AND FRINGE BENEFITS	141,413	146,215	4,801	3.3%	1,333,367	1,446,074	112,708	7.8%
BUILDING AND FACILITIES	9,226	19,385	10,160	52.4%	164,289	227,852	63,563	27.9%
GENERAL AND ADMINISTRATIVE	9,336	11,891	2,554	21.5%	117,745	118,488	744	0.6%
UTILITIES	10,369	30,055	19,686	65.4%	95,384	160,405	65,021	40.5%
PROFESSIONAL SERVICES	10,384	7,629	(2,755)	(36.1%)	75,650	83,286	7,636	9.2%
MARKETING AND PROMOTION	311	217	(94)	(43.5%)	1,075	2,167	1,092	50.4%
OTHER OPERATING EXPENSES	11,539	28,889	17,350	60.1%	306,641	527,540	220,899	41.9%
TOTAL OPERATING EXPENSES	**192,598**	**244,281**	**51,681**	**21.2%**	**2,094,151**	**2,565,813**	**471,661**	**18.4%**
OPERATING INCOME(LOSS)	**(49,763)**	**(23,058)**	**(26,707)**	**115.8%**	**(96,515)**	**(172,533)**	**76,018**	**(44.1%)**
NON-OPERATING (INCOME) EXPENSE	(6,855)	(183)	6,672	(3638.3%)	(65,657)	(1,833)	63,824	(3481.4%)
DEPRECIATION	96,920	80,393	(16,527)	(20.6%)	992,296	811,535	(180,761)	(22.3%)
NET OPERATING INCOME(LOSS)	**(139,828)**	**(103,268)**	**(36,563)**	**35.4%**	**(1,023,154)**	**(982,235)**	**(40,921)**	**4.2%**

Unrestricted operating revenues through April for the DPH are trending under budget by $396,000 (16.5%). Significant line items trending lower than budget include fuel sales and wharfage and dockage fees.

Year-to-date operating expenses are under budget by $472,000 (18.4%) and are attributable to lower fuel purchases, full-time wages and benefits, contractor services and utilities expenses.

BUSINESS UNIT ANALYSIS	RYE HARBOR	HAMPTON HARBOR	PORTS. FISH PIER	MARKET ST.	HARBOR MGMT	ADMIN	TOTAL
OPERATING REVENUES	292,032	238,188	200,076	730,846	536,494	0	1,997,636
OPERATING EXPENSES*	224,330	345,136	256,745	409,860	435,561	422,519	2,094,151
*Excluding Depreciation							
OPERATING INCOME	67,702	(106,948)	(56,669)	320,984	100,933	(422,519)	(96,515)

DIVISION OF PORTS AND HARBORS-UNRESTRICTED
Statement of Net Position
For the Ten Months Ended April 30, 2024

	2024 Ending	2023 Ending
ASSETS		
Cash and Investments	$1,841,262	$2,107,996
Accounts Receivable - Net	276,014	642,343
Inventories	44,529	55,177
Prepaids	2,876	4,556
	2,164,680	2,810,072
RESTRICTED ASSETS		
Loans Receivable - NHFL		
NON-CURRENT ASSETS		
Land	376,641	376,641
Construction-in-Process	9,494,260	5,846,086
Other Capital Assets - Net	17,051,659	12,775,935
TOTAL NON-CURRENT ASSETS	26,922,561	18,998,663
TOTAL ASSETS	29,087,241	21,808,735
DEFERRED OUTFLOWS OF RESOURCES		
Pension	282,947	282,604
OPEB	347,561	479,175
LIABILITIES		
ACCOUNTS PAYABLE AND ACCRUED EXPENSES	366,425	621,775
Retainage	78,500	0
Unearned Revenues	408,747	398,852
Long-Term Liabilities		
Net Pension Liability	1,094,497	893,071
Net OPEB Liability	2,884,107	3,192,720
Due in more than 1 Year	21,598	17,522
	4,853,874	5,123,940
RESTRICTED LIABILITIES		
Long-Term Liabilities		
Due within 1 Year	0	0
Due in more than 1 Year	0	0
TOTAL LIABILITIES	4,853,874	5,123,940
DEFERRED INFLOWS OF RESOURCES		
Pension	50,473	281,343
OPEB	250,130	162,948
NET POSITION		
Net Investment in Capital Assets	26,922,561	18,998,663
Restricted For:		
Unrestricted	(2,359,290)	(1,996,380)
TOTAL NET POSITION	24,563,271	17,002,283

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - FOREIGN TRADE ZONE
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	14,000	12,000	2,000	16.7%
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	-	-	-	-	-	-	-
TOTAL OPERATING REVENUES	**-**	**-**	**-**	**-**	**14,000**	**12,000**	**2,000**	**16.7%**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	104	104	100.0%	1,250	1,042	(208)	(20.0%)
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	708	708	100.0%	7,653	7,083	(569)	(8.0%)
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**-**	**813**	**813**	**100.0%**	**8,903**	**8,125**	**(778)**	**(9.6%)**
OPERATING INCOME	**-**	**(813)**	**813**	**(100.0%)**	**5,097**	**3,875**	**1,222**	**31.5%**
NON-OPERATING (INCOME) EXPENSE	(1)	-	-	(145.5%)	(5)	(3)	2	(58.8%)
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**1**	**(812)**	**813**	**(100.1%)**	**5,103**	**3,878**	**1,224**	**31.6%**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - HARBOR DREDGING
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	14,464	10,000	4,464	44.6%	90,381	100,000	(9,619)	(9.6%)
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	1,550	583	967	165.7%	6,950	5,833	1,117	19.1%
TOTAL OPERATING REVENUES	**16,014**	**10,583**	**5,430**	**51.3%**	**97,331**	**105,833**	**(8,502)**	**(8.0%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	5,917	5,917	100.0%	-	59,167	59,167	100.0%
GENERAL AND ADMINISTRATIVE	25	1,000	975	97.5%	282	10,000	9,718	97.2%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**25**	**6,917**	**6,892**	**99.6%**	**282**	**69,167**	**69,885**	**99.6%**
OPERATING INCOME	**15,989**	**3,667**	**12,322**	**336.1%**	**97,049**	**36,667**	**60,382**	**164.7%**
NON-OPERATING (INCOME) EXPENSE	(812)	(35)	777	(2219.7%)	(6,029)	(350)	5,679	(1622.6%)
DEPRECIATION	6,151	5,917	(245)	(4.1%)	60,135	59,167	(969)	(1.6%)
NET OPERATING INCOME	**10,639**	**(2,215)**	**12,854**	**(580.3%)**	**42,942**	**(22,150)**	**65,093**	**(293.9%)**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - REVOLVING LOAN FUND
For the Ten Months Ended April 30, 2024

	Actual Apr FY2024	Budget Apr FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	2,774	3,000	(226)	(7.5%)	28,187	30,000	(1,813)	(6.0%)
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	75	(75)	(100.0%)	448	750	(302)	(40.3%)
TOTAL OPERATING REVENUES	**2,774**	**3,075**	**(301)**	**(9.8%)**	**28,635**	**30,750**	**(2,115)**	**(6.9%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	50	42	(8)	(20.0%)	168	417	249	59.7%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	610	1,250	640	51.2%	12,448	12,500	52	0.4%
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**660**	**1,292**	**632**	**48.9%**	**12,616**	**12,917**	**301**	**2.3%**
OPERATING INCOME	**2,114**	**1,783**	**331**	**18.5%**	**16,019**	**17,833**	**(1,814)**	**(10.2%)**
NON-OPERATING (INCOME) EXPENSE	(17)	-	17	-	(181)	-	181	-
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**2,131**	**1,783**	**348**	**19.5%**	**16,200**	**17,833**	**(1,633)**	**(9.2%)**

REVOLVING LOAN FUND ($ 000's)	BALANCE AT 04-30-2024	BALANCE AT 04-30-2023
CASH BALANCES		
GENERAL FUNDS	201	194
SEQUESTERED FUNDS	-	-
	201	194
LOANS OUTSTANDING (20)		
CURRENT	129	117
LONG TERM	952	954
	1,081	1,071
TOTAL CAPITAL BASE	1,282	1,265
CAPITAL UTILIZATION RATE -% *	84.3%	84.7%

*EXCLUDES SEQUESTERED FUNDS

SUMMARY OF CONSTRUCTION WORK IN PROCESS
AS OF APRIL 30 2024

($000's)

PROJECT NAME	BALANCE AT 06-30-23	CURRENT YEAR EXPENDITURES	TRANSFER TO PLANT IN SERVICE	NET CURRENT YEAR CHANGE	BALANCE AT 4/30/2024
DIVISION OF PORTS AND HARBORS (DPH)					
MAIN PIER (BUILD GRANT)	2,653	6,362	-	6,362	9,015
FUNCTIONAL REPLACEMENT - BARGE DOCK	-	75	-	75	75
HAMPTON DOCK REPLACEMENT (ARPA)	131	-	-	-	131
PFP BRACING & DECKING (ARPA)	123	151	-	151	274
RYE GATE HOUSE	-	21	(21)	-	-
PFP HOIST	-	5	(5)	-	-
RYE FUEL DISPENSER	13	80	(93)	(13)	-
	2,920	6,694	(119)	6,575	9,495

VESSEL TRANSIT LOG FOR THE PORTS OF PORTSMOUTH AND NEWINGTON NEW HAMPSHIRE

Employer: Portsmouth Pilots, Inc. Date: From MAY 02, 2024 To MAY 31, 2024

Name of Pilot In	Name of Pilot Out	Name of Vessel and Towing Tug	Homeport	Cargo	Date In (MM/DD/YY)	Tide	Weather	Date Out (MM/DD/YY)	Tide	Weather	DWT Capacity Tonnage	HP Assist Tug	Draft	Length	Beam	Draft	Actual Load / Draft Tonnage
CH	RH	ELLEN AP BARGE / GILMORE SMITH	USA	ELECTRICITY	5/2/24	L	CLEAR	5/	L	CLEAR	500	X	MOOP	178	58	10	X
CH	RH	MARIE C	Newton NJ	Tallow	5/4/24	H	CLEAR	5/7/24	L	CLEAR	25,000	1 5400 1 4000	509	554	86	29	9,000 L
CH	RH	NEW PROSPERITY	Newton NJ	OIL	5/7/24	H	CLEAR	5/9/24	H	RAIN	37,416	1 5400 1 4000	30,000	468	90	36	30,000 D
VT	VT	BTC 401 STEPHEN M SAUNDER	USA	OIL	5/8/24	L	RAIN	5/9/24	L	CLEAR	9,272	1 5400	509	387	68	23	7,500 D
RH	CH	EXPEDITOR LIBERTY	Palmetto	CABLE	4/29/24	H	CLEAR	5/11/24	H	CLEAR	26,957	2 5400	SUNDRAY	615	76	24	3000 L
VT	VT	POLARIS REX	Newton NJ	ASPHALT	5/10/24	L	CLEAR	5/10/24	H	CLEAR	14,812	1 5400 1 4000	509	457	76	27	8,000 D
VT	VT	NORTHERN	Palmetto	CABLE	5/12/24	H	CLEAR	5/13/24	H	CLEAR	26,976	1 5400 1 4000	SUNDRAY	615	76	26	3,000 L
VT	CH	POLARIS REX	Newton NJ	ASPHALT	5/12/24	L	CLEAR	5/13/24	H	CLEAR	14,812	1 5400 1 4000	509	457	76	29	4,000 D
CH	VT	NAVIGATOR / GEORGE	Palmetto	CEMENT	5/14/24	L	CLEAR	5/15/24	H	CLEAR	28,000	1 5400 1 4000	509	476	86	26	10,000 D
CH	RH	NEW PROSPERITY	Newton NJ	OIL	5/16/24	H	RAIN	5/17/24	L	CLEAR	37,416	1 5400 1 4000	30,000	468	90	36	28,000 D
VT	X	JRD TUG / BARGE TEXAS	USA	GEN	5/16/24	H	RAIN	X	X	X	X	X	PIER	378	68	12	4,700 D
X	VT	CAMP RUSSELL / BARGE	USA	GEN	X	X	X	5/18/24	L	RAIN	8,500	1 5400	PIER	378	68	12	X
VT	RH	EAGLE	USA	CABLE	5/21/24	L	CLEAR	6/5/24	H	CLEAR	18,206	1 5400	SUNDRAY	419	69	18	3,000 L
RH	RH	POINT LOMA	GREECE	EXPLOSIVE	5/22/24	H	CLEAR	5/27/24	L	WIND	65,733	2 5400 1 4000	509	626	106	35	45,000 D
VT	X	MS SUSIE CHARLES / BARGE	USA	BOAT PARTS	5/24/24	L	CLEAR	X	X	X	3,500	X	PIER	197	52	10	500 D
VT	CH	POLARIS REX	Newton NJ	ASPHALT	5/28/24	L	CLEAR	6/5/24	L	CLEAR	14,812	2 5400	509	457	76	28	8,000 D

I certify that the statements and information in the enclosed report are to the best of my knowledge and belief true, accurate and complete. I am aware that any intentional false statement or omission may be punishable by fine, imprisonment or suspension by the Pease Development Authority for submitting false statements and information or omitting required statements and information.

Christopher Nash, Captain — Richard Holt Jr., Captain — [illegible], Captain

PEASE INTERNATIONAL PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Pease Development Authority ("PDA"), Executive Director

FROM: Myles Greenway, Interim Director of Ports and Harbors

DATE: May 6, 2024

RE: Piscataqua Maritime Commission, 2024 Sail Portsmouth Event

The Division of Ports and Harbors (the "Division") received a request (attached) from the Piscataqua Maritime Commission ("PMC") to provide dockage and land use for its annual Sail Portsmouth event. Since 1998, PMC has hosted public ship tours in Portsmouth Harbor in support of this event. The PMC has continually worked cooperatively with the Division, which has provided access to the Portsmouth Commercial Fish Pier and the Market St. Terminal, for past Sail Portsmouth events.

Although there will be no events held at the Portsmouth Commercial Fish Pier this year, the 2024 season will have PMC hosting the U.S. Coast Guard Cutter, Eagle, "America's Tall Ship", from July 26 through July 29, 2024 at the Market St. Marine Terminal. Additionally, the use of the Market St. Terminal by PMC will not interfere with, or preclude, revenue generating operations during this time period.

Therefore, in accordance with the "Delegation to Executive Director: Consent and Approval for the Waiver of Wharfage, Dockage and Related Fees for Qualified Non-profit Organizations Using Facilities of the Division of Ports and Harbors" adopted by the Board on June 27, 2002, the Division recommends approval of a Right of Entry and, whereas PMC is a non-profit organization sponsoring this community event, the Division recommends waiving the dockage and wharfage fees associated with this open-to-the-public maritime event at the Market St. Terminal.

Piscataqua Maritime Commission
Post Office Box 545
Portsmouth, NH 03802-0545

April 5, 2024

Port of New Hampshire
Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, New Hampshire 03801

Dear Captain Marconi,

I am writing on behalf of the Piscataqua Maritime Commission, dba Sail Portsmouth, to request the Division of Ports and Harbors grant us permission to use the New Hampshire State Pier at 555 Market Street in Portsmouth beginning with the arrival of the US Coast Guard Eagle on Friday, July 26, 2024, and ending when the US Coast Guard Eagle departs on Monday, July 29, 2024. Because this is a public event, we respectfully request the wharfage and dock fees be waived.

Sincerely,

Nancy L. Cassidy

Nancy L. Cassidy
Secretary, Sail Portsmouth

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority ("PDA"), Board of Directors

From: Myles Greenway, Interim Director of Ports and Harbors

Date: May 2, 2024

Subject: Report of new Charter Boat Rights of Entry, Rye, and Hampton Harbor Marine Facility

During the month of April 2024, the Division of Ports and Harbors (the "Division") received three (3) requests from charter fishing businesses to enter into a Right of Entry ("ROE") agreement for use of the facilities at the Rye and Hampton Harbor Marine Facilities (the Premises") in association with their fishing charter businesses. In accordance with RSA 12-G:43 (b), "Aid in the development of salt water fisheries and associated industries" the Division reviewed the requests and recommended approval from Paul Brean, PDA Executive Director, in accordance with the "Delegation to Executive Director: Consent, Approval, and Execution of Charter Boat Right of Entry," adopted by the PDA Board of Directors on April 20, 2017. Approval was received and ROE agreements have been executed with the entities listed below, subject to the following terms and conditions:

PREMISES:

Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, NH
1. Hooked on Fish Charters, LLC. (Kyle Basoukas)
   - Term: April 1, 2024-March 31, 2025
2. Seacoast Maritime Charters, LLC. (Jack Farrell)
   - Term: May 1, 2024-October 31, 2024

Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, NH
1. First Light Fisheries, LLC (Peter Kirkland)
   - Term: April 1, 2024-March 31, 2025

PURPOSE OF ROE: Charter Boat Operations & Customer Parking

CUSTOMER PARKING FEE: $5.00 per vehicle for customers using the Premises parking area, subject to change during the term of the ROE.

Among other requirements of the ROE, all of the above have also met the following required conditions, in accordance with the Charter Right of Entry agreement, prior to operating the charter at the facility:

1. Secured a Pier Use Permit;
2. Provided proof of minimum insurance requirements set by the PDA to the Division; and
3. Provide documentation that the business is registered and in "Good Standing" with the Secretary of State to conduct business in New Hampshire.

XII.A.

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Myles Greenway, Acting Director, DPH

DATE: April 24, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of two commercial moorings, permit #81 and #6039, from George Ricker to David Hutchinson.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

XII.A

TAKING YOU THERE
ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

XII.A

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Myles Greenway, Interim Director, DPH

DATE: May 7, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #8148, from the Estate of Randell Collins to Lewis Perkins.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

TAKING YOU THERE
ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

XII.A

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Myles Greenway, Interim Director, DPH

DATE: May 7, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #8389, from Irene Mogo to Geoffrey Crawshaw.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

TAKING YOU THERE
ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

April 26, 2024

Myles Greenway, Acting Division Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801

Assistant Director Greenway,

By way of this notice, the users of the bait cooler at the Portsmouth Commercial Fish Pier wish to exercise our final option to extend the Right of Entry agreement, effective June 1, 2021, under the same terms and conditions, through May 31, 2025.

The 10 users of the bait cooler have signed below indicating their agreement with the terms of the ROE:

Gary Glidden	F/V Lost Penny	Gary Glidden
Bobby Bryant	F/V Island Lady	RV Bryant
Vinny Price	F/V Katie Rue	
Dennis Robillard	F/V Julie Ann III	Dennis P. Robillard
Jake Enton	F/V McKenzie Nicole	
Chesley Severns	F/V Kelly Marie	Chesley Severns
Kurtis Lang	F/V Alma Renee	Kurtis Lang
Damon Frampton	F/V Vivian Mae	D. Frampton II
John Borden	F/V Mary Baker	
Bruce Laurie	F/V Amanda T	Bruce Laurie
Robert Carlajal	F/V Perseverance	

Payment of $9100 will be submitted once we receive confirmation that our option has been approved.

Thank you for your consideration,
The Portsmouth Fish Pier bait cooler users

XII.A.

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive Portsmouth, NH 03801

XII.B

MOTION

Director Ferrini:

The Pease Development Authority Board of Directors hereby authorizes the Executive Director to amend the per footage fee of the approved six (6) month extensions of the Rights of Entry for Non-Exclusive Use of Parcel A-2 and Burge Wharf by Cornell University – Shoals Marine Lab and Star Island Corporation, from $118.18 per foot to $111.18 per foot; all in accordance the memorandum of Myles Greenway, Interim Director of Ports and Harbors, dated May 1, 2024; attached hereto.

N:\RESOLVES\2024\DPH-Cornell Shoals & Star Island amd fee (5-23-24).docx

PEASE INTERNATIONAL PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority (PDA) Board of Directors

From: Myles Greenway, Interim Director of Ports and Harbors

Date: May 1, 2024

Subject: Star Island & Shoals Marine Lab Right of Entry Parcel A-2 and Burge Wharf

The Division of Ports and Harbors (the "Division") received approval from the PDA Board of Directors at the April meeting to enter into 6-month Rights of Entry for Shoals Marine Lab and Star Island Corporation, to use of a portion of Parcel A-2, Burge Dock and adjacent parking lot located at the Market Street Marine Terminal. However, it was discovered that there was a typo in the "per foot" fee listed in the request. The price per foot should have been listed at $111.18, not $118.18.

Therefore, the Division is requesting approval of the amended "per foot" rate of $111.18. All other terms and conditions of the ROE, as amended, shall remain in full force.

Appledore Marine Engineering, LLC

600 State Street, Suite E | Portsmouth New Hampshire 03801

June 04, 2024 (REV)

Myles Greenway
PDA Division of Ports & Harbors (PDA)
555 Market Street
Portsmouth, New Hampshire 03801

Cc: Atlantic States Marine Fisheries Commission (ASMFC)

Re: Portsmouth Commercial Fish Facility Building - **Concept Study**

Dear Mr. Greenway

Appledore Marine Engineering, LLC (AME) is pleased to submit this concept study for the replacement of the Commercial Fish Facility Building on Pierce Island, Portsmouth, NH. Presented in this study are a narrative description with associated drawings and opinion of probable design, permit application, and construction costs.

During concept development, it was determined that replacement of the existing facility in kind would likely exceed the anticipated budget by a significant amount. It was jointly decided between PDA and AME that that most logical course of action for the study would be to focus on developing a base bid concept that satisfies the minimum core functions of the facility and bid options for opportunities to expand the scope of the project, should additional funding become available. The anticipated cost for the base bid concept exceeds the current anticipated budget, but it is our opinion that it represents the minimum scope required to maintain operations at the facility. The table below provides a summary of anticipated costs associated with the Base Bid and potential Bid Options:

Table 1: Summary of Anticipated Costs

TASK	AMOUNT
Engineering Studies / Design	$99,400
Permit Application Development	$14,200
Construction Engineering / Administration	$106,500
Design / Engineering / Permitting Subtotal	**$220,100**
Demolition / HAZMAT / Removals	$239,980
Construction of New Facility	$959,920
Demolition / Construction Subtotal	**$1,199,900**
BASE BID TOTAL	**$1,420,000**
BID OPTION 1 – Design / Construct Bait Storage Area (Lump Sum)	**$278,100**
BID OPTION 2 – Design / Construct Ice Storage Area (Lump Sum)	**$290,100**
BID OPTION 3 – Provide Temporary Dock Power (Lump Sum)	**$ 41,200**
TOTAL POTENTIAL PROJECT COST	**$2,029,400**

This effort represents the conceptual phase of design with the intent to provide a viable replacement concept for the building, general arrangement plan, and opinion of the probable costs. The next phase of this project would be to progress the concept development to the design of construction documents and develop/submit permit applications.

Thank you for the opportunity to work with you on this study. If you have any questions or require additional information, please do not hesitate to contact us.

Noah J. Elwood, PE, D.PE, D.OE
President

Travis Baker, PE
Project Manager

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Portsmouth Fish Pier – Replacement Building Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Fish Pier is the hub of commercial fishing on the seacoast of New Hampshire, providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The current condition and presence of black mold have necessitated a replacement building to be considered. In cooperation with Oak Point Associates (OPA), AME completed a concept study for a replacement building. The final study, submitted on May 15th, identified a "minimum" concept, determined in collaboration with PDA-DPH personnel, with an estimated cost of $1,420,000. The cost includes engineering, design, bidding, permitting, and construction.

Figure 1 Conceptual Rendering of Replacement Building

Further reductions in the "minimum" concepts are understood to be needed to achieve the budget goal.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a new building.

Scope of Work

Acknowledging the budget constraints, we request that the PDA-DPH define the minimum operational characteristics based on priorities. This will be essential to focus design efforts and achieve the project budget goals.

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to replace the existing building. The proposal includes the following:

1. Additional Design Phase Site Investigations, Surveys and Program Analysis;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Additional Design Phase Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions further to allow the progression of the design services.

1. Supplemental topographical survey to define gaps in the record information;

2. Geotechnical subsurface investigations including up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type, frost protection depth, foundation drainage, subgrade preparation, pavement section, and reuse of on-site materials and
3. Test pits (2) to verify the condition and dimensions of the existing foundation system. Test pits will be filled with existing excavated soils, and a gravel compacted surface will remain. Further repairs and/or paving will be completed in the follow-up building construction project.

2. Design Services and Preparation of Contract Documents

To support the replacement building design, we will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural and interior design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed, including hazardous materials as indicated in a report by others;
2. Building plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of HVAC and plumbing systems;
5. Design of electrical and communications systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH will need to provide a check for the applicable permitting fees prior to submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.

- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME's/OPA's personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant included in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;
4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 52,715
Site Investigations, Surveys and Program Analysis	$ 32,483
Design Services and Preparation of Contract Documents	$ 83,017
Permitting Services	$ 19,316
Construction Period Services	$ 30,888
Total Architectural and Engineering Services	**$218,419**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC. PE, BC. OE

President

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Rye Harbor – Retail Platform Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Rye Harbor facility has a section along the entrance drive dedicated to the retail sale of fish and light-prepared foods. These "fish shack" buildings allow the fishing industry to sell directly to the public fresh off the boat.

Figure 1 Area of the subject project fish shacks.

Rising water levels and an increase in the intensity of storms have resulted in periodic flooding of the fish shacks, causing severe damage and an interruption to operations. To improve the resiliency of the fish shacks, a project is being proposed to construct an elevated platform above the highest anticipated water level to support prefabricated buildings.

Figure 2 Flooding in early 2024. Note fish shacks on the top left.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a retail platform and prefabricated buildings.

Scope of Work

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to design a new platform and prefabricated buildings. The proposal includes the following:

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions to support the progression of the design services.

1. A topographic survey of the project area, including the location of wetland flags by a Wetland Scientist, the location of the Highest Observable Tide Line outside and along the limit of the survey area, and the location of apparent property boundary monuments (boundary information to be provided by the PDA.
2. Geotechnical subsurface investigations include up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type and requirements, subgrade preparation, and reuse of on-site materials; and
3. Identification and field delineation of jurisdictional wetlands and the highest observable tide line within 100 feet of the project area.

2. Design Services and Preparation of Contract Documents

We will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural, to support the platform design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed;
2. Structural plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of plumbing systems;
5. Design of electrical systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH must provide a check for the applicable permitting fees before submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.
    a. Meetings include a site walk with NHDES wetlands and the Town of Rye Conservation Commission and attendance at the Town of Rye Conservation Commission public meetings.
    b. The project site is expected to be considered "developed" by NHDES Wetlands. If the project impacts undeveloped areas, then a Coastal Functional Assessment may be required by NHDES Wetlands, which is not included in this fee proposal. A modification to the contract may be processed if this is required.
3. An NHDES Application for an individual sewage disposal system. This item is associated with replacing/modifying the existing sewage holding tank for the food preparation shack.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.
- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME/OPA personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;

4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;
11. Permitting except as noted above; and
12. Commissioning.

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule, we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah J Elwood, PE, BC. PE, BC. OE
President

STUDY

BUILDING REPLACEMENT STUDY
Pease Development Authority Portsmouth Commercial Fish Pier
Piscataqua River, Portsmouth, New Hampshire

Prepared For:

Pease Development Authority
Division of Ports and Harbors
555 Market Street, PO Box 369
Portsmouth, New Hampshire
May 14, 2024

Prepared By:

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OAK POINT ASSOCIATES | architecture engineering planning

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1 - Executive Summary

1.1 Project Overview

The New Hampshire Port Authority – Division of Ports and Harbors (PDA) is interested in replacing the existing building at the Commercial Fish Pier at Peirce Island Road in Portsmouth, New Hampshire. Built circa 1978 with two additions added in later years, the existing building is inefficient for its current needs and is in a state of disrepair, requiring either substantive repairs and improvements, or replacement.

Funding for the project was reportedly established by the PDA at $1.0 million, which includes construction, design services, permitting services, construction period services, construction contingency, and miscellaneous PDA construction administration costs.

1.2 Recommendations

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

Due to funding limitations, it is recommended to remove the existing building in its entirety and replace the existing original 1978 portion of the building in the same location. Existing foundations should be reused, if determined feasible during the design process. The office, restroom, and utility room should be finished as a part of the base-bid contract, as well as all necessary demolition and paving. The following scope items should be provided as bid options:

1. Insulation and cooling for the bait storage area;
2. Insulation and cooling for the ice making/storage area; and
3. Temporary dock power.

1.3 Estimate of Project Costs

An Estimate of probable project costs has been prepared for the scope of work considered in this Study. These costs are considered preliminary, due to the limited level of site investigations and design and are intended to assist the PDA in determining the level of funding needed to provide the program defined herein.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

2 - Introduction

2.1 Study Objectives

The objectives of this study include completing assessment of the existing building conditions, research, surveys, analysis and concept design to confirm the scope of work, and project costs for the replacement of the existing building.

2.2 Site Investigations

The following surveys and investigations were completed to verify existing conditions within the vicinity of the project area for the purposes of this study:

1. Field investigations, including measurement and inspection of the existing structures;
2. A partial topographic survey completed by Doucet Survey in March 2024 to supplement record survey information;
3. Utility location within the vicinity of the project area completed by Doucet Survey in March 2024 to confirm and supplement record information;
4. Review of available geotechnical data and field conditions, and development of preliminary recommendations by R.W. Gillespie and Associates;
5. Hazardous materials survey completed by RPF Environmental; and
6. Hydrant flow test completed by Utility Testing Services and witnessed by Oak Point Associates.

2.3 Coordination

To verify project requirements and constraints the following authorities and organizations were contacted:

- City of Portsmouth Department of Public Works; and
- New Hampshire Department of Environmental Services

3 - Existing Conditions

3.1 Existing Building

The existing Fish Pier building is a one-story, wood-framed building with a slab-on-grade ground floor. The original building was constructed circa 1978 and had two later additions on the east end of the original building. The building additions are a combination of wood framed and concrete masonry unit (cmu) block structures.

Structural

There are structural framing plans available for the original building, but there are no plans available for the additions.

A visual assessment of the existing building structure was conducted on March 29, 2024, which was limited due to the existing finishes in the building. The existing building structure shows no apparent signs of distress or damage. There are signs of deterioration of the existing exterior finishes along the roof eaves that are most likely allowing water to penetrate into the interior of the structure and there could be hidden deterioration of the existing wood framing that cannot be visually assessed. Based on soundings taken, the existing cmu walls in the addition do not appear to be reinforced (all cells appear to be hollow), which would have been a typical construction practice at the time the building was constructed.

An analysis of the existing framing and foundation systems was not conducted as part of this study. The existing roof framing system consists of pre-engineered metal-plate-connected wood trusses. Based on the age of the building, the existing wood trusses would not have been designed to support unbalanced snow loads, which is now required by the current building code for buildings of this size and configuration. There is no indication of the loads the trusses were designed for in the record drawings. If constructed today, the current code mandated unbalanced snow load is 60 PSF for the original building. It is unlikely that the existing trusses are capable of supporting the code mandated unbalanced snow loads. Based on the age of the structure, it is also unlikely that the building wall and roof framing systems have a properly designed lateral force resisting system (shear walls and roof diaphragm) to resist seismic and wind forces.

Record drawings depict the configuration of the existing foundation system for the portion of the building constructed circa 1978. There is no apparent information for the foundations associated with other portions of the building.

Inspection of the existing building foundations did not find any visual signs of foundation settlement or movement. Due to the lack of subsurface information and documentation, the condition is unknown, but assumed to be in fair to good condition.

The record drawings indicate most of the original building floor consists of a 6-inch-thick concrete slab, but, in the bait storage area, the floor consists of a 4-inch-thick concrete slab underlain by 4 inches of rigid insulation placed over an 8-inch-thick concrete slab.

Architectural

Exterior finishes consist of painted wood shake siding, painted wood trim, and asphalt shingle roofing. Openings consist of double hung windows, single entry doors, louvers, and overhead doors. In general, exterior finishes show significant signs of deterioration.

Interior finishes consist of painted gypsum board walls and ceilings, painted CMU walls, FRP panels, VCT flooring, and poured concrete floors. Painted wood doors and painted wood trim are present throughout the interior space. Hazardous materials have also been documented in the building. Miscellaneous equipment and furniture are located throughout the interior spaces. In general, interior finishes show significant signs of deterioration.

Mechanical

HVAC

Heat throughout the occupied spaces is provided via electric baseboard heaters with wall mounted thermostats. The work room between the coolers has an electric unit heater that is in poor condition and not functional. All of the heating units are in poor condition. Some offices contain window mounted air conditioners in fair to poor condition. The only observed mechanical ventilation equipment was ceiling exhaust fans in the single user restrooms. Each had its own switch-activated ceiling exhaust fan. They are in poor condition. There is a louvered vent on the gable wall above the outside cooler door to the bait cooler. Record drawings indicate there was a wall exhaust fan in the work room. A wall patch observed on the exterior of the work room wall marks the apparent location where the fan was located.

Process Equipment

The facility has two coolers; a bait cooler and a cooler used to store fish and ice filled containers. Each cooler has its own functioning refrigeration system. The condensing unit for each cooler is located at the exterior on a ground-level pad. The enclosures are weathered, and in fair condition. The facility also has a functioning 5-ton ice making machine. The ice machine's refrigeration system has been changed out at least once, as the original R-22 refrigeration identification label has been manually revised to reflect the use of R-404 refrigerant. The equipment is in fair condition. The air-cooled condenser unit is located on the gable roof where service access is very difficult.

Plumbing

A sanitary waste and vent piping system is present in the building that serves floor drains in the coolers and work room between the coolers, two single user restrooms, and a single-bowl counter mounted convenience sink in the office addition. Each fixture gravity drains to one of two sump pits. One is in the floor of the mechanical room, and the other is in the floor of an abandoned bathroom. The collected waste in the sumps is pumped out of the building to a force main in Peirce Island Road.

The 1-1/2-inch domestic water entrance piping is equipped with a water meter and backflow preventer. There is also another water meter located on a branch water service. The domestic water entrance equipment is in fair to poor condition. Domestic hot water needs are served by a 40-gallon electric water heater with a hand-written installation date of September 24, 2021. It is in good condition.

The facility's two single user restrooms are equipped with floor mounted toilets with manual flush valves and a wall mounted vitreous china lavatory with manual faucet. One restroom has had the fixtures updated and is in good condition. The other restroom does not appear to be actively used and is in poor condition.

There is also an abandoned bathroom. It contains a shower enclosure, a counter-mounted lavatory with half the counter cut off, and an empty resurfaced floor space where a toilet was once located. A sanitary sump pump pit with PVC

discharge and vent piping is located at the bathroom entrance.

A single bowl stainless steel counter sink in the office area is in poor condition.

Wall hydrants and hose bibbs for the building are varied in their condition with some being worn and at the end of their useful life.

Electrical

The existing electrical service is provided by Eversource via underground medium voltage conductors from a pad-mounted utility owned transformer, located at the southeast of the building, near Peirce Island Road. Secondary power extends underground from the pad mounted transformer to a 4-meter commercial electrical meter stack located on the building exterior. The underground electrical service was installed circa 2021 as part of the Bulkhead Rehabilitation project.

The electrical power distribution system within the building is over 20 years old and in fair to poor condition. The main panelboards and equipment are located in the utility room in the administration office area.

There is a 100-amp, 100 milli-amp (ma) ground fault protection circuit in the utility room, which serves the existing pier power distribution boxes.

Power from the main utility room serves the existing office area lighting and general-purpose receptacles. Power for on-site refrigeration equipment, ice making equipment, and warehouse/cooler/freezer lighting is provided from utility room panelboards.

Power wiring and disconnect equipment serving refrigeration and ice making equipment is in fair to poor condition. Open junction boxes and unsupported wiring were observed in several locations, including the ice machine equipment room.

The 120-volt power wiring and 120-volt duplex receptacles in the building are old and in fair to poor condition. Some receptacles were noted as broken and damaged. There are some ground fault (GF) receptacles in damp areas, however the location of ground fault protection does not comply with current National Electrical Code (NEC) requirements.

Power and control wiring serving the boat fuel dispenser equipment was new circa 2021 and is in good to excellent condition. Conduit seal fittings at the building and at the dispenser locations are in compliance with NEC. The on-site fuel storage monitoring system control panel is located in the existing electric room.

Lighting

Lighting systems within the office areas of the building include ceiling mounted fluorescent fixtures with magnetic ballasts and wrap around acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in the warehouse, coolers, and freezer areas are surface, ceiling mounted fluorescent fixtures with magnetic ballasts, florescent lamps, and damp location acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in support spaces, toilet rooms, and closets include fluorescent and incandescent fixtures. These fixtures are old and in poor condition.

Existing site lighting includes pole and building mounted LED fixtures. The fixtures are relatively new. The wiring appears to be older and in fair condition.

Telephone

Telephone service extends from a utility pole adjacent to Peirce Island Road to the building in an underground conduit provided circa 1978. This conduit is smaller than the phone company's current standards. Spare conduits intended for future telephone and internet service were provided from a utility pole near Peirce Island Road to the building alongside the power service constructed as a part of the Bulkhead Rehabilitation Project.

Telephone service into the building terminates at a terminal block in the Utility Room. The telephone wiring is limited to a few internal phone jacks for voice phone service and is in poor to fair condition.

Security Systems

The existing site closed circuit television (CCTV) system includes a series of exterior mounted, wet location, exterior cameras, which are hard-wired back to video equipment in the building Utility Room. The CCTV cameras were partially funded by homeland security funds and the coverage includes views of the adjacent Piscataqua River and surrounding areas.

Hazardous Materials

RPF Environmental completed a hazardous materials survey for the existing building. The survey included accessible asbestos containing material in accordance with the initial asbestos inspection requirements prior to renovation or demolition work as stated in the New Hampshire State regulations and applicable federal regulations. In addition, the survey included screening for lead paint (LP) and other hazardous or regulated materials.

Several types of suspect asbestos containing material (ACM) were observed by RPF, including friable and nonfriable suspect material. Based on the testing performed by RPF, asbestos was detected in the following materials:

- 12-inch tan floor tile
- Tan vinyl sheet flooring and adhesive

Based on the year of construction and extent of renovation conducted over the years, it is reasonable to assume that some lead paint (LP) is present. RPF conducted limited spot testing of paint and LP was absent on various interior and exterior building components. The intent of the lead testing was for potential lead hazardous waste disposal screening purposes only.

Based on the RPF visual observations, potential polychlorinated biphenyl (PCB) containing light ballasts, mercury containing switches, and fluorescent light bulbs are present throughout the building.

The Hazardous Material Survey is included in Appendix D.

3.2 Site and Utilities

Existing site conditions in the vicinity of the Fish Pier Building are depicted on the Existing Conditions Site Plan (Sheet CX101), included in Appendix B. The existing site conditions for the project area are based on a limited topographic survey completed by Doucet Survey in March 2024, and record drawings. The location of underground utilities is based on utility location paint marks completed by Doucet Survey in March 2024, and record drawings.

Horizontal control for the project is based on the New Hampshire State Plane Coordinate System 2800, West Zone, North American Datum of 1983. The vertical datum is based on mean lower low water (MLLW), which is 4.62 feet above NAVD88.

Circulation and Accessibility

Vehicles gain access to the site from Peirce Island Road. The area surrounding the building and extending to the bulkhead is paved and allows for vehicle circulation around the building and access to the building and waterfront.

Subsurface Soil Conditions

Record boring logs indicate that subsurface conditions in the vicinity of the Fish Pier Building consist of granular fill (sand and gravel, some silt) over naturally deposited silt and sand over bedrock. The logs indicate that the fill extends to depths of about 15 feet below the ground surface and contains materials described as debris and wood. The fill thicknesses appear consistent with the record information for the original building. Record design drawings called for construction to follow New Hampshire Department of Public Works and Highways Standard Specifications dated 1974 and the use of gravel fill. The materials are consistent with gravel fill; however, it appears to contain deleterious material locally. Limited Standard Penetration Test *N*-values indicate consistent fill relative density, suggesting compactive effort was applied as the fill was placed.

Preliminary Geotechnical Recommendations for the project, prepared by R.W. Gillespie and Associates is included in Appendix C.

Pavements

Significant cracking is present throughout the parking lot, except at the west of the Fish Pier Building, where pavements were replaced as a part of the Bulkhead Rehabilitation project.

Utilities

Storm Drainage

Stormwater runoff from site development generally sheet-flows over paved and vegetated areas, over the embankment, and into the Piscataqua River.

Sanitary Sewer

A duplex submersible sewer pump station is present within the building's Utility Room, which receives flow from the building's bathrooms and floor drains. A 2-inch sewer force main extends out the south side of the building, then turns to the east and runs parallel to the water main and connects to two force mains in Peirce Island Road (recently installed 24-inch diameter and an old force main). Installation of the 24-inch force main included partial replacement of the Fish Pier service pipe and valves within the limits of the road.

Water

A 6-inch water service extends from the City's distribution pipe within Peirce Island Road to the south side of the existing building where it terminates at a hydrant that was constructed circa 2021. A 2-inch water service extends to the building from the 6-inch line.

Fuel

A 3,000-gallon and a 15,000-gallon underground fuel storage tank are present at the east of the building. Underground fuel piping and controls extend along the north of the building to a fuel dispensing structure located at the west of the building. Gas and diesel storage tank high-level alarm panels are mounted to the west side of the cold-storage structure.

Flood Elevations

According to the current FEMA Flood Map, the project site is not within a flood hazard zone. The base flood elevation of the Piscataqua River, in the vicinity of the project site is 12.86 feet (MLLW). Pavement elevations around the existing building are approximately 14.50 feet.

4 - Program Requirements

4.1 Building

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

The existing structure will be demolished in its entirety and a new building will be constructed in the same location as the original 1978 structure. If possible, the existing foundations for the original building will be reused. Areas within the building that are not occupied by the identified program will be used to replicate the existing bait storage area and provide space for general storage.

5 - Recommended Scope of Work

5.1 Base Bid

The following narrative describes the recommended Base Bid scope of work to achieve the project objectives, considering the project budget constraints.

5.1.1 Site and Utilities

Removals

Removals will include existing asphalt pavement around the perimeter of foundations and utilities to support new utility services and connections.

Pavement Repairs

The bituminous pavement section used to restore disturbed areas will consist of 18 inches of base course and 4 inches of bituminous concrete pavement that conforms to New Hampshire Department of Transportation Standard Specifications placed on a prepared subgrade.

Site Facilities

Bollards will be provided at each overhead door, building corners, and to protect above-grade utility systems that could be damaged by vehicle circulation.

Utilities

Sanitary Sewer: A 4-inch gravity sanitary sewer service will be extended from the building to a submersible sewer pump station located at the exterior of the building. The discharge pipe will be connected to the existing 2-inch force main that extends to the City's sewer force mains in Peirce Island Road.

Water: The existing 2-inch water service will be replaced to 5 feet outside of the building and extended into the Utility Room.

Fuel System: The existing fuel system will be temporarily shut down during the construction of the building due to budget limitations.

5.1.2 Structural

Removals

Removals will include the entire existing building structure and foundation system. The existing foundation system, not within the area of the building construction, will only be removed to 12 inches below the existing ground surface for budgetary reasons.

If it is determined during the design process that the existing foundations for the 1978 portion of the building are sufficient to support the new structure, then removal of foundations will not be required.

Building Structure

The new structure's roof will consist of both sloped and flat metal-plate-connected wood trusses connected to the wall framing with truss connectors. Plywood roof sheathing will be provided for the roof diaphragm.

The new structure's wall framing will consist of wood stud walls connected to the foundation with shear wall hold-down anchors. Plywood wall sheathing will be provided for the shear walls.

Foundations

The new structure's foundation system will consist of reinforced concrete foundation footings and reinforced concrete foundation walls. A reinforced concrete slab-on-ground will be provided to support the imposed building occupant load and forklift vehicle loads.

Since there are record drawings of the original building's foundation system, it may be possible to reuse the existing foundation system to support the building structure. A structural analysis of the existing foundation will be necessary to determine if it has sufficient capacity to support the current code mandated loads. Also, geotechnical investigations will be necessary to prove that the existing site soil conditions are suitable for supporting the proposed new structure (refer to geotechnical report in Appendix C).

5.1.3 Architectural

Exterior

The proposed building will have an approximate footprint of 2,000 square feet. The characteristics of the building will aim to blend with the architectural style with the surrounding neighborhood while also relating to the original commercial fish pier building.

The new, single-story structure will be made up of several distinct building volumes with varying wall heights and roof styles. Wood or composite shake style siding will wrap the building envelope and be accented with wood or composite trim. Several window styles will be incorporated into the design to allow for sightlines, natural ventilation, and natural lighting. The gable roof surfaces will be finished with an asphalt shingle system and the low-sloped roof surface will have a membrane system. Entry doors and overhead doors will be located on various building elevations to allow for efficient building access and operation.

Interior

Interior spaces will be arranged in a similar manner to the existing building. The PDA office space, which will include a bathroom and utility room, will be located at the west end of the building adjacent to the waterfront. Interior access from the office space into the ice production space and cold storage space will be provided. Interior finishes will be selected as the design is further developed.

5.1.4 Fire Protection/Life Safety

Requirements for Provision of a Sprinkler System

A sprinkler system is not required for the building due to the limited building size and occupancy classification. The 2018 NFPA 101 does not require sprinkler systems for Business or Storage occupancies without other extenuating circumstances that do not apply here (such as a high-rise or limited access building). This is per NFPA 101, Sections 42.3.8 and Chapter 38. The 2018 IBC does not require a sprinkler system for B occupancies, or S-1 occupancies that are single story or under 12,000 square feet per Sections 903 and 903.2.9. A sprinkler system is not required and will not be provided.

Requirements for Provision of a Fire Alarm System

A fire alarm system is not required for the building due to the limited building size and occupancy classification. Under the 2018 NFPA 101 Business occupancies are not required to have a fire alarm system unless they are three or more stories in height, have 50 or more occupants above or below the level of exit discharge, or have more than 300 total occupants (Section 38.3.4.1). Storage occupancies with ordinary hazard storage are not required to have a fire alarm system unless the area exceeds 100,000 SF per NFPA 101, Section 42.3.4.1.2. The 2018 IBC does not require a fire alarm system for B occupancies unless there is a combined occupant load of 500 or more, there are more than 100 people above or below the level of exit discharge, or there is an ambulatory care facility (Section 907.2.2). IBC, Section 907 does not require a fire alarm system for a typical S occupancy. The building is to be a single story with an area under 2,000 SF and a calculated occupant load of approximately 10 people. A fire alarm system is not required and will not be provided.

Required Fire Flow

The fire flow is to be in accordance with NFPA 1. For a building of combustible construction that is not fire-resistance rated, and has an area below 3,600 square feet, NFPA 1, Table 18.4.5.2.1, requires a minimum fire flow of 1,500 gallons per minute (gpm) at 20 pounds per square inch (psi) for a duration of 2 hours.

A hydrant flow test was conducted on March 20, 2024, by Underground Testing & Services LLC, on hydrants in the vicinity of the planned building. The hydrant flow test indicated an available fire flow of 1,506 gpm at 20 psi.

The results of the hydrant flow test are included in Appendix E.

5.1.5 Mechanical

The heating, ventilation, and air conditioning systems installation will comply with 2018 International Mechanical Code, in accordance with New Hampshire Building Codes.

Heating, Cooling, and Ventilation

Office

Heating and Cooling: A single zone ductless split heat pump with electric resistance baseboard backup with a system remote controller/thermostat will be provided. The system will have low temperature heating with heat pump operation down to -13 degrees Fahrenheit. Wall mounted indoor and exterior wall mounted outdoor units will be provided. Condensate will drain via gravity out the wall to ground.

Ventilation: Required. Natural ventilation is permitted (International Mechanical Code 2018) with a minimum available total operable window opening of 4 percent of office floor area within the space. It is assumed that the total operable window opening area in the office will satisfy this natural ventilation requirement. The mechanical ventilation alternative would be to provide a small energy recovery ventilator.

Restroom

Heating and Cooling: Heating only will be provided via an electric baseboard with a programmable thermostat.

Ventilation: Exhaust ventilation required. A light circuit activated ceiling exhaust fan with backdraft damper will be provided with a ducted sidewall exhaust hood outlet.

Mechanical Room

Heating and Cooling: Heating only will be provided via an electric unit heater with an integral thermostatic controller.

Ventilation: Not required.

Open Storage

Heating and Cooling: Heating and high temperature relieve systems will be provided under Option 2.

Ventilation: Not required if not heated or if heated below 50 degrees F setpoint.

Ice Storage

Heating and Cooling: Heating will not be provided. A cooler and refrigeration equipment package will be provided under Option 2.

Ventilation: A cooler and refrigeration equipment package will be provided under Option 2.

Ice Making Machine Room

Heating and Cooling: A heating system will be provided under Option 2.

Ventilation: Not required.

5.1.6 Plumbing

The plumbing installation will comply with the 2018 International Plumbing Code, in accordance with New Hampshire Building Codes.

Plumbing Utilities

The domestic water entrance will be provided with a water meter and RPZ type backflow preventer.

A separate domestic water feed rough-in with a backflow preventer and water filter will be provided for the ice machine. Heat trace water pipe freeze protection is not included in the scope; however, it should be provided when the filtered water piping rough-in is extended to the ice machine.

A 10-gallon electric domestic water heater with a thermostatic mixing valve assembly in Utility Room to serve hot water needs.

Sanitary/waste gravity piping will drain to a sanitary submersible pump station located outside the building. See Section 5.1.1 Site and Utilities for description.

Plumbing Fixtures

Toilet rooms fixtures will consist of a floor-mounted ADA height water closet with a 1.28 gpf manual flush valve and wall-hung ADA compliant vitreous china lavatory with a 0.5 gpm single handle manual faucet.

Other plumbing fixtures will include a mop receptor with a 1.5 gpm wall mounted manual faucet in the Utility Room; 3-Inch floor drains outside of Ice Room and outside of anticipated cooler locations in Open Storage; two 3/4-Inch non-freeze wall hydrants, one located at the exterior of the Utility Room and one located at the north exterior wall of the Restroom; and a non-freeze utility hose connection at the north exterior wall of the Office.

Storm drainage from the roofs will be managed with roof gutters and downspouts to ground level.

5.1.7 Electrical

The existing underground electrical service and pad mounted transformer were located near the edge of the existing parking lot as a part of the Bulkhead Rehabilitation Project in order to facilitate the replacement of the existing building in the future. The system and equipment are new, in excellent condition, and will be maintained in their current locations.

Portions of the existing underground secondary power conduits near the building and wiring will be replaced.

Permanent power will be provided underground from the existing pad-mounted transformer to the new building. Electrical service will be 120/208 volts, 3 phase, 4 wire to match the existing Eversource pad transformer secondary voltage.

Site lighting will be maintained during construction.

Separate metering provisions will include a minimum of:

- House power for site lights, fuel tank inventory and leak detection systems, site fuel dispensing system, sewer pumps, administration office lights and receptacles, building security and fire alarm systems, site CCTV system, and pier power and lighting systems.
- Power for ice making equipment.
- Power for shared warehouse refrigeration areas including equipment, lights and general-purpose power.

- Provisions for separate metering for tenant/user owned on-site refrigeration structures. Provisions to include power from the transformer to a 3 phase 120/208-volt commercial meter stack with a variety of meter ampere ratings, and variety of feeder breaker sizes (to be determined) and feeder conduits from the meter stack to the vicinity of the proposed tenant/user owned refrigeration equipment. These feeders will terminate in a series of stainless steel, lockable, fused disconnect switches. Wiring beyond these disconnect switches will be tenant/user provided.

5.1.8 Communications

Communications services will be extended to the building via an existing spare conduit installed as a part of the Bulkhead Rehabilitation Project. Portions of the conduits near the building will be removed and extended to the building to accommodate construction.

5.1.9 Security

Temporary outage and modifications to the existing CCTV camera system will be necessary to accommodate construction. The recommended scope of work considers that portions of the system will be removed to accommodate construction and will be replaced/restored. Temporary facilities to support the operation of the system during construction are not included. The PDA will need to confirm constraints and requirements for the temporary outage and modifications to the CCTV camera system.

5.2 Reuse Existing Building Foundations

Based on apparent building performance and field observations, reusing the existing foundations to support the new structure appears technically feasible. However, additional subsurface investigations and design is necessary to confirm reuse of the foundations.

Reuse of foundations would include the following:

- Removal of the existing structure to the top of the existing 1978 portion of the foundations. Existing floor slabs would be completely removed;
- Post-installed anchors installed in the top of the foundation every 6 feet to anchor sill plates and post-installed hold down anchors installed in the top of the foundation walls at the ends of each shear wall;
- Elimination of removal of existing pavement around the foundations being reused; and
- Elimination of removal and reuse of the existing concrete equipment pad at the west of the building.

5.3 Option 1 - Insulation and Cooling (Bait Storage)

Option 1 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- Fork truck access door air curtain; and
- Electrical connections.

5.4 Option 2 - Insulation and Cooling (Ice Storage)

Option 2 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- 5-ton ice machine, skid mounted;
- Ice making machine room heater;
- Open storage heater;
- Open storage high temperature exhaust fan;
- Fork truck access door air curtain;

- Water connections: filtered water to ice maker, hose bibb in open storage; and
- Electrical connections.

5.5 Option 3 – Temporary Dock Power

Option 3 includes providing temporary power from the existing pad mounted transformer, via a dedicated electrical meter, to serve the existing dock power distribution system during construction.

The existing dock power system is relatively new, in excellent condition, and includes corrosion resistant, stainless-steel enclosures and panelboards with corrosion resistant copper busses. Protection for personnel is provided by 6 milliamp (ma) GFC interruption breakers in compliance with the National Electrical Code (NEC).

The existing feeders are routed under the Pier/Dock and terminate at a stainless steel, lockable disconnect at the end of the pier.

Temporary power to the pier will be metered separately and include a weatherproof, lockable, stainless steel, dedicated circuit breaker equipped with 100 ma ground fault protection for marine facilities as per the NEC.

6 - Permitting

6.1 Local Permit Requirements

Since the project is located entirely on state property, local permitting is not required, except as required for environmental permitting.

6.2 State Permit Requirements

The majority of construction activities associated with the project will be within 100 feet of the Highest Observable Tideline (HAT). Since the area of removals will exceed 3,000 square feet, a New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill Permit will be required. Additionally, a NHDES Shoreland Permit will be required to account for construction activities between 100 feet and 250 feet from the HAT.

7 - Estimate of Probable Project Costs

7.1 Methodology

The estimate of probable project costs prepared for this study is intended to reflect the opinion of Oak Point Associates relative to the financial support needed to implement the scope defined herein. Because the estimate is based on concept level design, limited site investigations, and limited discussion with review authorities, it is possible that the scope of the project will change as site investigations, design efforts, and consultations with permit authorities progress during the design phase of the project. Consequently, the estimate of probable costs should be considered preliminary.

The estimate considers an open, competitive bid solicitation and uses current published construction cost information, costs based on similar recent projects, and local cost information. Additionally, the estimate considers construction will begin during the fall of 2024 and will have a duration of 6 to 9 months.

7.2 Mark-Up Factors

The following factors have been accounted for in the estimate:

- General Conditions (7%)
- Design Contingency (15%)
- General Contractor Overhead and Profit (15%)
- General Contractor's Bond (2.5%)

Outlined below are other costs that will be incurred as a part of the project and accounted for in the estimate. These costs are included as a percentage of the total construction cost.

- Design and Permitting Services (8%)
- Construction Period Services (5%)
- Construction Contingency (6%)
- State Project Administration (2.5% assumed)

7.3 Estimated Costs

Funding for the project was reportedly established by the PDA at $1.0 million, including construction, design services, permitting services, construction period services, construction contingency, and miscellaneous construction administration costs.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, June 5, 2024 2:12 PM
To: Myles Greenway
Cc: Lana LaRochelle
Subject: For printing on letterhead MTB AME proposal Engineering etc. Rye retail platform.doc
Attachments: MTB AME proposal Engineering etc. Rye retail platform.doc

Hello,

Please print on letterhead, sign and scan back to me.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

TO: Pease Development Authority ("PDA"), Board of Directors

FROM: Myles Greenway, Interim Director of Ports and Harbors

DATE: June 5, 2024

SUBJECT: Rye Harbor Marine Facility, Retail Platform, Appledore Marine Engineering Services Proposal

Following the NH Fiscal Committee and NH Governor and Council's recent approval of the $1,000,000 ARPA award for retail improvements at the Rye Harbor Marine Facility, the Division of Ports and Harbors (the "Division") requested and received a proposal from its on-call marine engineers, Appledore Marine Engineering, LLC ("AME") for Engineering Services related to construction of a Retail Platform at the Facility (the "Proposal"). The Proposal is attached and includes the following Scope of Work:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

ARPA funded projects are on a tight schedule for getting projects "under contract" and funds "expended". Acceptance of the Proposal will help ensure that this time sensitive project will move forward and put the project "out to bid" for construction services as soon as possible.

As such, if the Board is interested in moving this project forward, the Division respectfully requests authorization from the PDA Board of Directors to accept AME's Proposal and to provide AME with notification to proceed with Engineering Services for the Retail Platform in an amount not to exceed $243,260, as outlined in the Proposal.

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Pease Development Authority ("PDA"), Board of Directors

FROM: Myles Greenway, Interim Director of Ports and Harbors

DATE: June 5, 2024

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Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Rye Harbor – Retail Platform Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Rye Harbor facility has a section along the entrance drive dedicated to the retail sale of fish and light-prepared foods. These "fish shack" buildings allow the fishing industry to sell directly to the public fresh off the boat.

Figure 1 Area of the subject project fish shacks.

Rising water levels and an increase in the intensity of storms have resulted in periodic flooding of the fish shacks, causing severe damage and an interruption to operations. To improve the resiliency of the fish shacks, a project is being proposed to construct an elevated platform above the highest anticipated water level to support prefabricated buildings.

Figure 2 Flooding in early 2024. Note fish shacks on the top left.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a retail platform and prefabricated buildings.

Scope of Work

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to design a new platform and prefabricated buildings. The proposal includes the following:

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions to support the progression of the design services.

1. A topographic survey of the project area, including the location of wetland flags by a Wetland Scientist, the location of the Highest Observable Tide Line outside and along the limit of the survey area, and the location of apparent property boundary monuments (boundary information to be provided by the PDA.
2. Geotechnical subsurface investigations include up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type and requirements, subgrade preparation, and reuse of on-site materials; and
3. Identification and field delineation of jurisdictional wetlands and the highest observable tide line within 100 feet of the project area.

2. Design Services and Preparation of Contract Documents

We will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural, to support the platform design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed;
2. Structural plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of plumbing systems;
5. Design of electrical systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH must provide a check for the applicable permitting fees before submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.
    a. Meetings include a site walk with NHDES wetlands and the Town of Rye Conservation Commission and attendance at the Town of Rye Conservation Commission public meetings.
    b. The project site is expected to be considered "developed" by NHDES Wetlands. If the project impacts undeveloped areas, then a Coastal Functional Assessment may be required by NHDES Wetlands, which is not included in this fee proposal. A modification to the contract may be processed if this is required.
3. An NHDES Application for an individual sewage disposal system. This item is associated with replacing/modifying the existing sewage holding tank for the food preparation shack.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.
- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME/OPA personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;

4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;
11. Permitting except as noted above; and
12. Commissioning.

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule, we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC. PE, BC. OE

President

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, June 4, 2024 3:48 PM
To: Myles Greenway
Subject: RE: Original wording for Rye request
Attachments: Rye_Portsmouth_ARPA_Request_01_22_2024_sam.docx

Entire request

From: Brenda Therrien
Sent: Tuesday, June 4, 2024 3:47 PM
To: Myles Greenway <m.greenway@peasedev.org>
Subject: Original wording for Rye request

Just thought you would find this interesting.

"This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor."

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 18, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct

interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

Raeline O'Neil

From: Raeline O'Neil
Sent: Tuesday, June 4, 2024 11:40 AM
To: Brenda Therrien
Subject: RE: Grant RE: Agenda

Go it, thank you

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, June 4, 2024 11:16 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Adam Winkler <A.Winkler@peasedev.org>
Subject: Grant RE: Agenda

Hi Rae,

Adam just confirmed that they won't be submitting the application until the end of June, so this report can be moved to the August agenda.

Thanks!

Brenda

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Tuesday, June 4, 2024 10:50 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Agenda

Brenda,

Okay, I can check into that.

Any information regarding whether the grant should be reported?

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, June 4, 2024 10:32 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: RE: Agenda

Hi Rae,

There is something happening with the GOFERR funds, but I haven't been given a definitive answer on what that is yet.

Brenda

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Tuesday, June 4, 2024 10:18 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: Agenda

Brenda,

I had not heard, and wondered if you had any additional information regarding:

Contract regarding Portsmouth Fish Pier – Expend GOFERR Funds
Contract regarding Rye Harbor Marine Facility – Expend GOFERR Funds
Division of Ports and Harbors - Application for Department of Homeland Security Grant for Security Cameras and Security Fencing

for the upcoming Board meeting?

Rae

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, May 31, 2024 2:48 PM
To: Brad Cook;Brenda Therrien;Chris Holt;Chris Snow;Chris Ward;Erik Anderson;jeffartwork@yahoo.com;Mike Donahue;Myles Greenway;William McQuillen
Subject: Port Committee agenda-June 4 2023
Attachments: PORT COMMITTEE AGENDA 6-3-2024.pdf

Good afternoon everyone,

In case you are interested, attached is the agenda.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE AGENDA

MONDAY JUNE 3, 2024 8:30 AM

PEASE DEVELOMENT AUTHORITY BOARD ROOM
55 INTERNATIONAL DR.
PORTSMOUTH NH 03801

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1. CALL TO ORDER

2. APPROVAL OF MINUTES

   - October 16, 2023
   - January 9, 2024
   - April 2, 2024

3. PUBLIC COMMENT

4. PORT DIRECTOR'S REPORT
   - Original ARPA request letter-Rye & Portsmouth Fish Pier-Attached
     - Portsmouth Commercial Fish Pier Building
       - Concept Study Results
       - Scope of Work Proposal-Appledore Marine Engineering-Attached

     - Rye Harbor Marine Facility
       - Rip-Rap/Seawall Repair Fee Estimate 2019-Attached
       - Scope of Work Proposal-Appledore Marine Engineering-Attached

5. NEW BUSINESS

6. OLD BUSINESS

7. PRESS QUESTIONS

8. ADJOURNMENT

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, May 31, 2024 1:59 PM
To: Neil Levesque;Karen Conard;Steve Fournier (srfournier@comcast.net);Brad Cook (captbradatlanticfleet@comcast.net);Paul Brean
Cc: Myles Greenway;Anthony Blenkinsop;Raeline O'Neil
Subject: Agenda & Meeting packet, Monday's Port Committee meeting
Attachments: Port Committee, 6-3-2024 meeting packet .pdf

Good afternoon everyone,

Apologies for the delay in getting this out. Please see attached for the subject item.

Hope you all have a nice restful weekend, see you Monday morning!

Brenda

Brenda Therrien
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Division of Ports and Harbors
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PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE AGENDA

MONDAY JUNE 3, 2024 8:30 AM

PEASE DEVELOMENT AUTHORITY BOARD ROOM
55 INTERNATIONAL DR.
PORTSMOUTH NH 03801

1. CALL TO ORDER
2. APPROVAL OF MINUTES
   - October 16, 2023
   - January 9, 2024
   - April 2, 2024
3. PUBLIC COMMENT
4. PORT DIRECTOR'S REPORT
   - Original ARPA request letter-Attached
   - Portsmouth Commercial Fish Pier Building
     - Concept Study Results
     - Scope of Work Proposal-Appledore Marine Engineering-Attached
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     - Scope of Work Proposal-Appledore Marine Engineering-Attached
5. NEW BUSINESS
6. OLD BUSINESS
7. PRESS QUESTIONS
8. ADJOURNMENT

PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE MEETING **Monday October 16, 2023**
MINUTES

Presiding: Neil Levesque, Committee Chair

Present: Steve Fournier, Committee Member
Karen Conard, Committee Member

Attending: Geno J. Marconi, Division of Ports and Harbors Director;
Paul Brean, PDA Executive Director;
Anthony Blenkinsop, PDA General Counsel;
Brad Cook, Chair, Port Advisory Council- Ex officio member

I. Call to Order

Director Levesque, Committee Chair, called the meeting to order at **9:00 a.m.** in the boardroom of the Pease Development Authority at 55 International Dr. Portsmouth, NH.

II. Acceptance of Committee Meeting Minutes: April 6, 2023

Director Fournier **moved** the **motion** and Director Conard **seconded** that the Pease Development Authority Port Committee accept the Minutes of the **April 6, 2023** Port Committee meeting.

Discussion: None

Disposition: Resolved by **unanimous** vote for, motion **carried**.

III. Public Comment:

No public comment.

IV. New Business:

a. **Update on Pda 600 Rules, Conditional Approval Response-** In the meeting package there is a letter received from the Office of Legislative Services (OLS which outlines the items to be addressed under the Joint Legislative Committee on Administrative Rules (JLCAR) Pda 600 Conditional Approval from their meeting on September 21, 2023. The items are related to the rule text vs. the forms. OLS staff reviewed the rules and compared the rule text to the forms, most of the items required language to be updated in the rule text to match the form, or visa versa. This is new to the Division as these concerns hadn't been brought up in the past. The item up for approval is the Divisions "Conditional Approval Response" and includes the full set of the rules, annotated to show all of the proposed changes. Director Marconi reminded the committee members that the draft of the rules could not be submitted to OLS until the PDA Board

approved the language of the initial proposal. The next step will be to get approval from the PDA Board on Thursday, submit to OLS for review, and then move on to Final Adoption of the Rules.

b. **Discussion on Establishing an Overnight Berthing Fee-** At the August PDA Board meeting a question was asked about this fee. Director Marconi indicated he misunderstood the question and submitted a clarification memo to Paul that was included in the September board package. For clarification, a number of years ago the setting of fees were taken out of the RSA 541-A Rulemaking process and are now set by the Pease Development Authority. An overnight recreational-use permit was created and added to the rule text and a form was created, but a fee was not set in the actual schedule of fees. Through all these years no one caught it until Director Levesque brought it up at the August meeting. Discussion included who is required to pay the fee, if someone has a pier use permit can they stay at the pier overnight? A vessel can stay on the recreational pier, with Division approval, and if they not already have a pier use permit, they are charged a single use pier use fee, which is $6.00 per foot. The Pda 600 rules say that anyone using the pier (for commercial activities) shall apply for and secure a pier use permit and is limited to 30 minutes, and includes allowances for exceptions, such as needing more time to unload, or do repairs, etc. By contract with PDA, the vessels that are operating on the recreational side (whale watch, charter boats) must secure a pier use permit and the same rules apply to them that apply to the commercial fishermen, they can tie up and conduct their activities, sometimes it takes longer than 30 minutes. For anyone who wants to stay overnight on the commercial or recreational dock, they have to ask for and receive approval from the Division. If they have a pier use permit, no additional fees are required. If it's someone that does not have a pier use permit, they would be required to apply for an overnight berthing permit. There was a discussion about certain boats being tied up overnight several times at the recreational dock in Rye over the summer. The Director and Chair agreed to disagree on the number of times 2 particular boats were tied up overnight on the recreational pier. The concern is that the perception is the rules appear to not apply to everyone that uses the pier. For clarification, a vessel that wants to tie up overnight on the recreational pier needs to request approval from the Division and have a pier use permit. Typically the Division does not allow the same boat to stay overnight on the recreational dock for several nights in a row. Back to the fee, the $6.00 is the same fee that is charged for a single-use pier use permit, which is one half the cost of the annual pier use permit.

c. **Update on Rye Harbor Fueling System Installation-**The fuel lines have been rehabilitated, photos are included in the packet. The project had unexpected delays due to receiving no bids on the installation of the fuel enclosure and a delay in receiving a part for the equipment that Lakes Region needed. The remainder of the project will begin on or around April 1st, 2024. On a side note, the new ticket kiosk for Rye has been delivered to the Market St. Terminal and will be installed in the spring as well. It will be moved back a little bit to allow for more turnaround space for vehicles. The kiosk will be moved in the winter to protect it from storms.

d. **Port Sponsorship of the USCG Cutter "William Sparling"-** The Division always tries to support federal, state, and municipal agencies to carry out their missions on the water. The Division is a Gold sponsor for the commissioning of the new CG cutter, which will take place at the Coast Guard station in New Castle on Thursday Oct 19th at 11 AM. The cutter is tied up at the UNH dock, the story of the namesake of the vessel is interesting. This vessel is a "fast response cutter" at around 150' in length.

V. Old Business:
No old business.

VI. Press Questions
No Press present.

VII. Adjournment
Director Conard **moved** the **motion** and Director Fournier **seconded** to adjourn the Port Committee meeting. Meeting adjourned at **9:28 a.m.**

DRAFT

PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE MEETING **Tuesday January 9, 2024**
MINUTES

Presiding: Neil Levesque, Committee Chair

Present: Steve Fournier, Committee Member
Karen Conard, Committee Member

Attending: Geno J. Marconi, Division of Ports and Harbors Director;
Paul Brean, PDA Executive Director;
Anthony Blenkinsop, PDA General Counsel;
Brad Cook, Chair, Port Advisory Council- Ex officio member

I. Call to Order

Director Levesque, Committee Chair, called the meeting to order at **8:00 a.m.** in the boardroom of the Pease Development Authority at 55 International Dr. Portsmouth, NH.

II. Acceptance of Committee Meeting Minutes: October 16, 2023

Director Levesque postponed this item until the next Port Committee meeting.

Discussion: None

III. Public Comment:

No public comment.

IV. Directors Report:

a. The main pier project is substantially complete, there are a few punch list items to be completed. There is one part of the project that will need to be completed in the spring, it's underneath the dock, the rip-rap in some spots needs to be brought to the proper elevation. All were invited to come and see the new pier.

b. There was a ship scheduled today, but the weather (45 knots) has delayed the ship. There are 3 ships coming in January. This is good because these are the first ships since the pier project has been completed. This should improve safety and efficiency for unloading the ships.

c. In Hampton, there is a contractor working on the jetty project, the Division is the project partner (by statute) on Army Corp of Engineers projects. A right of entry was given to the contractor to allow them access to bring equipment over.

d. In Rye, a boat came off its mooring during the last storm and ended up on the rocks. It took a few days for them to remove the boat. A hole was discovered in the hull but was patched before putting in the water and there was no water in the boat at all.

e. Portsmouth Fish Pier:

a. the bid was accepted from Riverside & Pickering for the construction of the pier repairs. Execution of the contract documents are taking place now and the project should be completed by early summer.

b. The building at the fish pier is in really bad shape, it was built in 1977, it's a wooden structure. The part of the building that houses the offices is closed off due to the presence of black mold. The refrigerated units in the building are self-contained and are still operational. There is a small work area with a forklift and fishing equipment. There are big garage doors that open to allow for ventilation in those work areas.

c. The Division was approached by NH Fish & Game who facilitates the distribution of Covid 2.0 money for the Atlantic States Marine Fisheries. Remaining funds can be used for infrastructure, so the Division has asked to use the funds for a concept study to be performed and it was approved at the last board meeting. The concept study will provide information on the current industry needs and then the Division can determine different options to replace the building. Once the concept study is done the design and engineering can begin. The Division has submitted a request for funds for engineering, design, permitting and bid and construction phase for the project. There is a turnaround time of 120 days to complete the concept study. Funding will need to be secured for the construction and the Division is looking into PIDP grants, which require a cost share from the Division. The cost for the complete project is estimated at around $4.6 million, that will be reduced for just the building construction piece. Not knowing what the outcome of the concept study will be, the Division is requesting a bit more than the estimate and typically the projects come in under budget.

d. The Army Corp of Engineers is doing a 107 feasibility study in Hampton/Seabrook Harbor to find a long term solution to the continuing shoaling in that harbor. There is a 50/50 cost share for these projects and the State cost share is estimated to be around $516,000. UNH has been doing studies in that harbor for several years, ACOE has indicated they cannot use that data because UNH program is not compatible with the ACOE modeling program. The project is on hold until funding can be secured for the State's share.

e. The Functional Replacement project went out to bid and 1 (one) bid was received at around $24 million. The bid was disqualified because the contractor did not meet the minimum experience requirement. The contractor has submitted a letter to request reconsideration, which is currently under review with the Divisions engineers. Worst case scenario is the project will go back out to bid sometime in February, which will be good because the ACOE permit will be in place.

Discussion included:

- Why was the building checked for mold? Someone reported seeing it.
- The cost per square foot to replace the building, this would include a reconnection to the city sewer, and new refrigerated boxes.

- Deed restrictions on use, for example, the property will be used for commercial fishing purposes only or it goes back to the city, and any buildings have to be architecturally compatible with the neighborhood (ex: cedar shingles).
- The final functionality of the building won't be determined until the concept study is complete. There are a lot of ideas being tossed around. Outreach and public input will be accepted during the preparation of the concept study.

f. A finance report was handed out to the Committee. The year to date actual revenue is off from the YTD budget. There are 3 salt ships coming, which will bring in over $200,000.00 in revenue. The Divisions budget is cyclical and subject to variations. Some items that are impacting the revenue at the terminal is that salt ships are encountering heavy weather along with the drought impacting the Panama Canal is limiting the number of daily transits through the canal. At the smaller facilities, commercial fisherman are fishing longer hours and more often and they are getting fuel from the trucks, this revenue shows up as fuel flowage fee. The regular fuels sales (pumps) are down, mainly due to the rainy weather on the weekends, over this past summer people weren't going out in their boats. One of the marine operators that have slips indicated to Director that people are staying at the docks rather than going out on the water, and that their fuel sales are off by 80%. The recreational pumps in Rye will be installed at the beginning of April. Discussion on markup of pumped fuel, you have to remember that there is O & M associated with the fuel pumps, cost of operation. The fuel trucks provide passive income, as the Division gets 10 cents per gallon for the fuel delivered from the truck. The biggest reason the fuel trucks come in is to service the commercial operators, which fuel up about 3 times a week. It would take over 3 hours to fuel 1000 gallons to fuel from the dispenser. The fuel system is designed to service recreational boats. Question, why aren't we charging the same amount to the fuel truck fee that we would charge anybody else getting fuel? It cannot be justified because it doesn't cost the Division operational money to operate that program. The fuel truck deliveries are an alternative to using the fuel pumps. Biggest factor was that the boats could come in and get the fuel and get out of everyone's way. Times for fuel deliveries are restricted at Rye and Hampton to prevent interference. The fuel flowage fee is being considered for an increase. The profit off the pumps is probably around 18 cents per gallon. It may be that given the market conditions are contributing to the drop in revenue and everyone is experiencing the same situation. The Division is looking at the fee structure at all of it's facilities. The Division is self-funding, and at the end of each fiscal year has never operated at a deficit. The Division has a responsibility to the public to be fair, and a responsibility to the board to not waste money and find a balance. Years ago, under DRED, trucks were not allowed to fuel boats on the property and the users went to another marina to fuel rather than using the pumps at the State facilities. Discussion turned to the cruise ship and the passenger fee of $2.50, is it the same at the other facilities for other large boats? The fee for the cruise ships are coming to the maritime terminal which has a fee structure in place, per regulation. The cruise ship will be coming to the main ship terminal, the Isles of Shoals has an exclusive use of that property as a tenant with a lease. It is outside of the marine terminal and includes other fees such as rent, maintenance fee, and $1 per passenger fee. The fee structure is set for the commercial vessels in Rye and Hampton through the code of administrative rules, they get a pier use permit that allows them to conduct their business on the docks there. They don't have an exclusive use of the dock. How do our fees compare with other places, about 10 years ago a port comparison was completed and the Division is right in the middle. The Division continually

compares their fee structure. The did it for the cruise lines and the passenger fees are higher in Portland for example, but they offer more amenities there. The statement was made that no 2 ports are alike.

V. New Business:

No new business.

VI. Old Business:

No old business.

VII. Press Questions

No Press present.

VIII. Adjournment

Director Fournier moved to adjourn, Director Conard seconded and the meeting adjourned at 8:41 AM.

DRAFT

PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE MEETING **Tuesday April 2, 2024**
MINUTES

Presiding: Neil Levesque, Committee Chair

Present: Steve Fournier, Committee Member
Karen Conard, Committee Member

Attending: Geno J. Marconi, Division of Ports and Harbors Director;
Paul Brean, PDA Executive Director;
Anthony Blenkinsop, PDA General Counsel;
Suzy Anzalone, PDA Finance Director
Myles Greenway, Division of Ports and Harbors Deputy Director;
Brad Cook, Chair, Port Advisory Council- Ex officio member

I. Call to Order

Director Levesque, Committee Chair, called the meeting to order at 8:30 a.m. in the boardroom of the Pease Development Authority at 55 International Dr. Portsmouth, NH.

II. Acceptance of Committee Meeting Minutes: October 16, 2023 & January 9, 2024

Director Levesque indicated he has a substitution for the October 16th minutes, that will passed out and become part of the packet. Approval of minutes for both meetings is postponed until the next Port Committee meeting.

Discussion: None

III. Public Comment:

No public comment.

IV. Finance Directors Report:

A. S. Anzalone explained the details of the Port's Draft Capital Improvement Plan for FY 2024-FY 2030, which was included in the packet. The projects are broken down by State, Federal, and internally funded projects. Some of the projects in Rye will be submitted to FEMA for possible reimbursement. This is the same report that was provided in the Board package last month and will be going before the board for approval. Conard asked if ARPA funds are able to be obligated before the end of the calendar year, yes that is the plan. Director Brean mentioned that he spoke with Commissioner Caswell yesterday with regards to the use of the $2 mil, and as soon as it's approved, we'll start working on it.

B. S. Anzalone handed out and explained a historical performance report for the Ports' unrestricted account funds, so does not include the Revolving Loan Fund, Foreign Trade-Zone account, or the Harbor Dredging and Pier Maintenance Fund. The report shows 4 ½ years of Profit and Loss statements, which includes YTD for FY 2024. The question about when the last operational audit was done. Marconi replied that an annual audit is completed. The last time there was a Legislative audit was in 2000, prior to the administrative merge with Pease. Asst. Port Director Myles Greenway presented the current "Terminal Charges" to the Committee and described some fees that the Division is looking at for possible increases. Greenway presented scenarios on potential increase in revenue for Dockage & Wharfage by 1 cent and 5 cents. Greenway also passed out a sample of the ship log report that the Division uses to determine billing. Fournier asked question about how the Port fees here compare to other ports, a port comparison was done and the fees are close with the tonnage rate at 29 cents, and the dry bulk cargo, and there is room to go up on those, along with the heavy lift category. Follow up question, would an increase in fees impact a cargo company's choice for using the Port? It would impact the salt companies the most, but doesn't believe it would deter them from using this port, considering the road transportation costs by using other ports. The fees were last updated in 2017. Discussion on economy and fees, suggestion to have an automatic increase built in. Director Brean mentioned that the Division does have an annual CPI increase built into the agreements with the tenants at the Market St. Terminal. Discussion on condition of the main wharf condition, and that previously it was in disrepair. The rehabilitation has been done, and this is a good time to increase with the better product to offer, in the way of the new pier. Question, is a vote required to increase the fees? Marconi indicated that the Division reviews the fees each year and if decisions are made to change the fees, it would come before the PDA Board. Questions regarding competition, if we raise prices, does it automatically mean they will go somewhere else? No, it really has to do more with the location of the stockpiles. How is the laydown area compared to other ports, very limited, Granite State Minerals has 3 acres, and Morton Salt has 1 acre of the 11-acre terminal. The terminal is more of a throughput transportation facility. In the past, cargo owners have partnered with PDA for laydown there. Discussion and handout regarding the fuel flowage fee, and how it compares with other facilities. Discussion on increase in wharfage, is there a way to estimate how much the increase would be annually? Hard to know, as it depends on how many ships use the terminal annually. Question regarding the $500 fee for Newburyport, is it a one-time $500 fee and allows them take fuel over the dock, is that correct? Yes, it's a one-time annual fee.

V. Directors Report:

a. Star Island and Shoals Marine Lab, Rights of Entry-Director Marconi indicated that the Division will be asking for approval to enter into a 6-month agreement as their ROE's expired on April 1st. The price per foot for the extension was adjusted so that both ROE's have the same fee. The extension will also allow time for a deeper review to be done and put the renewal of the ROE's at the end of the season, rather than at the beginning of the season.

b. Commercial Mooring Transfer, McCune to Huff. Marconi explained the details of the transfer request. Discussion on the PDA Conflict of Interest (COI) policy and it may pertain to this situation. Levesque indicated that the person that oversees the activities in the harbor should not be allowed to have a business in the harbor. Clarification on who John McCune is. Question on where the harbormasters come from; historically they are local residents, that know the harbors. Marconi described the Harbormasters in Seabrook, Rye, and Hampton. Segregation of duties was described as Huff being the shoreside harbormaster, that has nothing to do with moorings, its administrative and oversees the land side operations, with Leo Axtin being the water side harbormaster. Clarification on the process, the code of Administrative Rules says the PDA Board has to approve Commercial Mooring transfers and the PDA Board delegated that authority to the PDA Executive Director. Discussion of the transfer request process - the transfer request goes to the local Harbormaster, then the Deputy and Chief Harbormasters, then goes to the Port Director, then gets a once over by the Mooring administrator, then it goes to PDA Exec. Director for final approval and, if approved, is reported to the PDA Board. Levesque mentioned the HR Ethics procedure adopted last fall and feels it should be reviewed by the Attorney General's office for an opinion. Anytime, you are in charge of regulating state/tax payer property and also running a business it's different than having a recreational mooring situation because its commerce. Levesque noted the Committee would not be voting today. Fournier asked whether the AG would comment or not on the PDA COI policy? Blenkinsop noted that the AG is legal counsel to the PDA, and the question is would this scenario violate the PDA COI Policy. PDA legal will reach out to the AG's office - unsure whether they would opine or how long it would take for them to opine. Further discussion included other harbormasters that currently have commercial moorings, the process for investigations in that case, and shore based/administrative harbormaster duties vs. waterside harbormaster duties. As a point of clarification, local harbormasters are code enforcers, not law enforcement. If there is any dispute or controversy about a mooring issue it goes through a process. Because this one involved an employee, the Division is bringing it to the Committee's attention. Levesque had further discussion on duties of the harbormaster and looking at the public perception. Feels there must be a clear separation of duties. Concern is the State employee is going to be self-regulating. Brean explained the item was put in this Committee packet as a point of transparency, PDA will reach out to AG as requested by Levesque. Discussion on whether commercial moorings that were in place prior to the COI policy that became effective last fall are grandfathered. Further discussion indicated the COI policy being discussed is applicable to PDA employees only.

c. Rye Harbor Ramp Repair, due to storm damage the ramp is unusable, prices are being gathered for repair. Underneath the original ramp are concrete slabs, but they're old and replacement has been on the Capital Improvement Plan.

d. Hampton Harbor Electrical Repair to the fuel system, due to storm damage. PDA's on call electrical provider Martineau, provided a quote for repairs. The Division will be asking for approval for the repair, it's about $24,000. The Division will seek reimbursement from FEMA.

VI. New Business:
No new business.

VII. Old Business:
No old business.

VIII. Press Questions:
No Press present, however, Joe Watts from Star Island spoke on the operations at the Burge Dock, and mentioned there are 35,000 people who use the facility and they employ 200 people. The use of the Burge Dock is critical to their operations.

IX. Adjournment:
Director Fournier moved to adjourn, Director Conard seconded and the meeting adjourned at 9:23 AM.

DRAFT

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		$0	$2,000,000	$2,000,000
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		$0	$2,000,000	$2,000,000

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

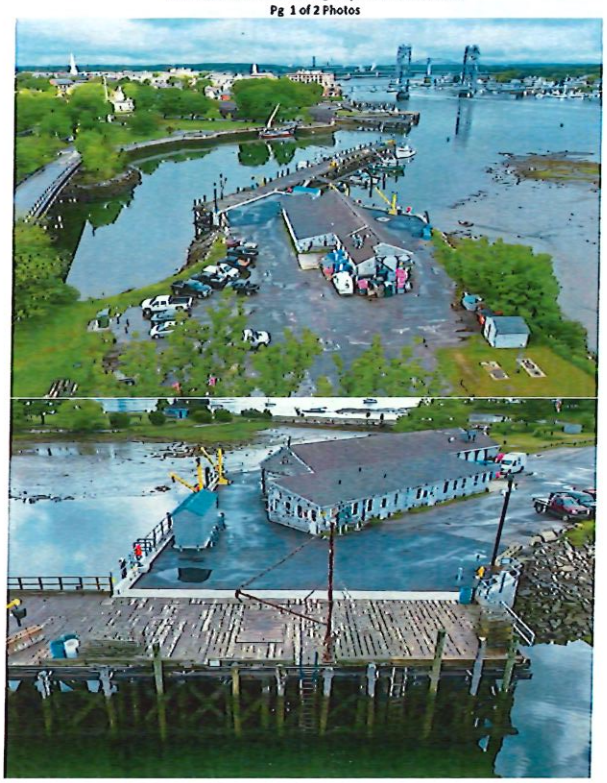
The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Appledore Marine Engineering, LLC

600 State Street, Suite E | Portsmouth New Hampshire 03801

May 15, 2024

Myles Greenway
PDA Division of Ports & Harbors (PDA)
555 Market Street
Portsmouth, New Hampshire 03801

Cc: Atlantic States Marine Fisheries Commission (ASMFC)

Re: Portsmouth Commercial Fish Facility Building - Concept Study
Portsmouth NH

Dear Mr. Greenway

Appledore Marine Engineering, LLC (AME) is pleased to submit this concept study for the replacement of the Commercial Fish Facility Building on Pierce Island, Portsmouth, NH. Presented in this study are a narrative description with associated drawings and opinion of probable design, permit application, and construction costs.

During concept development, it was determined that replacement of the existing facility in kind would likely exceed the anticipated budget by a significant amount. It was jointly decided between PDA and AME that that most logical course of action for the study would be to focus on developing a base bid concept that satisfies the minimum core functions of the facility and bid options for opportunities to expand the scope of the project, should additional funding become available. The anticipated cost for the base bid concept exceeds the current anticipated budget, but it is our opinion that it represents the minimum scope required to maintain operations at the facility. The table below provides a summary of anticipated costs associated with the base bid of the project:

Table 1: Summary of Anticipated Costs

TASK	AMOUNT
Engineering Studies / Design	$99,400
Permit Application Development	$14,200
Construction Engineering / Administration	$106,500
Design / Engineering / Permitting Subtotal	**$220,100**
Demolition / HAZMAT / Removals	$239,980
Construction of New Facility	$959,920
Demolition / Construction Subtotal	**$1,199,900**
TOTAL PROJECT (Base Bid)	**$1,420,000**

This effort represents the conceptual phase of design with the intent to provide a viable replacement concept for the building, general arrangement plan, and opinion of the probable costs. The next phase of this project would be to progress the concept development to the design of construction documents and develop/submit permit applications.

Thank you for the opportunity to work with you on this study. If you have any questions or require additional information, please do not hesitate to contact us.

Noah J. Elwood, PE, D.PE, D.OE
President

Travis Baker, PE
Project Manager

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Portsmouth Fish Pier – Replacement Building Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Fish Pier is the hub of commercial fishing on the seacoast of New Hampshire, providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The current condition and presence of black mold have necessitated a replacement building to be considered. In cooperation with Oak Point Associates (OPA), AME completed a concept study for a replacement building. The final study, submitted on May 15th, identified a "minimum" concept, determined in collaboration with PDA-DPH personnel, with an estimated cost of $1,420,000. The cost includes engineering, design, bidding, permitting, and construction.

Figure 1 Conceptual Rendering of Replacement Building

Further reductions in the "minimum" concepts are understood to be needed to achieve the budget goal.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a new building.

Scope of Work

Acknowledging the budget constraints, we request that the PDA-DPH define the minimum operational characteristics based on priorities. This will be essential to focus design efforts and achieve the project budget goals.

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to replace the existing building. The proposal includes the following:

1. Additional Design Phase Site Investigations, Surveys and Program Analysis;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Additional Design Phase Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions further to allow the progression of the design services.

1. Supplemental topographical survey to define gaps in the record information;

2. Geotechnical subsurface investigations including up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type, frost protection depth, foundation drainage, subgrade preparation, pavement section, and reuse of on-site materials and
3. Test pits (2) to verify the condition and dimensions of the existing foundation system. Test pits will be filled with existing excavated soils, and a gravel compacted surface will remain. Further repairs and/or paving will be completed in the follow-up building construction project.

2. Design Services and Preparation of Contract Documents

To support the replacement building design, we will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural and interior design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed, including hazardous materials as indicated in a report by others;
2. Building plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of HVAC and plumbing systems;
5. Design of electrical and communications systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH will need to provide a check for the applicable permitting fees prior to submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.

- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME's/OPA's personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant included in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;
4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 52,715
Site Investigations, Surveys and Program Analysis	$ 32,483
Design Services and Preparation of Contract Documents	$ 83,017
Permitting Services	$ 19,316
Construction Period Services	$ 30,888
Total Architectural and Engineering Services	**$218,419**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah J Elwood, PE, BC. PE, BC. OE
President

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Rye Harbor – Retail Platform Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Rye Harbor facility has a section along the entrance drive dedicated to the retail sale of fish and light-prepared foods. These "fish shack" buildings allow the fishing industry to sell directly to the public fresh off the boat.

Figure 1 Area of the subject project fish shacks

Rising water levels and an increase in the intensity of storms have resulted in periodic flooding of the fish shacks, causing severe damage and an interruption to operations. To improve the resiliency of the fish shacks, a project is being proposed to construct an elevated platform above the highest anticipated water level to support prefabricated buildings.

Figure 2 Flooding in early 2024. Note fish shacks on the top left.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a retail platform and prefabricated buildings.

Scope of Work

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to design a new platform and prefabricated buildings. The proposal includes the following:

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions to support the progression of the design services.

1. A topographic survey of the project area, including the location of wetland flags by a Wetland Scientist, the location of the Highest Observable Tide Line outside and along the limit of the survey area, and the location of apparent property boundary monuments (boundary information to be provided by the PDA.
2. Geotechnical subsurface investigations include up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type and requirements, subgrade preparation, and reuse of on-site materials; and
3. Identification and field delineation of jurisdictional wetlands and the highest observable tide line within 100 feet of the project area.

2. Design Services and Preparation of Contract Documents

We will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural, to support the platform design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed;
2. Structural plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of plumbing systems;
5. Design of electrical systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH must provide a check for the applicable permitting fees before submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.
    a. Meetings include a site walk with NHDES wetlands and the Town of Rye Conservation Commission and attendance at the Town of Rye Conservation Commission public meetings.
    b. The project site is expected to be considered "developed" by NHDES Wetlands. If the project impacts undeveloped areas, then a Coastal Functional Assessment may be required by NHDES Wetlands, which is not included in this fee proposal. A modification to the contract may be processed if this is required.
3. An NHDES Application for an individual sewage disposal system. This item is associated with replacing/modifying the existing sewage holding tank for the food preparation shack.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.
- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME/OPA personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;

4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;
11. Permitting except as noted above; and
12. Commissioning.

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule, we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah J Elwood, PE, BC. PE, BC. OE
President

Appledore Marine Engineering, LLC

600 State Street, Suite E | Portsmouth New Hampshire 03801

March 4, 2019

Geno Marconi
Pease Development Authority Division of Ports and Harbors
555 Market Street
Portsmouth, New Hampshire 03801

Re: Rye Harbor Revetment Repair to Pre-Storm Condition Outline
Rye, New Hampshire

Dear Capt. Marconi:

Appledore Marine Engineering, LLC (AME) has been tasked to quantify and define the limits of deterioration as a result of the spring 2018 storm. The outline includes project Background, Extents of Deterioration, Quantity of Revetment Loss, and Estimated Construction Cost.

BACKGROUND

The Rye Harbor facility is subject to erosion of the shoreline between the concrete and timber pier as well as north of the boat ramp. The shoreline along this portion of the facility is altered with riprap and the erosion typically occurs as a result of wave activity during periods of high water and storm surges. A spring storm in 2018 caused erosion of the revetment and displaced the facility fuel lines.

The purpose of this outline is to determine the extent of deterioration, quantity loss of material, and estimate construction cost.

EXTENTS OF DETERIORATION

A post-event inspection was completed to identify the extent of deterioration. The inspection determined that deterioration was limited to 122 feet between the concrete pier and timber pier and 386 feet of revetment north of the boat ramp. The figure below depicts the area of deterioration, shaded in red.

QUANTITY OF REVETMENT LOSS

To quantify the revetment loss from the spring 2018 storm AME had to first determine the "Pre-Storm" condition at the facility. The pre-storm condition was determined based on archive research, previous site surveys, and as-built measurements taken at the facility. To visually depict the pre-storm condition a three-dimensional rendering of the revetment was developed using computer software.

As a part of this project a site survey was completed by Doucet Survey as a sub-consultant to AME. The survey was completed in January 2019, using a Trimble S7 Total Station and a Trimble R10 Survey Grade GPS with a Trimble TSC3 Data Collector and Sokkia B21 Auto Level. The survey results were used to determine the existing, post-event, site condition and topography.

Utilizing three-dimensional civil site computer software the January 2019 site survey was compared directly to the pre-storm condition data to quantify of loss of revetment. Drawings were developed to visually depict the loss of fill and have been provided as an attachment to this document.

Comparing the pre-storm condition and the existing site survey the loss of revetment between the timber and concrete pier (122 feet) and 386 feet north of the boat ramp is approximately 1,075 CY.

ESTIMATED CONSTRUCTION COST

An estimated construction cost was developed to provide an approximate value to use for budgetary purposes. The estimate assumes that the project will be scheduled to optimize contractor mobilization and demobilization; that the project will be completed without major interruptions to schedule, and the contract will be awarded through a competitive bid process.

The following additional assumptions were made in the development of the estimate:

- All work will be completed from the shore
- No in-water work will be required
- Stone will comply with NHDOT Class III stone

The estimated construction cost to restore the Rye Harbor revetment to the pre-storm condition is $345,000. Detailed back up has been provided as an attachment to this document.

If you have any questions or require additional information, please do not hesitate to contact us.

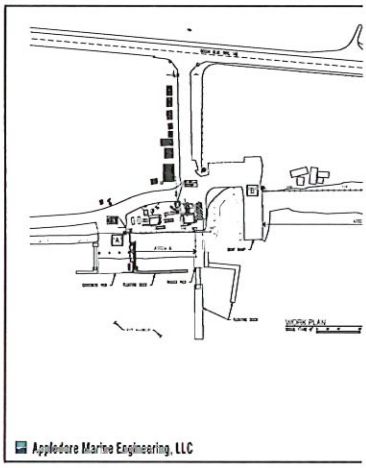
Regards,

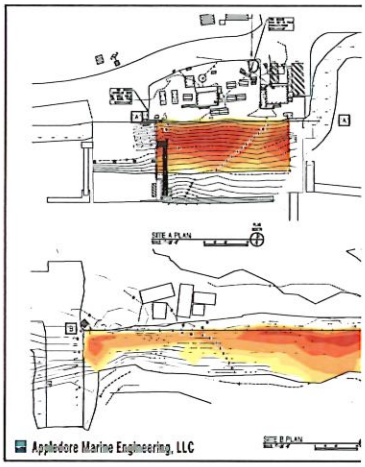
Kirk Riden, PE
Vice President

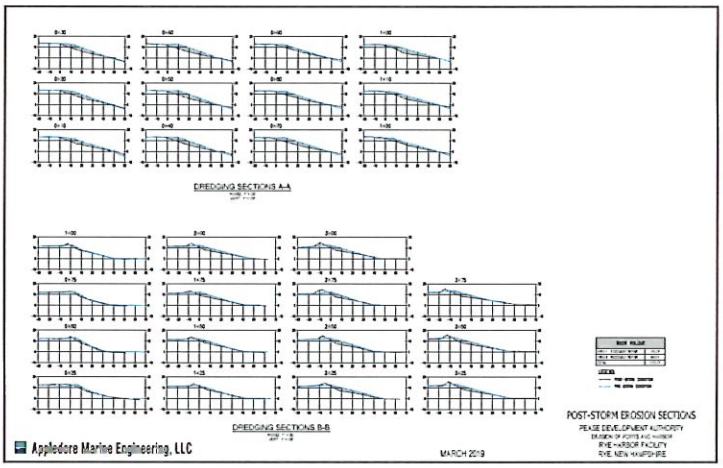
Kyle Vandemoer, PE
Project Engineer

Attachments:

1. Rye Harbor Revetment Deterioration Drawings
2. Detailed Cost Estimate







Project: Kiti Kat Harbor Rip Rap Repair
Location: Kat, MH

Project Number: 5228
Design Status: Preliminary
Estimated by: C. Pollard
Date: 28 Feb 25
Reviewed by: K. Hutchinson

ROUGH ORDER OF MAGNITUDE ESTIMATE - Direct Costs

Item #	Task Description	Quantity Unit	Quantity Number	Materials Unit Cost	Materials Total	Labor Cost Unit Cost	Labor Cost Total	Equipment Cost Unit Cost	Equipment Cost Total	Engineering Estimate Unit Cost	Engineering Estimate Total	Burdened Total
1	Mobilization	LS	1	$ -	$ -	$ -	$ -	$ 12,144	$ 12,144	$ 12,144	$ 12,144	$ 16,764
2	Rip-rap repair	CY	3475	$ 109	$ 378,775	$ 36.38	$ 126,418	$ 58.18	$ 202,175	$ 204	$ 709,368	$ 979,328
										Construction Subtotal	$ 721,512	$ 995,892
	Subtotal									0.0%	$ -	
										Total Construction	$ 721,512	
	Contractor Overhead									10.0%	$ 72,151	$ 99,589
	Contractor General Conditions									5%	$ 36,076	$ 49,795
	Contractor Profit									10.0%	$ 72,151	$ 99,589
	Bonds									2.0%	$ 14,430	$ 19,918
										Total Contract Amount Estimated Cost, Rounded Up	$ 916,000	$ 1,264,000
	Escalation to mid-point of construction									4.0%	$ 33,276	
	Construction Contingency									10.0%	$ 92,400	
										Total Design and Engineering Allowance	$ 82,500	
										Estimated Budget Amount (Rounded up)	$ 845,000	

Raeline O'Neil

From: Myles Greenway
Sent: Friday, May 31, 2024 11:08 AM
To: Paul Brean;Suzy Anzalone
Cc: Brenda Therrien
Subject: Checking in FW: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)

Good Morning

Happy Friday – wanted to pass the latest we received regarding ARPA funding obligations etc....please see below...have incorporated into my notes for Mondays meeting...

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Friday, May 31, 2024 10:44 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Checking in FW: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda-

Apologies, my explanation below might not have been clear.

We would like to see the funds under contract – i.e. obligated- by September 30th. If they are under contract by then, great – and GOFERR will be OK with Pease extending the fiscal authorization for those funds beyond 9/30/24. If the funds are not under contract by then, GOFERR will need to assess the likelihood that the funds can get obligated by the end of the year. If GOFERR is comfortable that Pease is close to getting the funds obligated and will be able to do so by 12/31/24, we'll likely be OK with Pease extending the fiscal authorization beyond 9/30/24. But if there are major concerns that Pease may not be able to get the funds obligated, GOFERR might not approve an extension of the

fiscal authorization, and seek to take the funds back to re-use for another purpose. Remember, if the funds aren't obligated by the end of the year, the State has to send those funds back to the federal government, so if Pease cannot get the funds obligated we would want to take those funds back for another project.

I don't want you to worry about this too much – if you aren't able to get them obligated by 9/30/24 but are close to doing so, it likely won't be an issue after GOFERR reviews where the projects are.

-Tom

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, May 31, 2024 9:38 AM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
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Thank you Tom,

I think the confusion was that we needed to be under contract by Sept 30. We should have no problem having the funds obligated by Dec 31st.

Appreciate the clarification!

Brenda

> **From:** Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
> **Sent:** Friday, May 31, 2024 9:36 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
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> Hi Brenda,
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> So long as Pease can get these funds under contract by then, GOFERR should be OK with an extension of the fiscal authorization beyond 9/30/24, likely to 6/30/25, the end of the biennium – we would then be ensured that Pease has obligated those funds before the ARPA obligation deadline. The reason why that is important is if the funds are not obligated by the time specified in ARPA, the funds must be sent back to US Treasury.
>
> The expended by piece – under ARPA, all funds must be expended by 12/31/26. So that is the absolute outer limit.

Hope this helps, but feel free to follow up if you have more questions,

Tom

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, May 31, 2024 9:28 AM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
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Good morning,
We are just trying to confirm the important dates for the attached approval.

Under contract by Sept 30, 2024
Expended by?

From: Brenda Therrien
Sent: Thursday, May 30, 2024 9:48 AM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)

Good morning Tom & Steve,

We have been working on this and in looking at the attached, I have a bad feeling that the projects need to be under contract by September 30 rather than Dec 31? Is that true?

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, May 31, 2024 11:02 AM
To: Myles Greenway
Subject: RE: Checking in FW: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)

No, I was thinking we should do the same thing, Suzy too.

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Friday, May 31, 2024 11:01 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: FW: Checking in FW: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)

Any objections if I send to Paul? I have in my "notes" as well for Monday...

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Sent: Thursday, May 30, 2024 9:48 AM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)

Good morning Tom & Steve,

We have been working on this and in looking at the attached, I have a bad feeling that the projects need to be under contract by September 30 rather than Dec 31? Is that true?

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

Subject:	Port Committee work session-Next steps for ARPA Funds PFP & Rye
Location:	PDA Board meeting Room, 55 International Dr. Portsmouth NH
Start:	Mon 6/3/2024 8:30 AM
End:	Mon 6/3/2024 9:30 AM
Recurrence:	(none)
Meeting Status:	Accepted
Organizer:	Brenda Therrien
Required Attendees:	Brenda Therrien; Neil Levesque; Karen Conard; Steve Fournier (srfournier@comcast.net); Myles Greenway; Paul Brean; Brad Cook; Anthony Blenkinsop
Optional Attendees:	Raeline O'Neil; Suzy Anzalone; Steve Fournier

-----Original Appointment-----
From: Brenda Therrien
Sent: Wednesday, May 22, 2024 9:15 AM
To: Brenda Therrien; Neil Levesque; Karen Conard; Steve Fournier (srfournier@comcast.net); Myles Greenway; Paul Brean; Brad Cook; Anthony Blenkinsop
Cc: Raeline O'Neil; Suzy Anzalone; Steve Fournier
Subject: Port Committee work session-Next steps for ARPA Funds PFP & Rye
When: Monday, June 3, 2024 8:30 AM-9:30 AM (UTC-05:00) Eastern Time (US & Canada).
Where: PDA Board meeting Room, 55 International Dr. Portsmouth NH

This is a kickoff meeting to discuss the best use of the ARPA funding received for the Portsmouth Fish Pier Building and Rye Harbor improvements. The goal will be to determine the course of action going forward to ensure there is a contract in place for each facility, ASAP (no later than Dec 31, 2024) and to complete the projects no later than June 30, 2025, as per the requirements of the funding.

I will send an agenda and any other related materials as soon as possible.

Brenda

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Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, May 30, 2024 2:56 PM
To: Myles Greenway
Subject: Try again?
Attachments: 1-PORT COMMITTEE AGENDA 6-3-2024.doc

PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE AGENDA

MONDAY JUNE 3, 2024 8:30 AM

PEASE DEVELOMENT AUTHORITY BOARD ROOM
55 INTERNATIONAL DR.
PORTSMOUTH NH 03801

---

1. CALL TO ORDER

2. APPROVAL OF MINUTES

    a. October 16, 2023
    b. January 9, 2024
    c. April 2, 2024

3. PUBLIC COMMENT

4. PORT DIRECTOR'S REPORT

    a. Portsmouth Commercial Fish Pier Building

    A. ARPA Funded May 14, 2024, Building Replacement Study- "Costs of engineering study, design, permitting, and construction for a replacement building"
        a. Next phase to determine the "use" and "must haves" for the building
            i. Industry needs
                1. Cold storage for lobster bait
                2. Ice machine with cold storage
            ii. Port needs
                1. Office, bathroom, mechanical room
        b. Scope of Work Proposal-Appledore Marine Engineering (enclosed)
            1. Site Investigations and Surveys;
            2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate); Permitting Services;
            3. Submission and Deliverables; and
            4. Construction Period Services.

b. Rye Harbor Marine Facility

A. ARPA Funded May 14, 2024, "Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations."

a) Scope of Work Proposal-Appledore Marine Engineering (enclosed)

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate); Permitting Services;
3. Submission and Deliverables; and
4. Construction Period Services.

5. NEW BUSINESS

6. OLD BUSINESS

7. PRESS QUESTIONS

8. ADJOURNMENT

Raeline O'Neil

From:	Brenda Therrien
Sent:	Thursday, May 30, 2024 9:54 AM
To:	Myles Greenway
Subject:	FW: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)
Attachments:	Fiscal and G C - Rye -Portsmouth ARPA Request dated 3-18-24.pdf

FYI

From: Brenda Therrien
Sent: Thursday, May 30, 2024 9:48 AM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Deadline dates-- Rye & PFP approval FIS 24-115 (4/16) G & C #76 (5/1)

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We have been working on this and in looking at the attached, I have a bad feeling that the projects need to be under contract by September 30 rather than Dec 31? Is that true?

Brenda

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Administrative Assistant
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b.therrien@peasedev.org
www.portofnh.org

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

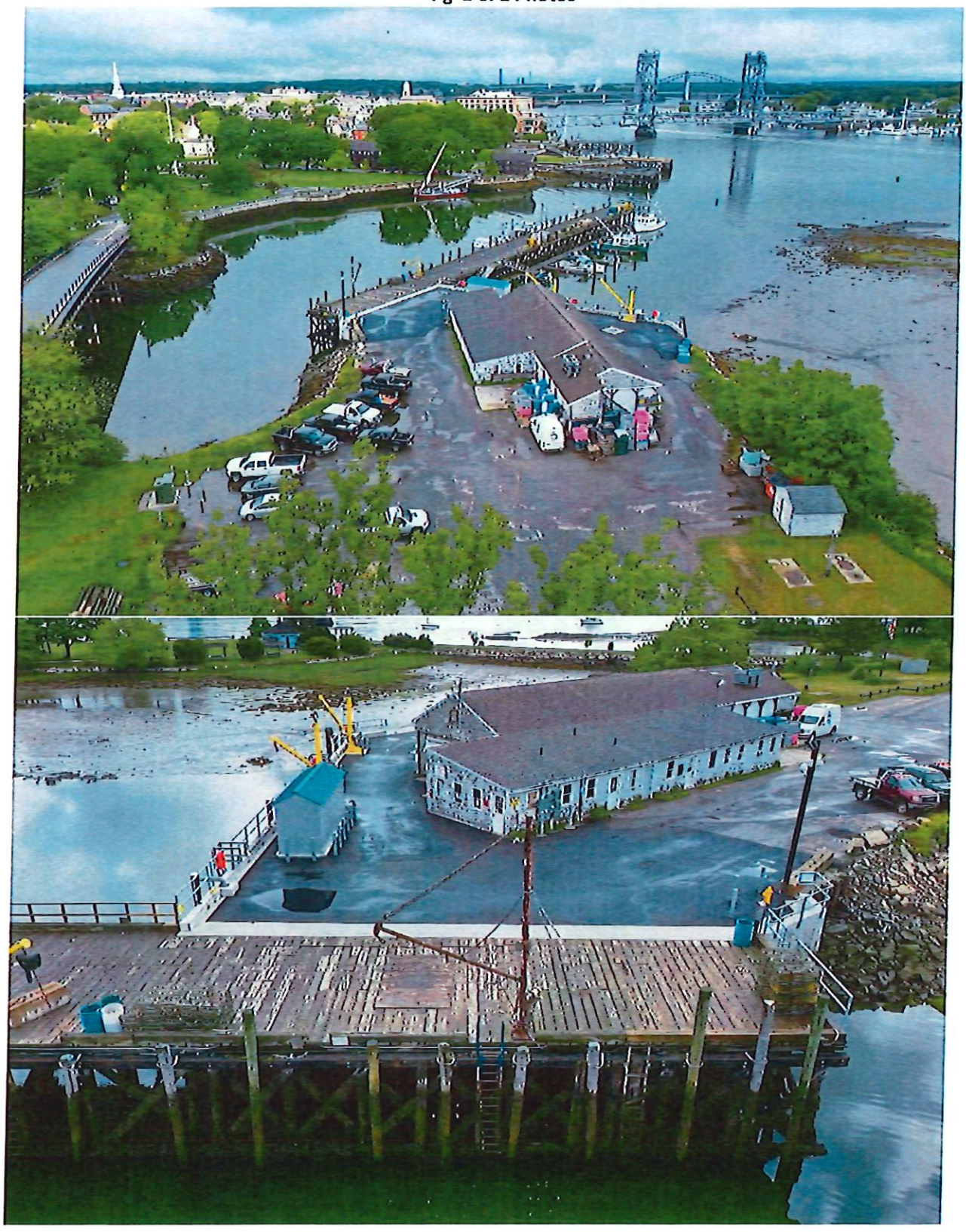
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, May 24, 2024 9:37 AM
To: Myles Greenway
Subject: RE: Port Committee Workshop Agenda.docx

Myles,

I think we might have a better idea of what the workshop might look like after you/we meet with Paul and Neil. Did they intend this to be an all-day event? If it's going to be all day, I need to let everyone know. I also need to know how public input will work, will they sign up, or will they be able to participate in the discussions?

We should establish what the goal is, and I believe that will also be answered when you meet with Paul and Neil. It may be as simple as getting the PC approval to bring the 2 AME proposals to the PDA Board in June, without going into too much detail on the actual plans.

I mean, we are going to have to spend some money on engineering etc. I also think there should be a clause in the AME proposals that allow us to stop the project at any time should the needs of the Port change (especially in the case of Rye, if the Board decides a raised platform may not be in the best interest of the facility)

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Friday, May 24, 2024 8:32 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: Port Committee Workshop Agenda.docx
Importance: High

Brenda

Can you please look at the attached drafts… see what works and doesn't …or add – thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Port Committee Workshop Agenda

55 International Drive
Board Conference Room

3 June 2024

3 June:

0830	Sponsor Kick-Off
0830 - 0845	Stakeholder Participation Introductions *Name, Organization, Brief Background*
0845- 0900	Workshop Overview Background(s) Collectively Establish Discussion "Ground-Rules"
1000 – 1200	Discuss the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024.

– 10-minute breaks throughout –

1. The Portsmouth Commercial Fish Pier.

2. The Rye Harbor Marine Facility ("Rye Harbor").

1200 – 1300	Lunch
1300 – 1645	Continue Baseline Risk Survey and Risk Characterization
1645 – 1730	Resolve Tabled Topics & Wrap-up

XX June - Day Two:

0800 – 0830	Review Workshop & Resolve Outstanding Topics
0830 – 0845	Baseline Risk Results – generated by Day One team surveys
0845 – 0930	Prioritize Top Risks – facilitated group discussion & consensus
0940 – 1100	Establish Risk Mitigation Goals for Top Risks
1100 – 1200	Lunch (working)
1200 – 1500	Continue Mitigation Discussion & Goals Consensus
1500	Workshop Wrap-up Feedback Survey Post-PAWSA Actions Closing Remarks

Port Committee Workshop

Facilitated by the Pease Development Authority-Port Committee

Background and Purpose

The Pease Development Authority-Division of Ports and Harbors ("the Division") is authorized to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

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This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Primary Goal of the Workshop

A Workshop aims to enhance coordination and cooperation between agencies internally and the private sector. Participants representing our facility users, stakeholders, environmental interest groups, and federal, state, and local regulatory authorities come together to collaboratively assess projects. Workshop stakeholders engage in facilitated discussions that identify long-term solutions tailored to our local circumstances.

An agency workshop is a collaborative event organized by a creative or advertising agency to engage clients, stakeholders, or internal teams in generating ideas, solving problems, and developing strategies for projects. It typically includes agency professionals like account managers and creative directors, clients' decision-makers, and experienced facilitators. The workshop involves introductory sessions, presentations, brainstorming activities, breakout sessions, prototyping, feedback discussions, and action planning. Tools such as whiteboards, sticky notes, collaborative software, and creative exercises like mind mapping are used to stimulate innovative thinking and organize ideas. The primary outcomes are a range of creative concepts, well-defined strategies, enhanced team alignment, and improved skills for participants, making the workshop a dynamic and productive experience that leverages collective expertise and creativity.

Navigation	Vessel Quality & Operation	Traffic	Waterway
Winds	Deep Draft Commercial Vessels	Volume of Commercial Traffic	Dimensions
Currents/Tides	Shallow Draft Commercial Vessels	Volume of Recreational Traffic	Obstructions
Visibility Restrictions	Commercial Fishing Vessels	Traffic Mix	Visibility Impediments
Bottom Type	Recreational Vessels	Congestion	Configuration

- **Navigational Conditions** – The environmental conditions that vessels must deal with in a waterway.
- **Vessel Quality and Operations Conditions** – Crew operating proficiency & the quality of vessels on a waterway.
- **Traffic Conditions** – Number of vessels that use a waterway and how they interact with each other.
- **Waterway Conditions** – Physical properties of the waterway that affects vessel maneuverability.

Priority risk factors for your PAWSA will be identified and discussed to then develop potential mitigation strategies (e.g., public/private partnerships, education, coordination, policy/regulatory improvements, and physical waterway configuration enhancements).

Workshop Participants

Workshop participants actively deliberate issues during the workshop and jointly develop non-binding risk mitigation measures. Participants consist of stakeholders and waterways users that represent a broad cross-section of the waterway community. Waterway users are those involved in the movement of vessels in the waterway being assessed, such as vessel masters, pilots, and officers of operating companies. Stakeholders represent those whose livelihood and/or quality of life are affected by waterway activities.

Participants speak as reliable and respected representatives of others engaged in similar work or having similar interests. Limited to 15 two-person teams, selected participants balance: a) navigation and traffic management expertise, and b) representation of all significant stakeholder groups within the affected waterway community. The group must include expertise and current knowledge in the following areas: pilotage, ship handling, aids to navigation, maritime law enforcement, vessel traffic management, protection of natural resources, marine casualty response and investigation, and waterway community planning and economics. Participants should be currently working in direct support of waterway-related activities, preferably for an extended period.

The workshop sponsor may host a stakeholder engagement meeting in advance of the formal workshop to prime dialogue and enhance community representation for the two-day event.

Raeline O'Neil

From: Myles Greenway
Sent: Friday, May 24, 2024 9:10 AM
To: Vanessa Swasey;Brenda Therrien
Cc: Noah J. Elwood, P.E.
Subject: RE: Rye Harbor - Platform Proposal - AME

Good Morning

Received – thank you!
Have a great weekend!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Vanessa Swasey <VSwasey@appledoremarine.com>
Sent: Thursday, May 23, 2024 4:48 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Noah J. Elwood, P.E. <nelwood@appledoremarine.com>
Subject: Rye Harbor - Platform Proposal - AME

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good Afternoon,

As promised, please find attached executed proposal for the Rye Harbor platform for your review and consideration.

As always, should you have any questions please let us know.

Have a nice evening,

Vanessa

Vanessa Swasey, Office Manager

Appledore Marine Engineering, LLC
www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

Raeline O'Neil

From: Myles Greenway
Sent: Friday, May 24, 2024 9:11 AM
To: Paul Brean
Cc: Brenda Therrien
Subject: FW: Rye Harbor - Platform Proposal - AME
Attachments: PDA-DPH Rye Proposal 20240523.pdf

Good Morning Paul

Please see attached Rye Harbor - Platform Proposal. Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

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Vanessa

Vanessa Swasey, Office Manager

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www.appledoremarine.com
600 State Street, Suite E
Portsmouth, NH 03801

Office: 603-766-1870
Cell: 603-475-2825

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Rye Harbor – Retail Platform Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Rye Harbor facility has a section along the entrance drive dedicated to the retail sale of fish and light-prepared foods. These "fish shack" buildings allow the fishing industry to sell directly to the public fresh off the boat.

Figure 1 Area of the subject project fish shacks.

Rising water levels and an increase in the intensity of storms have resulted in periodic flooding of the fish shacks, causing severe damage and an interruption to operations. To improve the resiliency of the fish shacks, a project is being proposed to construct an elevated platform above the highest anticipated water level to support prefabricated buildings.

Figure 2 Flooding in early 2024. Note fish shacks on the top left.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a retail platform and prefabricated buildings.

Scope of Work

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to design a new platform and prefabricated buildings. The proposal includes the following:

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions to support the progression of the design services.

1. A topographic survey of the project area, including the location of wetland flags by a Wetland Scientist, the location of the Highest Observable Tide Line outside and along the limit of the survey area, and the location of apparent property boundary monuments (boundary information to be provided by the PDA.
2. Geotechnical subsurface investigations include up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type and requirements, subgrade preparation, and reuse of on-site materials; and
3. Identification and field delineation of jurisdictional wetlands and the highest observable tide line within 100 feet of the project area.

2. Design Services and Preparation of Contract Documents

We will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural, to support the platform design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed;
2. Structural plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of plumbing systems;
5. Design of electrical systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH must provide a check for the applicable permitting fees before submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.
    a. Meetings include a site walk with NHDES wetlands and the Town of Rye Conservation Commission and attendance at the Town of Rye Conservation Commission public meetings.
    b. The project site is expected to be considered "developed" by NHDES Wetlands. If the project impacts undeveloped areas, then a Coastal Functional Assessment may be required by NHDES Wetlands, which is not included in this fee proposal. A modification to the contract may be processed if this is required.
3. An NHDES Application for an individual sewage disposal system. This item is associated with replacing/modifying the existing sewage holding tank for the food preparation shack.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.
- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME/OPA personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;

4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;
11. Permitting except as noted above; and
12. Commissioning.

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule, we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC. PE, BC. OE

President

Raeline O'Neil

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Location:	Paul's office, 55 International Dr. Portsmouth
Start:	Tue 5/28/2024 10:00 AM
End:	Tue 5/28/2024 11:00 AM
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Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
Required Attendees:	Myles Greenway; Paul Brean; Mike Mates; Tracy Shattuck; Tomas Maciel

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V/r
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Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

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Open to discussing further if you have any questions.

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Pease Development Authority, Portsmouth, NH

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600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Portsmouth Fish Pier – Replacement Building Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Fish Pier is the hub of commercial fishing on the seacoast of New Hampshire, providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The current condition and presence of black mold have necessitated a replacement building to be considered. In cooperation with Oak Point Associates (OPA), AME completed a concept study for a replacement building. The final study, submitted on May 15th, identified a "minimum" concept, determined in collaboration with PDA-DPH personnel, with an estimated cost of $1,420,000. The cost includes engineering, design, bidding, permitting, and construction.

Figure 1 Conceptual Rendering of Replacement Building

Further reductions in the "minimum" concepts are understood to be needed to achieve the budget goal.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a new building.

Scope of Work

Acknowledging the budget constraints, we request that the PDA-DPH define the minimum operational characteristics based on priorities. This will be essential to focus design efforts and achieve the project budget goals.

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to replace the existing building. The proposal includes the following:

1. Additional Design Phase Site Investigations, Surveys and Program Analysis;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Additional Design Phase Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions further to allow the progression of the design services.

1. Supplemental topographical survey to define gaps in the record information;

2. Geotechnical subsurface investigations including up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type, frost protection depth, foundation drainage, subgrade preparation, pavement section, and reuse of on-site materials and
3. Test pits (2) to verify the condition and dimensions of the existing foundation system. Test pits will be filled with existing excavated soils, and a gravel compacted surface will remain. Further repairs and/or paving will be completed in the follow-up building construction project.

2. Design Services and Preparation of Contract Documents

To support the replacement building design, we will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural and interior design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed, including hazardous materials as indicated in a report by others;
2. Building plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of HVAC and plumbing systems;
5. Design of electrical and communications systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH will need to provide a check for the applicable permitting fees prior to submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.

- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME's/OPA's personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant included in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;
4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 52,715
Site Investigations, Surveys and Program Analysis	$ 32,483
Design Services and Preparation of Contract Documents	$ 83,017
Permitting Services	$ 19,316
Construction Period Services	$ 30,888
Total Architectural and Engineering Services	**$218,419**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC. PE, BC. OE

President

STUDY

BUILDING REPLACEMENT STUDY
Pease Development Authority Portsmouth Commercial Fish Pier
Piscataqua River, Portsmouth, New Hampshire

Prepared For:

Pease Development Authority
Division of Ports and Harbors
555 Market Street, PO Box 369
Portsmouth, New Hampshire
May 14, 2024

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architecture engineering planning

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1 - Executive Summary

1.1 Project Overview

The New Hampshire Port Authority – Division of Ports and Harbors (PDA) is interested in replacing the existing building at the Commercial Fish Pier at Peirce Island Road in Portsmouth, New Hampshire. Built circa 1978 with two additions added in later years, the existing building is inefficient for its current needs and is in a state of disrepair, requiring either substantive repairs and improvements, or replacement.

Funding for the project was reportedly established by the PDA at $1.0 million, which includes construction, design services, permitting services, construction period services, construction contingency, and miscellaneous PDA construction administration costs.

1.2 Recommendations

The PDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

Due to funding limitations, it is recommended to remove the existing building in its entirety and replace the existing original 1978 portion of the building in the same location. Existing foundations should be reused, if determined feasible during the design process. The office, restroom, and utility room should be finished as a part of the base-bid contract, as well as all necessary demolition and paving. The following scope items should be provided as bid options:

1. Insulation and cooling for the bait storage area;
2. Insulation and cooling for the ice making/storage area; and
3. Temporary dock power.

1.3 Estimate of Project Costs

An Estimate of probable project costs has been prepared for the scope of work considered in this Study. These costs are considered preliminary, due to the limited level of site investigations and design and are intended to assist the PDA in determining the level of funding needed to provide the program defined herein.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.

2 - Introduction

2.1 Study Objectives

The objectives of this study include completing assessment of the existing building conditions, research, surveys, analysis and concept design to confirm the scope of work, and project costs for the replacement of the existing building.

2.2 Site Investigations

The following surveys and investigations were completed to verify existing conditions within the vicinity of the project area for the purposes of this study:

1. Field investigations, including measurement and inspection of the existing structures;
2. A partial topographic survey completed by Doucet Survey in March 2024 to supplement record survey information;
3. Utility location within the vicinity of the project area completed by Doucet Survey in March 2024 to confirm and supplement record information;
4. Review of available geotechnical data and field conditions, and development of preliminary recommendations by R.W. Gillespie and Associates;
5. Hazardous materials survey completed by RPF Environmental; and
6. Hydrant flow test completed by Utility Testing Services and witnessed by Oak Point Associates.

2.3 Coordination

To verify project requirements and constraints the following authorities and organizations were contacted:

- City of Portsmouth Department of Public Works; and
- New Hampshire Department of Environmental Services

3 - Existing Conditions

3.1 Existing Building

The existing Fish Pier building is a one-story, wood-framed building with a slab-on-grade ground floor. The original building was constructed circa 1978 and had two later additions on the east end of the original building. The building additions are a combination of wood framed and concrete masonry unit (cmu) block structures.

Structural

There are structural framing plans available for the original building, but there are no plans available for the additions.

A visual assessment of the existing building structure was conducted on March 29, 2024, which was limited due to the existing finishes in the building. The existing building structure shows no apparent signs of distress or damage. There are signs of deterioration of the existing exterior finishes along the roof eaves that are most likely allowing water to penetrate into the interior of the structure and there could be hidden deterioration of the existing wood framing that cannot be visually assessed. Based on soundings taken, the existing cmu walls in the addition do not appear to be reinforced (all cells appear to be hollow), which would have been a typical construction practice at the time the building was constructed.

An analysis of the existing framing and foundation systems was not conducted as part of this study. The existing roof framing system consists of pre-engineered metal-plate-connected wood trusses. Based on the age of the building, the existing wood trusses would not have been designed to support unbalanced snow loads, which is now required by the current building code for buildings of this size and configuration. There is no indication of the loads the trusses were designed for in the record drawings. If constructed today, the current code mandated unbalanced snow load is 60 PSF for the original building. It is unlikely that the existing trusses are capable of supporting the code mandated unbalanced snow loads. Based on the age of the structure, it is also unlikely that the building wall and roof framing systems have a properly designed lateral force resisting system (shear walls and roof diaphragm) to resist seismic and wind forces.

Record drawings depict the configuration of the existing foundation system for the portion of the building constructed circa 1978. There is no apparent information for the foundations associated with other portions of the building.

Inspection of the existing building foundations did not find any visual signs of foundation settlement or movement. Due to the lack of subsurface information and documentation, the condition is unknown, but assumed to be in fair to good condition.

The record drawings indicate most of the original building floor consists of a 6-inch-thick concrete slab, but, in the bait storage area, the floor consists of a 4-inch-thick concrete slab underlain by 4 inches of rigid insulation placed over an 8-inch-thick concrete slab.

Architectural

Exterior finishes consist of painted wood shake siding, painted wood trim, and asphalt shingle roofing. Openings consist of double hung windows, single entry doors, louvers, and overhead doors. In general, exterior finishes show significant signs of deterioration.

Interior finishes consist of painted gypsum board walls and ceilings, painted CMU walls, FRP panels, VCT flooring, and poured concrete floors. Painted wood doors and painted wood trim are present throughout the interior space. Hazardous materials have also been documented in the building. Miscellaneous equipment and furniture are located throughout the interior spaces. In general, interior finishes show significant signs of deterioration.

Mechanical

HVAC

Heat throughout the occupied spaces is provided via electric baseboard heaters with wall mounted thermostats. The work room between the coolers has an electric unit heater that is in poor condition and not functional. All of the heating units are in poor condition. Some offices contain window mounted air conditioners in fair to poor condition. The only observed mechanical ventilation equipment was ceiling exhaust fans in the single user restrooms. Each had its own switch-activated ceiling exhaust fan. They are in poor condition. There is a louvered vent on the gable wall above the outside cooler door to the bait cooler. Record drawings indicate there was a wall exhaust fan in the work room. A wall patch observed on the exterior of the work room wall marks the apparent location where the fan was located.

Process Equipment

The facility has two coolers; a bait cooler and a cooler used to store fish and ice filled containers. Each cooler has its own functioning refrigeration system. The condensing unit for each cooler is located at the exterior on a ground-level pad. The enclosures are weathered, and in fair condition. The facility also has a functioning 5-ton ice making machine. The ice machine's refrigeration system has been changed out at least once, as the original R-22 refrigeration identification label has been manually revised to reflect the use of R-404 refrigerant. The equipment is in fair condition. The air-cooled condenser unit is located on the gable roof where service access is very difficult.

Plumbing

A sanitary waste and vent piping system is present in the building that serves floor drains in the coolers and work room between the coolers, two single user restrooms, and a single-bowl counter mounted convenience sink in the office addition. Each fixture gravity drains to one of two sump pits. One is in the floor of the mechanical room, and the other is in the floor of an abandoned bathroom. The collected waste in the sumps is pumped out of the building to a force main in Peirce Island Road.

The 1-1/2-inch domestic water entrance piping is equipped with a water meter and backflow preventer. There is also another water meter located on a branch water service. The domestic water entrance equipment is in fair to poor condition. Domestic hot water needs are served by a 40-gallon electric water heater with a hand-written installation date of September 24, 2021. It is in good condition.

The facility's two single user restrooms are equipped with floor mounted toilets with manual flush valves and a wall mounted vitreous china lavatory with manual faucet. One restroom has had the fixtures updated and is in good condition. The other restroom does not appear to be actively used and is in poor condition.

There is also an abandoned bathroom. It contains a shower enclosure, a counter-mounted lavatory with half the counter cut off, and an empty resurfaced floor space where a toilet was once located. A sanitary sump pump pit with PVC

discharge and vent piping is located at the bathroom entrance.

A single bowl stainless steel counter sink in the office area is in poor condition.

Wall hydrants and hose bibbs for the building are varied in their condition with some being worn and at the end of their useful life.

Electrical

The existing electrical service is provided by Eversource via underground medium voltage conductors from a pad-mounted utility owned transformer, located at the southeast of the building, near Peirce Island Road. Secondary power extends underground from the pad mounted transformer to a 4-meter commercial electrical meter stack located on the building exterior. The underground electrical service was installed circa 2021 as part of the Bulkhead Rehabilitation project.

The electrical power distribution system within the building is over 20 years old and in fair to poor condition. The main panelboards and equipment are located in the utility room in the administration office area.

There is a 100-amp, 100 milli-amp (ma) ground fault protection circuit in the utility room, which serves the existing pier power distribution boxes.

Power from the main utility room serves the existing office area lighting and general-purpose receptacles. Power for on-site refrigeration equipment, ice making equipment, and warehouse/cooler/freezer lighting is provided from utility room panelboards.

Power wiring and disconnect equipment serving refrigeration and ice making equipment is in fair to poor condition. Open junction boxes and unsupported wiring were observed in several locations, including the ice machine equipment room.

The 120-volt power wiring and 120-volt duplex receptacles in the building are old and in fair to poor condition. Some receptacles were noted as broken and damaged. There are some ground fault (GF) receptacles in damp areas, however the location of ground fault protection does not comply with current National Electrical Code (NEC) requirements.

Power and control wiring serving the boat fuel dispenser equipment was new circa 2021 and is in good to excellent condition. Conduit seal fittings at the building and at the dispenser locations are in compliance with NEC. The on-site fuel storage monitoring system control panel is located in the existing electric room.

Lighting

Lighting systems within the office areas of the building include ceiling mounted fluorescent fixtures with magnetic ballasts and wrap around acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in the warehouse, coolers, and freezer areas are surface, ceiling mounted fluorescent fixtures with magnetic ballasts, florescent lamps, and damp location acrylic lenses. The fixtures are in fair to poor condition.

Light fixtures in support spaces, toilet rooms, and closets include fluorescent and incandescent fixtures. These fixtures are old and in poor condition.

Existing site lighting includes pole and building mounted LED fixtures. The fixtures are relatively new. The wiring appears to be older and in fair condition.

Telephone

Telephone service extends from a utility pole adjacent to Peirce Island Road to the building in an underground conduit provided circa 1978. This conduit is smaller than the phone company's current standards. Spare conduits intended for future telephone and internet service were provided from a utility pole near Peirce Island Road to the building alongside the power service constructed as a part of the Bulkhead Rehabilitation Project.

Telephone service into the building terminates at a terminal block in the Utility Room. The telephone wiring is limited to a few internal phone jacks for voice phone service and is in poor to fair condition.

Security Systems

The existing site closed circuit television (CCTV) system includes a series of exterior mounted, wet location, exterior cameras, which are hard-wired back to video equipment in the building Utility Room. The CCTV cameras were partially funded by homeland security funds and the coverage includes views of the adjacent Piscataqua River and surrounding areas.

Hazardous Materials

RPF Environmental completed a hazardous materials survey for the existing building. The survey included accessible asbestos containing material in accordance with the initial asbestos inspection requirements prior to renovation or demolition work as stated in the New Hampshire State regulations and applicable federal regulations. In addition, the survey included screening for lead paint (LP) and other hazardous or regulated materials.

Several types of suspect asbestos containing material (ACM) were observed by RPF, including friable and nonfriable suspect material. Based on the testing performed by RPF, asbestos was detected in the following materials:

- 12-inch tan floor tile
- Tan vinyl sheet flooring and adhesive

Based on the year of construction and extent of renovation conducted over the years, it is reasonable to assume that some lead paint (LP) is present. RPF conducted limited spot testing of paint and LP was absent on various interior and exterior building components. The intent of the lead testing was for potential lead hazardous waste disposal screening purposes only.

Based on the RPF visual observations, potential polychlorinated biphenyl (PCB) containing light ballasts, mercury containing switches, and fluorescent light bulbs are present throughout the building.

The Hazardous Material Survey is included in Appendix D.

3.2 Site and Utilities

Existing site conditions in the vicinity of the Fish Pier Building are depicted on the Existing Conditions Site Plan (Sheet CX101), included in Appendix B. The existing site conditions for the project area are based on a limited topographic survey completed by Doucet Survey in March 2024, and record drawings. The location of underground utilities is based on utility location paint marks completed by Doucet Survey in March 2024, and record drawings.

Horizontal control for the project is based on the New Hampshire State Plane Coordinate System 2800, West Zone, North American Datum of 1983. The vertical datum is based on mean lower low water (MLLW), which is 4.62 feet above NAVD88.

Circulation and Accessibility

Vehicles gain access to the site from Peirce Island Road. The area surrounding the building and extending to the bulkhead is paved and allows for vehicle circulation around the building and access to the building and waterfront.

Subsurface Soil Conditions

Record boring logs indicate that subsurface conditions in the vicinity of the Fish Pier Building consist of granular fill (sand and gravel, some silt) over naturally deposited silt and sand over bedrock. The logs indicate that the fill extends to depths of about 15 feet below the ground surface and contains materials described as debris and wood. The fill thicknesses appear consistent with the record information for the original building. Record design drawings called for construction to follow New Hampshire Department of Public Works and Highways Standard Specifications dated 1974 and the use of gravel fill. The materials are consistent with gravel fill; however, it appears to contain deleterious material locally. Limited Standard Penetration Test N-values indicate consistent fill relative density, suggesting compactive effort was applied as the fill was placed.

Preliminary Geotechnical Recommendations for the project, prepared by R.W. Gillespie and Associates is included in Appendix C.

Pavements

Significant cracking is present throughout the parking lot, except at the west of the Fish Pier Building, where pavements were replaced as a part of the Bulkhead Rehabilitation project.

Utilities

Storm Drainage

Stormwater runoff from site development generally sheet-flows over paved and vegetated areas, over the embankment, and into the Piscataqua River.

Sanitary Sewer

A duplex submersible sewer pump station is present within the building's Utility Room, which receives flow from the building's bathrooms and floor drains. A 2-inch sewer force main extends out the south side of the building, then turns to the east and runs parallel to the water main and connects to two force mains in Peirce Island Road (recently installed 24-inch diameter and an old force main). Installation of the 24-inch force main included partial replacement of the Fish Pier service pipe and valves within the limits of the road.

Water

A 6-inch water service extends from the City's distribution pipe within Peirce Island Road to the south side of the existing building where it terminates at a hydrant that was constructed circa 2021. A 2-inch water service extends to the building from the 6-inch line.

Fuel

A 3,000-gallon and a 15,000-gallon underground fuel storage tank are present at the east of the building. Underground fuel piping and controls extend along the north of the building to a fuel dispensing structure located at the west of the building. Gas and diesel storage tank high-level alarm panels are mounted to the west side of the cold-storage structure.

Flood Elevations

According to the current FEMA Flood Map, the project site is not within a flood hazard zone. The base flood elevation of the Piscataqua River, in the vicinity of the project site is 12.86 feet (MLLW). Pavement elevations around the existing building are approximately 14.50 feet.

4 - Program Requirements

4.1 Building

The FDA identified program requirements for the project include an office space with a bathroom, a utility room, and space for ice making and storage (5 containers). The office space needs to be located along the west side of the building and maintain views of the waterfront.

The existing structure will be demolished in its entirety and a new building will be constructed in the same location as the original 1978 structure. If possible, the existing foundations for the original building will be reused. Areas within the building that are not occupied by the identified program will be used to replicate the existing bait storage area and provide space for general storage.

5 - Recommended Scope of Work

5.1 Base Bid

The following narrative describes the recommended Base Bid scope of work to achieve the project objectives, considering the project budget constraints.

5.1.1 Site and Utilities

Removals

Removals will include existing asphalt pavement around the perimeter of foundations and utilities to support new utility services and connections.

Pavement Repairs

The bituminous pavement section used to restore disturbed areas will consist of 18 inches of base course and 4 inches of bituminous concrete pavement that conforms to New Hampshire Department of Transportation Standard Specifications placed on a prepared subgrade.

Site Facilities

Bollards will be provided at each overhead door, building corners, and to protect above-grade utility systems that could be damaged by vehicle circulation.

Utilities

Sanitary Sewer: A 4-inch gravity sanitary sewer service will be extended from the building to a submersible sewer pump station located at the exterior of the building. The discharge pipe will be connected to the existing 2-inch force main that extends to the City's sewer force mains in Peirce Island Road.

Water: The existing 2-inch water service will be replaced to 5 feet outside of the building and extended into the Utility Room.

Fuel System: The existing fuel system will be temporarily shut down during the construction of the building due to budget limitations.

5.1.2 Structural

Removals

Removals will include the entire existing building structure and foundation system. The existing foundation system, not within the area of the building construction, will only be removed to 12 inches below the existing ground surface for budgetary reasons.

If it is determined during the design process that the existing foundations for the 1978 portion of the building are sufficient to support the new structure, then removal of foundations will not be required.

Building Structure

The new structure's roof will consist of both sloped and flat metal-plate-connected wood trusses connected to the wall framing with truss connectors. Plywood roof sheathing will be provided for the roof diaphragm.

The new structure's wall framing will consist of wood stud walls connected to the foundation with shear wall hold-down anchors. Plywood wall sheathing will be provided for the shear walls.

Foundations

The new structure's foundation system will consist of reinforced concrete foundation footings and reinforced concrete foundation walls. A reinforced concrete slab-on-ground will be provided to support the imposed building occupant load and forklift vehicle loads.

Since there are record drawings of the original building's foundation system, it may be possible to reuse the existing foundation system to support the building structure. A structural analysis of the existing foundation will be necessary to determine if it has sufficient capacity to support the current code mandated loads. Also, geotechnical investigations will be necessary to prove that the existing site soil conditions are suitable for supporting the proposed new structure (refer to geotechnical report in Appendix C).

5.1.3 Architectural

Exterior

The proposed building will have an approximate footprint of 2,000 square feet. The characteristics of the building will aim to blend with the architectural style with the surrounding neighborhood while also relating to the original commercial fish pier building.

The new, single-story structure will be made up of several distinct building volumes with varying wall heights and roof styles. Wood or composite shake style siding will wrap the building envelope and be accented with wood or composite trim. Several window styles will be incorporated into the design to allow for sightlines, natural ventilation, and natural lighting. The gable roof surfaces will be finished with an asphalt shingle system and the low-sloped roof surface will have a membrane system. Entry doors and overhead doors will be located on various building elevations to allow for efficient building access and operation.

Interior

Interior spaces will be arranged in a similar manner to the existing building. The FDA office space, which will include a bathroom and utility room, will be located at the west end of the building adjacent to the waterfront. Interior access from the office space into the ice production space and cold storage space will be provided. Interior finishes will be selected as the design is further developed.

5.1.4 Fire Protection/Life Safety

Requirements for Provision of a Sprinkler System

A sprinkler system is not required for the building due to the limited building size and occupancy classification. The 2018 NFPA 101 does not require sprinkler systems for Business or Storage occupancies without other extenuating circumstances that do not apply here (such as a high-rise or limited access building). This is per NFPA 101, Sections 42.3.8 and Chapter 38. The 2018 IBC does not require a sprinkler system for B occupancies, or S-1 occupancies that are single story or under 12,000 square feet per Sections 903 and 903.2.9. A sprinkler system is not required and will not be provided.

Requirements for Provision of a Fire Alarm System

A fire alarm system is not required for the building due to the limited building size and occupancy classification. Under the 2018 NFPA 101 Business occupancies are not required to have a fire alarm system unless they are three or more stories in height, have 50 or more occupants above or below the level of exit discharge, or have more than 300 total occupants (Section 38.3.4.1). Storage occupancies with ordinary hazard storage are not required to have a fire alarm system unless the area exceeds 100,000 SF per NFPA 101, Section 42.3.4.1.2. The 2018 IBC does not require a fire alarm system for B occupancies unless there is a combined occupant load of 500 or more, there are more than 100 people above or below the level of exit discharge, or there is an ambulatory care facility (Section 907.2.2). IBC, Section 907 does not require a fire alarm system for a typical S occupancy. The building is to be a single story with an area under 2,000 SF and a calculated occupant load of approximately 10 people. A fire alarm system is not required and will not be provided.

Required Fire Flow

The fire flow is to be in accordance with NFPA 1. For a building of combustible construction that is not fire-resistance rated, and has an area below 3,600 square feet, NFPA 1, Table 18.4.5.2.1, requires a minimum fire flow of 1,500 gallons per minute (gpm) at 20 pounds per square inch (psi) for a duration of 2 hours.

A hydrant flow test was conducted on March 20, 2024, by Underground Testing & Services LLC, on hydrants in the vicinity of the planned building. The hydrant flow test indicated an available fire flow of 1,506 gpm at 20 psi.

The results of the hydrant flow test are included in Appendix E.

5.1.5 Mechanical

The heating, ventilation, and air conditioning systems installation will comply with 2018 International Mechanical Code, in accordance with New Hampshire Building Codes.

Heating, Cooling, and Ventilation

Office

Heating and Cooling: A single zone ductless split heat pump with electric resistance baseboard backup with a system remote controller/thermostat will be provided. The system will have low temperature heating with heat pump operation down to -13 degrees Fahrenheit. Wall mounted indoor and exterior wall mounted outdoor units will be provided. Condensate will drain via gravity out the wall to ground.

Ventilation: Required. Natural ventilation is permitted (International Mechanical Code 2018) with a minimum available total operable window opening of 4 percent of office floor area within the space. It is assumed that the total operable window opening area in the office will satisfy this natural ventilation requirement. The mechanical ventilation alternative would be to provide a small energy recovery ventilator.

Restroom

Heating and Cooling: Heating only will be provided via an electric baseboard with a programmable thermostat.

Ventilation: Exhaust ventilation required. A light circuit activated ceiling exhaust fan with backdraft damper will be provided with a ducted sidewall exhaust hood outlet.

Mechanical Room

Heating and Cooling: Heating only will be provided via an electric unit heater with an integral thermostatic controller.

Ventilation: Not required.

Open Storage

Heating and Cooling: Heating and high temperature relieve systems will be provided under Option 2.

Ventilation: Not required if not heated or if heated below 50 degrees F setpoint.

Ice Storage

Heating and Cooling: Heating will not be provided. A cooler and refrigeration equipment package will be provided under Option 2.

Ventilation: A cooler and refrigeration equipment package will be provided under Option 2.

Ice Making Machine Room

Heating and Cooling: A heating system will be provided under Option 2.

Ventilation: Not required.

5.1.6 Plumbing

The plumbing installation will comply with the 2018 International Plumbing Code, in accordance with New Hampshire Building Codes.

Plumbing Utilities

The domestic water entrance will be provided with a water meter and RPZ type backflow preventer.

A separate domestic water feed rough-in with a backflow preventer and water filter will be provided for the ice machine. Heat trace water pipe freeze protection is not included in the scope; however, it should be provided when the filtered water piping rough-in is extended to the ice machine.

A 10-gallon electric domestic water heater with a thermostatic mixing valve assembly in Utility Room to serve hot water needs.

Sanitary/waste gravity piping will drain to a sanitary submersible pump station located outside the building. See Section 5.1.1 Site and Utilities for description.

Plumbing Fixtures

Toilet rooms fixtures will consist of a floor-mounted ADA height water closet with a 1.28 gpf manual flush valve and wall-hung ADA compliant vitreous china lavatory with a 0.5 gpm single handle manual faucet.

Other plumbing fixtures will include a mop receptor with a 1.5 gpm wall mounted manual faucet in the Utility Room; 3-Inch floor drains outside of Ice Room and outside of anticipated cooler locations in Open Storage; two 3/4-Inch non-freeze wall hydrants, one located at the exterior of the Utility Room and one located at the north exterior wall of the Restroom; and a non-freeze utility hose connection at the north exterior wall of the Office.

Storm drainage from the roofs will be managed with roof gutters and downspouts to ground level.

5.1.7 Electrical

The existing underground electrical service and pad mounted transformer were located near the edge of the existing parking lot as a part of the Bulkhead Rehabilitation Project in order to facilitate the replacement of the existing building in the future. The system and equipment are new, in excellent condition, and will be maintained in their current locations.

Portions of the existing underground secondary power conduits near the building and wiring will be replaced.

Permanent power will be provided underground from the existing pad-mounted transformer to the new building. Electrical service will be 120/208 volts, 3 phase, 4 wire to match the existing Eversource pad transformer secondary voltage.

Site lighting will be maintained during construction.

Separate metering provisions will include a minimum of:

- House power for site lights, fuel tank inventory and leak detection systems, site fuel dispensing system, sewer pumps, administration office lights and receptacles, building security and fire alarm systems, site CCTV system, and pier power and lighting systems.
- Power for ice making equipment.
- Power for shared warehouse refrigeration areas including equipment, lights and general-purpose power.

- Provisions for separate metering for tenant/user owned on-site refrigeration structures. Provisions to include power from the transformer to a 3 phase 120/208-volt commercial meter stack with a variety of meter ampere ratings, and variety of feeder breaker sizes (to be determined) and feeder conduits from the meter stack to the vicinity of the proposed tenant/user owned refrigeration equipment. These feeders will terminate in a series of stainless steel, lockable, fused disconnect switches. Wiring beyond these disconnect switches will be tenant/user provided.

5.1.8 Communications

Communications services will be extended to the building via an existing spare conduit installed as a part of the Bulkhead Rehabilitation Project. Portions of the conduits near the building will be removed and extended to the building to accommodate construction.

5.1.9 Security

Temporary outage and modifications to the existing CCTV camera system will be necessary to accommodate construction. The recommended scope of work considers that portions of the system will be removed to accommodate construction and will be replaced/restored. Temporary facilities to support the operation of the system during construction are not included. The PDA will need to confirm constraints and requirements for the temporary outage and modifications to the CCTV camera system.

5.2 Reuse Existing Building Foundations

Based on apparent building performance and field observations, reusing the existing foundations to support the new structure appears technically feasible. However, additional subsurface investigations and design is necessary to confirm reuse of the foundations.

Reuse of foundations would include the following:

- Removal of the existing structure to the top of the existing 1978 portion of the foundations. Existing floor slabs would be completely removed;
- Post-installed anchors installed in the top of the foundation every 6 feet to anchor sill plates and post-installed hold down anchors installed in the top of the foundation walls at the ends of each shear wall;
- Elimination of removal of existing pavement around the foundations being reused; and
- Elimination of removal and reuse of the existing concrete equipment pad at the west of the building.

5.3 Option 1 - Insulation and Cooling (Bait Storage)

Option 1 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- Fork truck access door air curtain; and
- Electrical connections.

5.4 Option 2 - Insulation and Cooling (Ice Storage)

Option 2 includes the following scope of work:

- Modular construction of 4-inch-thick insulated metal wall and ceiling panels with injected urethane on the walls and ceiling;
- Cooling equipment mounted on a concrete equipment pad;
- 5-ton ice machine, skid mounted;
- Ice making machine room heater;
- Open storage heater;
- Open storage high temperature exhaust fan;
- Fork truck access door air curtain;

- Water connections: filtered water to ice maker, hose bibb in open storage; and
- Electrical connections.

5.5 Option 3 – Temporary Dock Power

Option 3 includes providing temporary power from the existing pad mounted transformer, via a dedicated electrical meter, to serve the existing dock power distribution system during construction.

The existing dock power system is relatively new, in excellent condition, and includes corrosion resistant, stainless-steel enclosures and panelboards with corrosion resistant copper busses. Protection for personnel is provided by 6 milliamp (ma) GFC interruption breakers in compliance with the National Electrical Code (NEC).

The existing feeders are routed under the Pier/Dock and terminate at a stainless steel, lockable disconnect at the end of the pier.

Temporary power to the pier will be metered separately and include a weatherproof, lockable, stainless steel, dedicated circuit breaker equipped with 100 ma ground fault protection for marine facilities as per the NEC.

6 - Permitting

6.1 Local Permit Requirements

Since the project is located entirely on state property, local permitting is not required, except as required for environmental permitting.

6.2 State Permit Requirements

The majority of construction activities associated with the project will be within 100 feet of the Highest Observable Tideline (HAT). Since the area of removals will exceed 3,000 square feet, a New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill Permit will be required. Additionally, a NHDES Shoreland Permit will be required to account for construction activities between 100 feet and 250 feet from the HAT.

7 - Estimate of Probable Project Costs

7.1 Methodology

The estimate of probable project costs prepared for this study is intended to reflect the opinion of Oak Point Associates relative to the financial support needed to implement the scope defined herein. Because the estimate is based on concept level design, limited site investigations, and limited discussion with review authorities, it is possible that the scope of the project will change as site investigations, design efforts, and consultations with permit authorities progress during the design phase of the project. Consequently, the estimate of probable costs should be considered preliminary.

The estimate considers an open, competitive bid solicitation and uses current published construction cost information, costs based on similar recent projects, and local cost information. Additionally, the estimate considers construction will begin during the fall of 2024 and will have a duration of 6 to 9 months.

7.2 Mark-Up Factors

The following factors have been accounted for in the estimate:

- General Conditions (7%)
- Design Contingency (15%)
- General Contractor Overhead and Profit (15%)
- General Contractor's Bond (2.5%)

Outlined below are other costs that will be incurred as a part of the project and accounted for in the estimate. These costs are included as a percentage of the total construction cost.

- Design and Permitting Services (8%)
- Construction Period Services (5%)
- Construction Contingency (6%)
- State Project Administration (2.5% assumed)

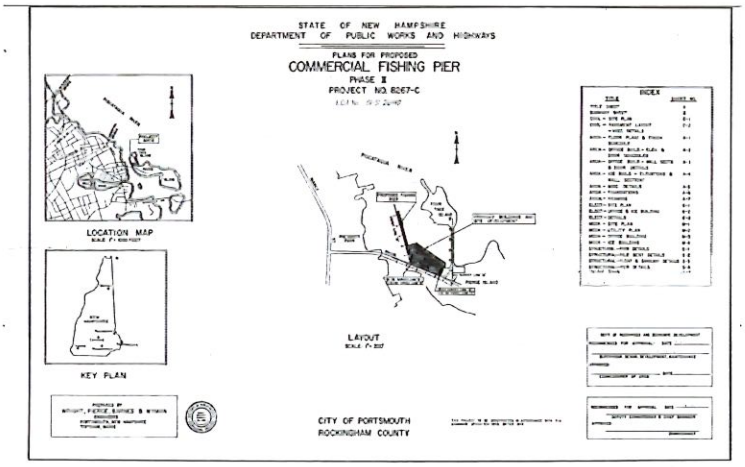
7.3 Estimated Costs

Funding for the project was reportedly established by the PDA at $1.0 million, including construction, design services, permitting services, construction period services, construction contingency, and miscellaneous construction administration costs.

Below are the estimated costs for the project, including mark-up factors:

Item	*Estimated Cost ($)*
*Base Bid**	*$1,435,400*
Reuse Existing Building Foundations (Savings)	*($102,200)*
Option 1 - Bait Storage	*$278,100*
Option 2 - Ice Storage	*$290,400*
Option 3 - Temporary Dock Power	*$41,200*

*includes the removal of the existing foundations for the original building, subgrade preparation and construction of new foundations for the new building.


STATE OF NEW HAMPSHIRE
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS

PLANS FOR PROPOSED
COMMERCIAL FISHING PIER
PHASE II
PROJECT NO. 8267-C

LOCATION MAP

KEY PLAN

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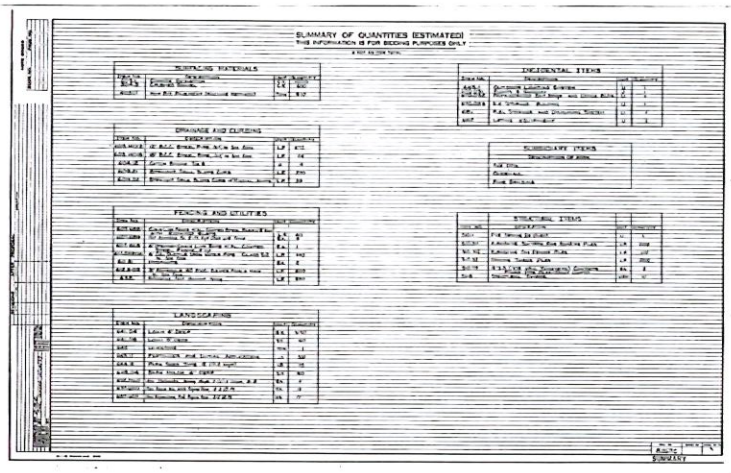
CITY OF PORTSMOUTH
ROCKINGHAM COUNTY


SUMMARY OF QUANTITIES (ESTIMATED)
THIS INFORMATION IS FOR BIDDING PURPOSES ONLY

SURFACING MATERIALS

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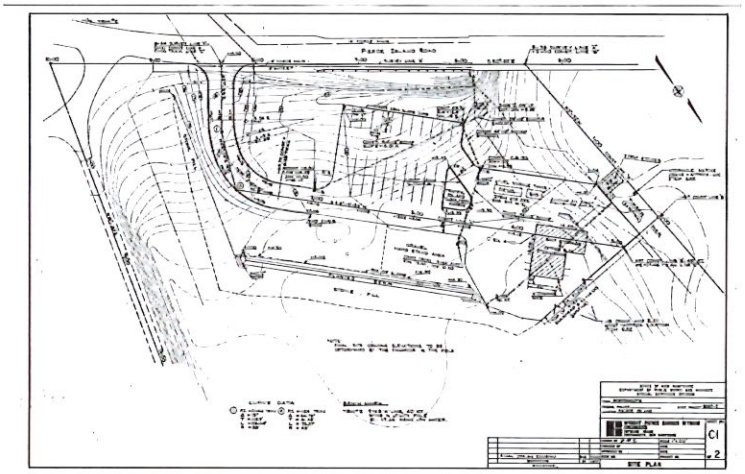
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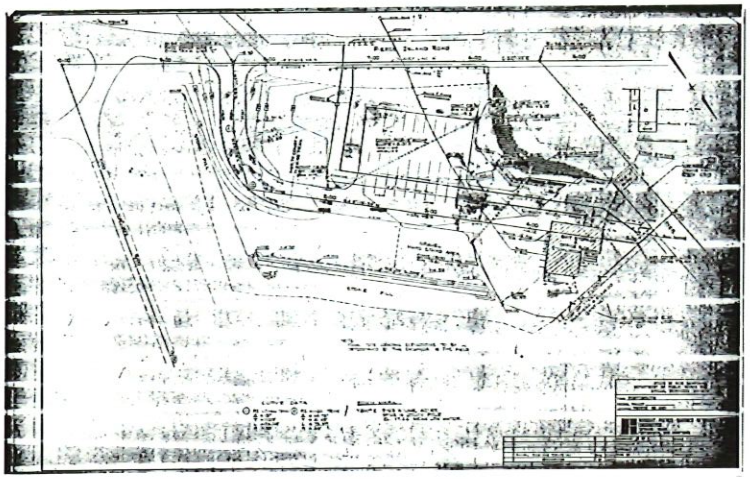

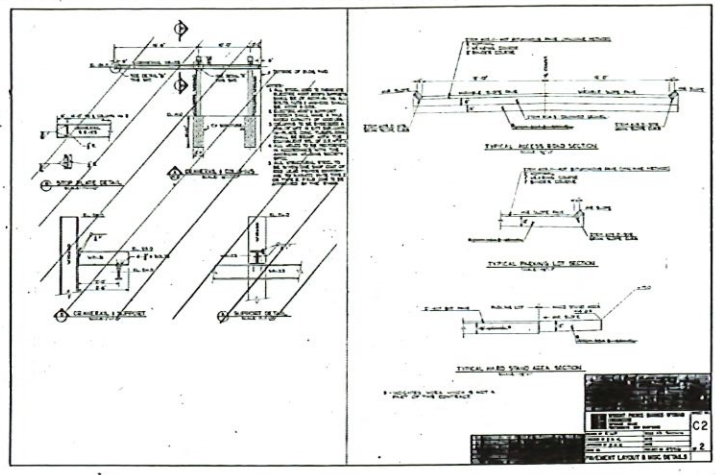
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TYPICAL PARKING LOT SECTION
TYPICAL ACCESS ROAD AREA SECTION
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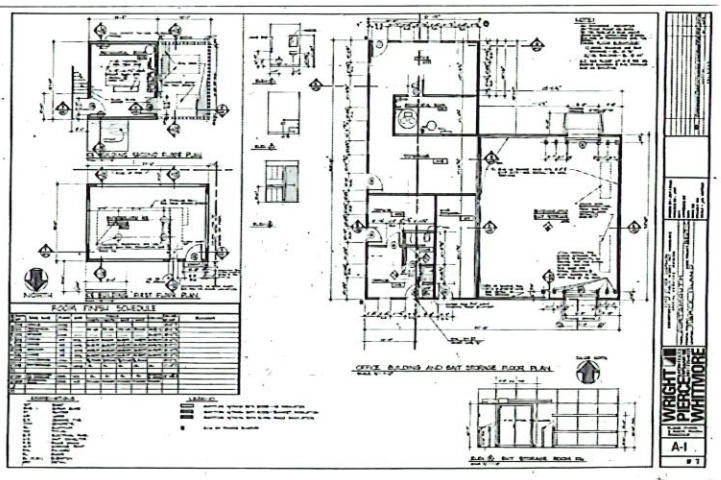
FLOOR FINISH SCHEDULE
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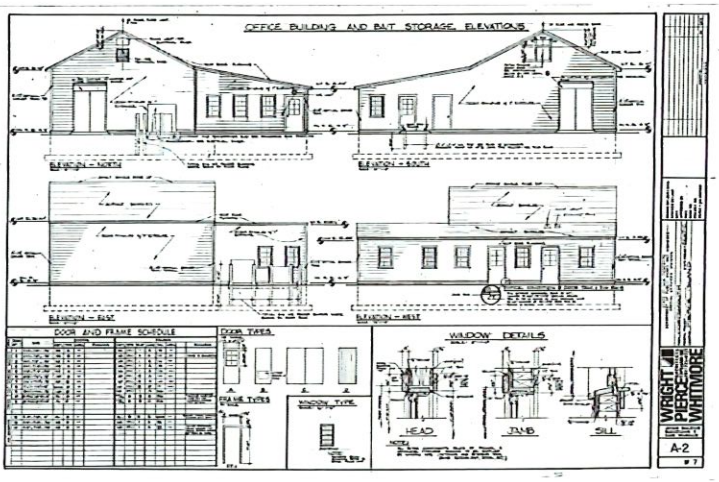
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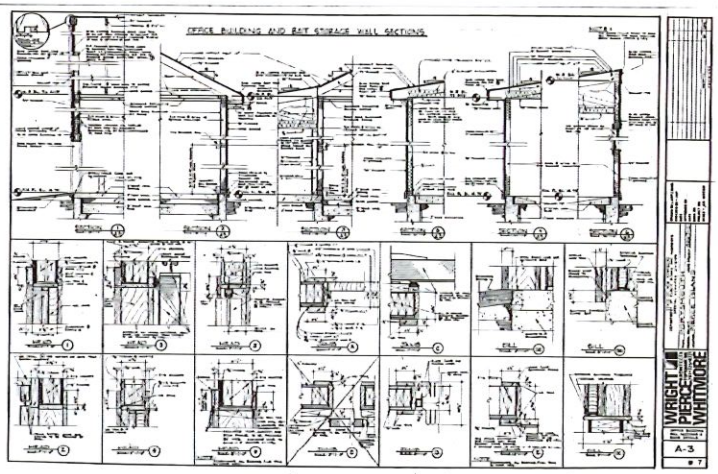
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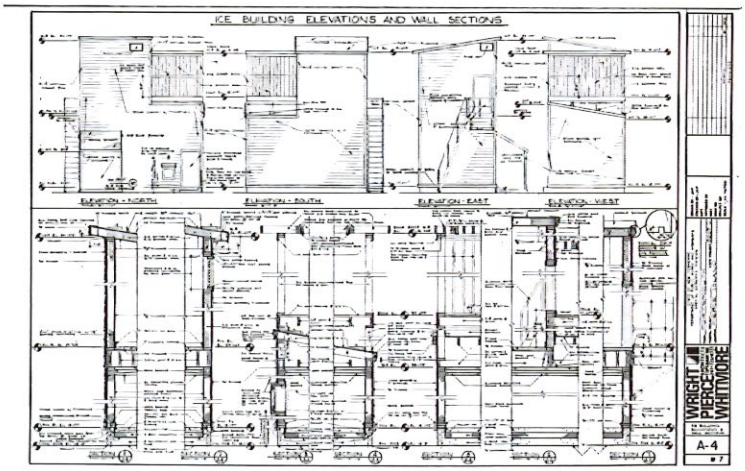
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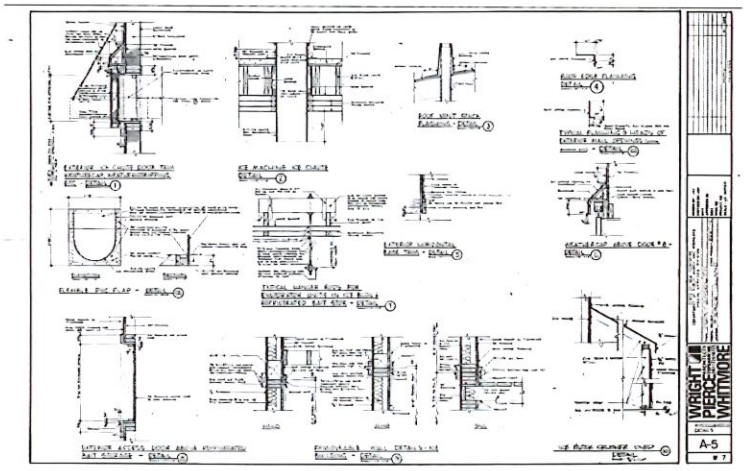
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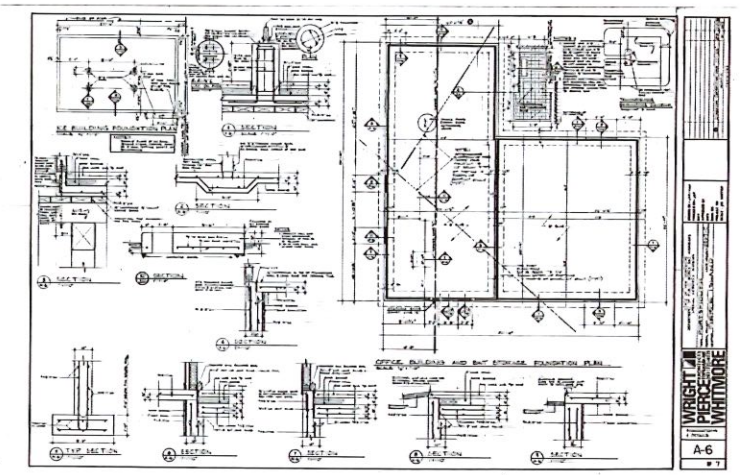
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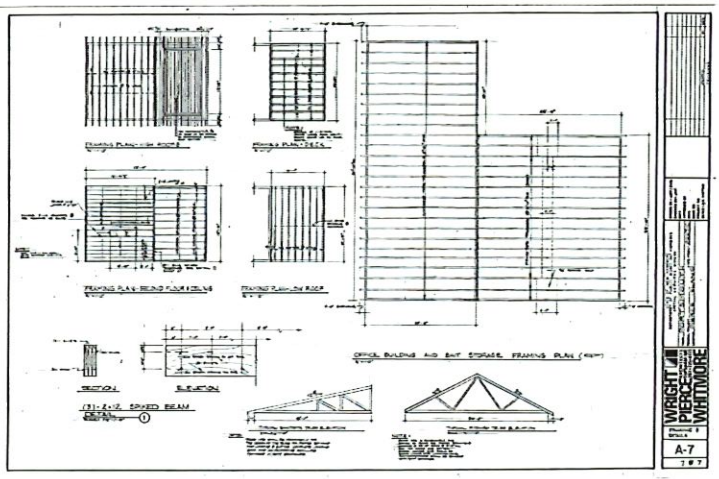
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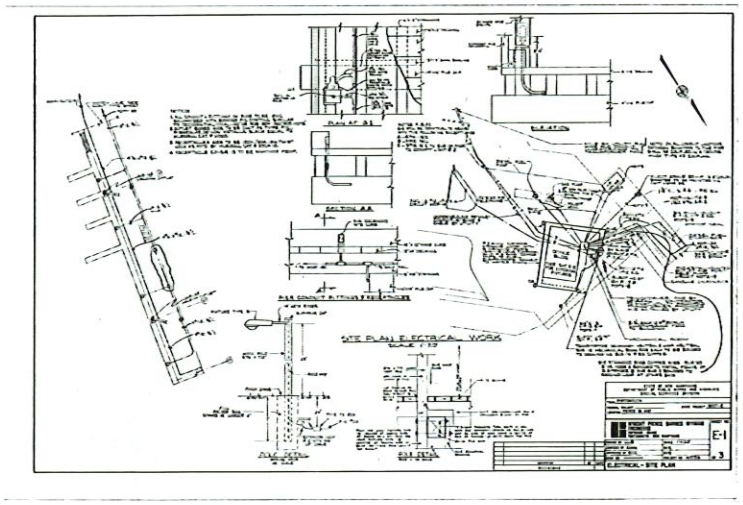
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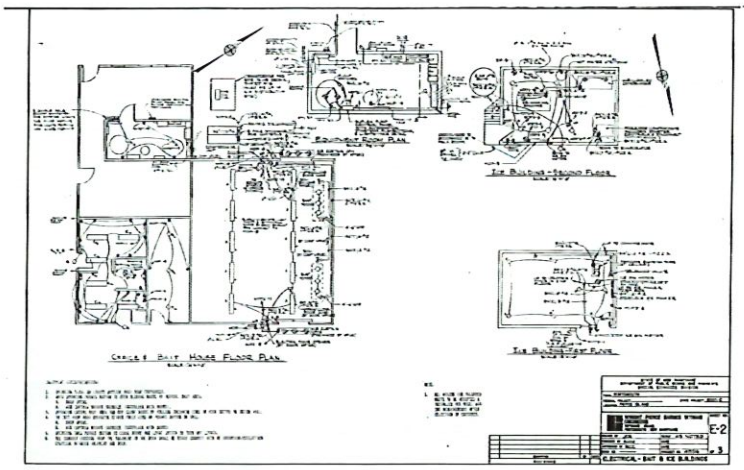
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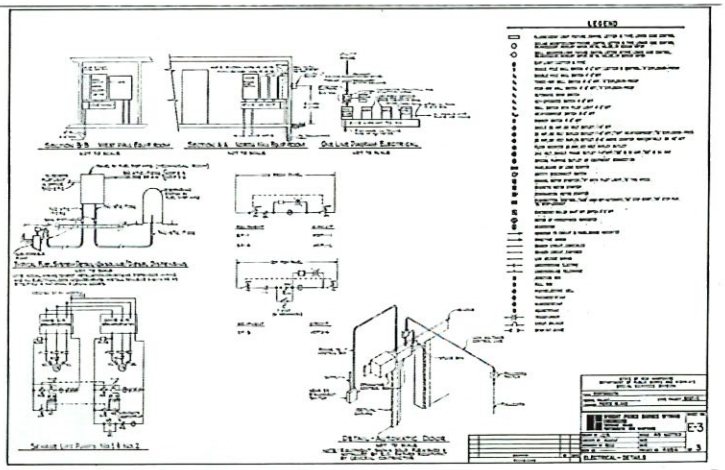
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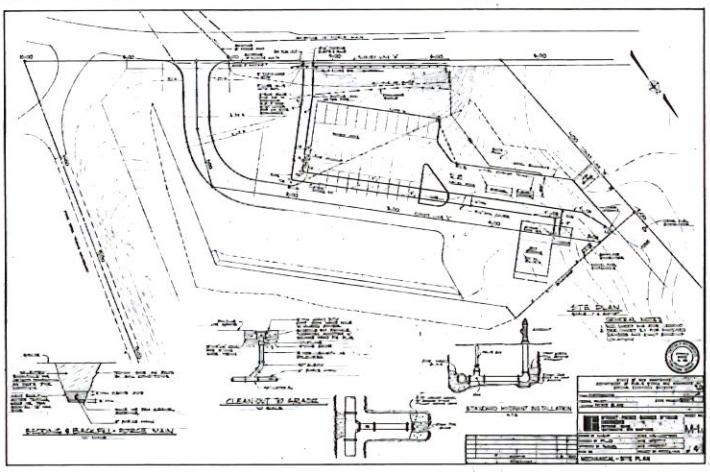

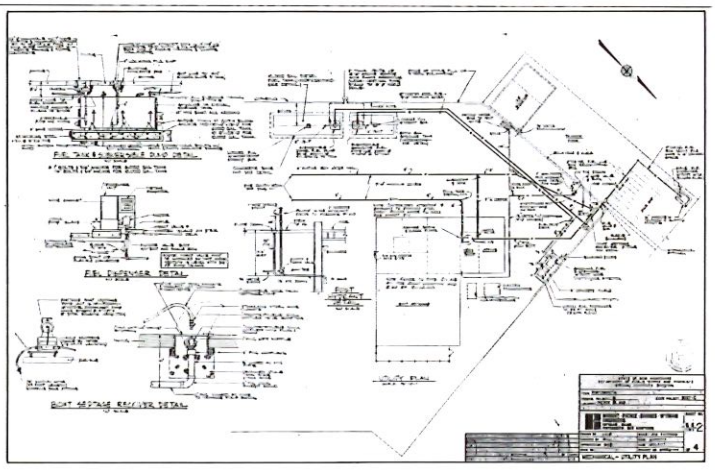

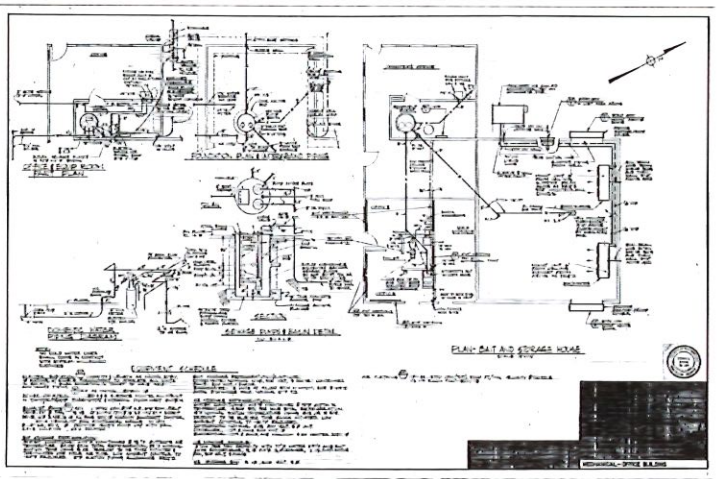

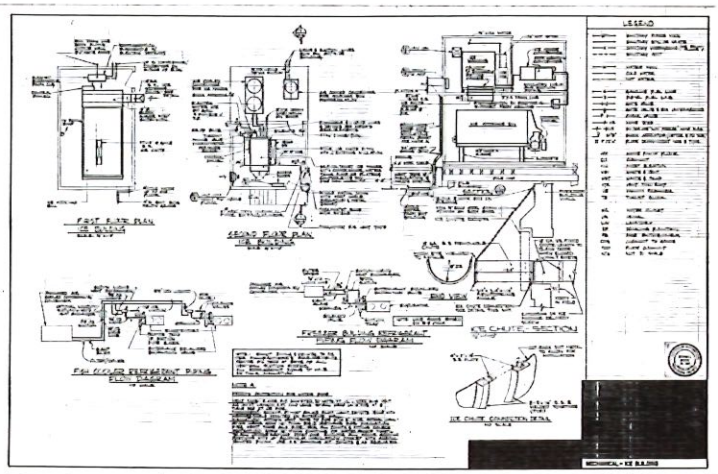

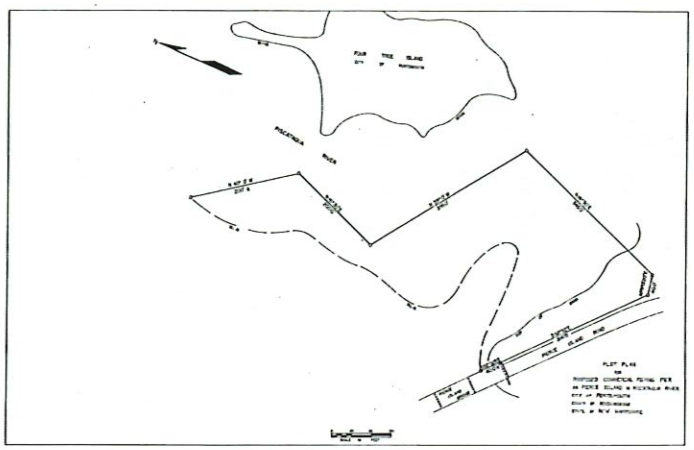

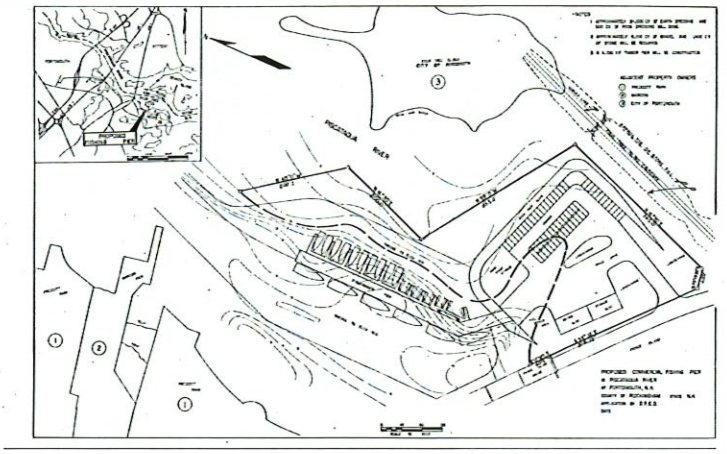

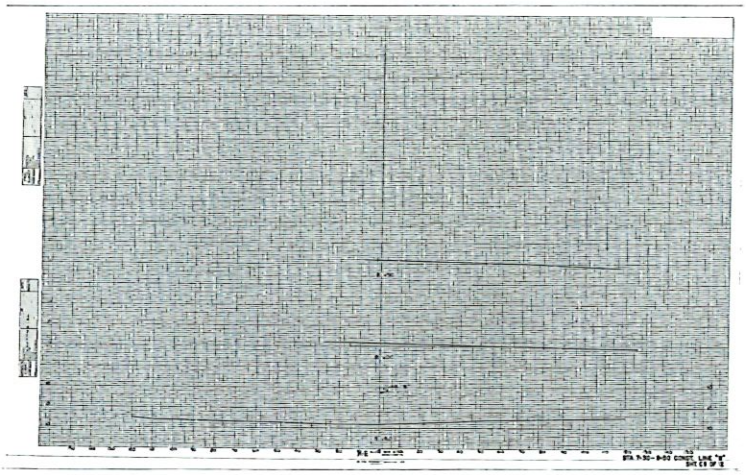

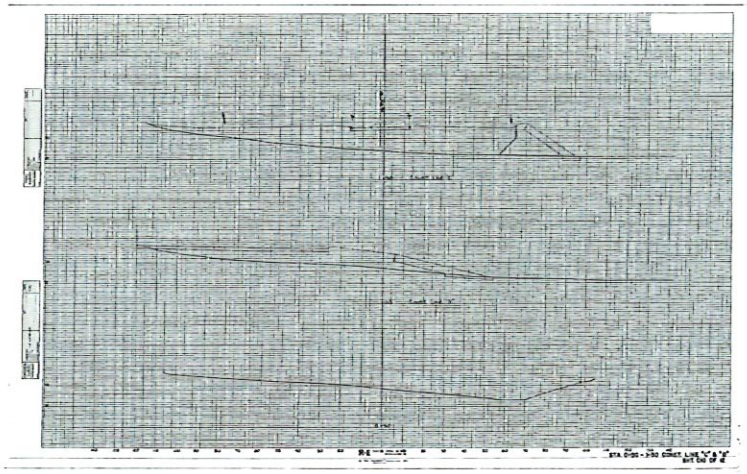

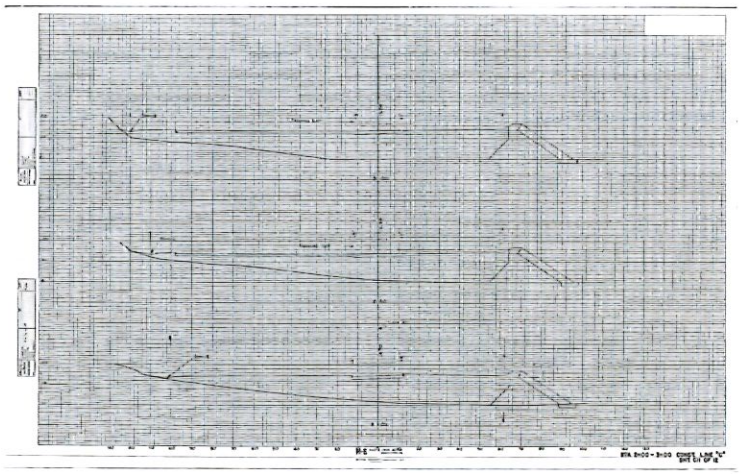

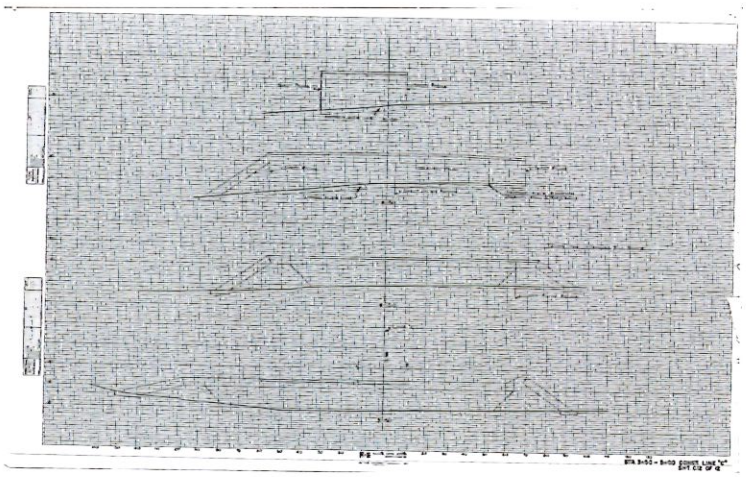

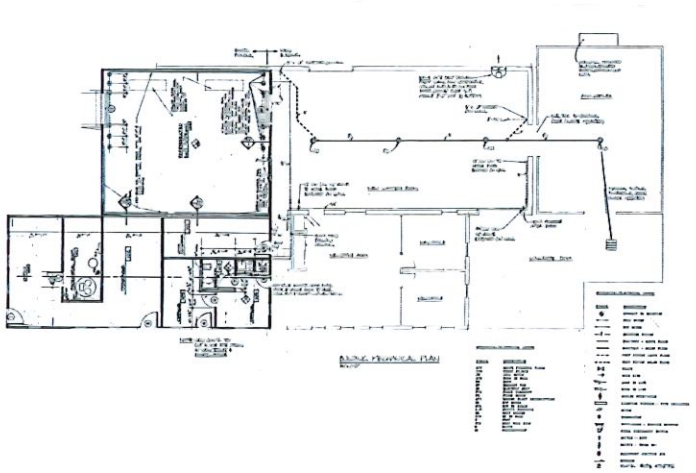

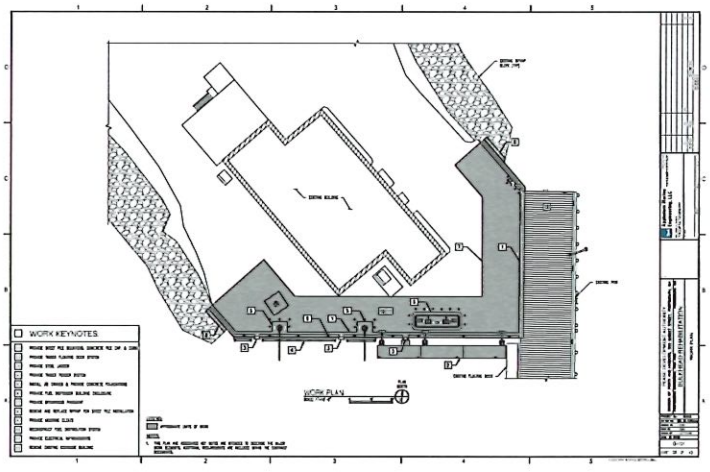
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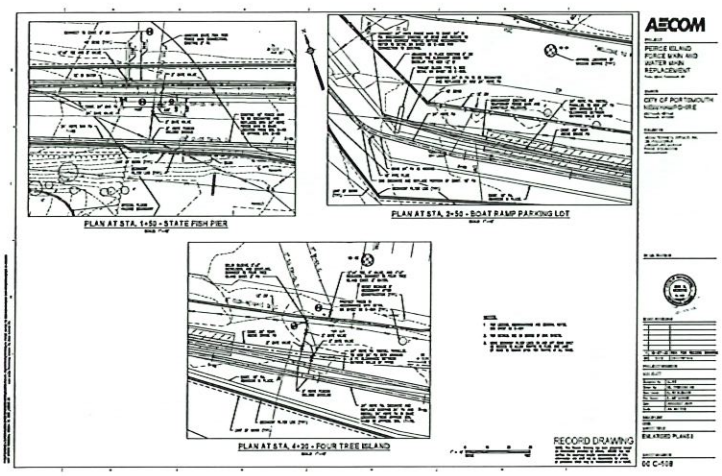
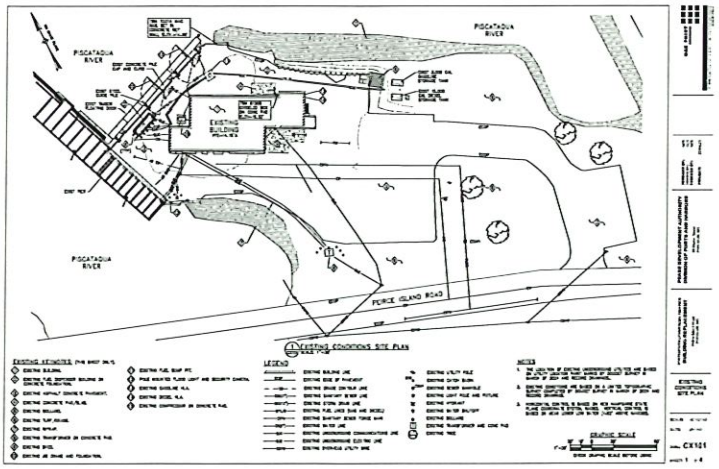

AECOM
PLAN AT STA. 1+50 - STATE FISH PIER
PLAN AT STA. 3+50 - BOAT RAMP PARKING LOT
PLAN AT STA. 4+30 - FOUR TREE ISLAND
RECORD DRAWING


PISCATAQUA RIVER
PISCATAQUA RIVER
PISCATAQUA RIVER
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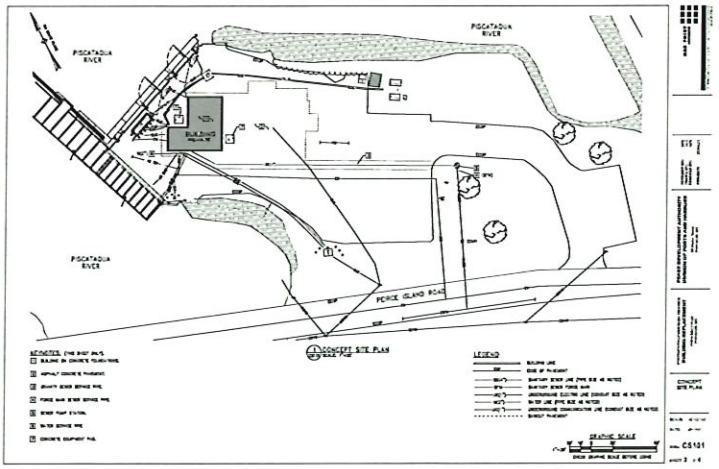
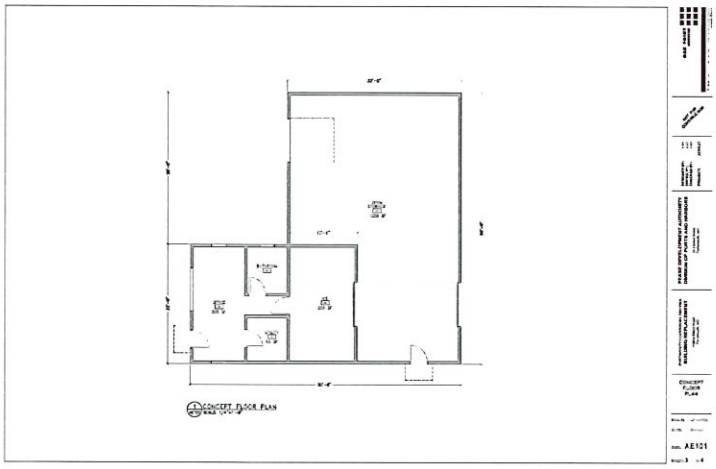
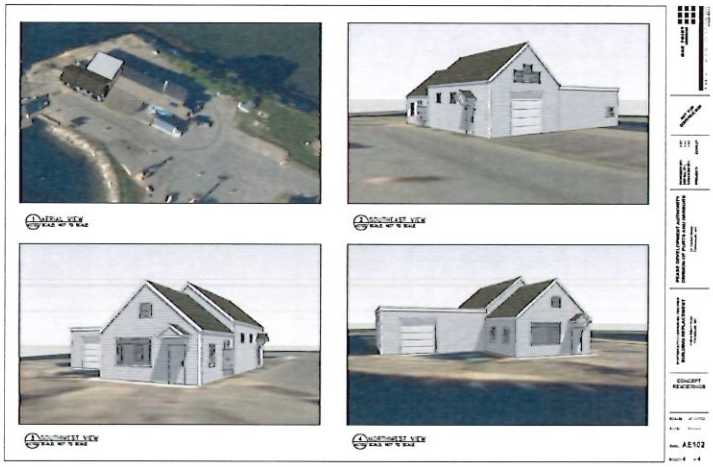
PEIRCE ISLAND ROAD
EXISTING CONDITIONS SITE PLAN


PISCATAQUA RIVER
PISCATAQUA RIVER
PISCATAQUA RIVER
BUILDING
PEIRCE ISLAND ROAD
CONCEPT SITE PLAN





R.W. Gillespie & Associates, Inc.
Geotechnical Engineering • Environmental Consulting • Materials Testing Services

09 April 2024

Steven J. Sargent, P.E.
Oak Point Associates
85 Middle Street
Portsmouth, NH 03801

VIA EMAIL: ssargent@oakpoint.com

Subject: Preliminary Geotechnical Engineering Evaluation
Portsmouth Fish Pier Building Renovation
Portsmouth, New Hampshire
RWG&A Project No. 0767-174

Dear Mr. Sargent:

R. W. Gillespie & Associates, Inc. (RWG&A) is pleased to provide the preliminary geotechnical engineering evaluation results in connection with the fish pier building reconstruction project in Portsmouth, New Hampshire. RWG&A's services were performed in general accordance with our proposal P-11763.GI, dated 13 March 2024. The approximate site location is shown in Figure 1, *Locus Map*. The purpose of RWG&A's services was to evaluate available information regarding subsurface conditions to base preliminary recommendations for support of the reconstructed building. This report is suitable for planning purposes and not for final design or construction.

PROJECT DESCRIPTION

Our understanding of the proposed construction is based on communications with, and review of information provided by, Oak Point Associates (OPA) and a site visit made by RWG&A on 29 March 2024. The information provided included:

- Drawing set titled *Plans for Proposed Commercial Fishing Pier* (25 pages), prepared by Wright, Pierce, Barnes, & Wyman Engineers, revision dated 28 October 1977.
- Drawing set titled *Portsmouth Commercial Fish Pier Bulkhead Rehabilitation* (44 pages), prepared by Appledore Marine Engineering, LLC, dated April 2020.
- Sheet B-101, *Boring Logs*, prepared by Appledore Marine Engineering, LLC, undated, showing boring logs and locations from the bulkhead project.
- Drawing CX-101, *Existing Conditions Site Plan*, prepared by OPA, undated.
- Sketch in the file *Portsmouth Fish Pier Building.pdf* showing the 1978 building and additions.

The existing building is a one-story, wood-framed building with a slab-on-grade ground floor. It's understood the building was constructed in 1978 and has had two building additions to the

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44 Wood Avenue, Suite 1 • Mansfield, MA 02048 • 508-623-0101
www.rwgillespie.com

east end of the 1978 building. The 1978 building is L-shaped, and partially contains office, mechanical, and storage spaces with plan dimensions of about 22 by 50 feet, and a refrigerated bait storage area at the east end of the north side of the building with plan dimensions of about 28 feet by 32 feet. The provided record information indicates the 1978 portion of the building is supported on continuous spread footings about 3 feet wide and bearing 4 feet below finished grade on granular fill placed to support the building. The drawings indicate most of the 1978 building floor consists of a 6-inch thick concrete slab; in the bait storage area, the floor consists of a 4-inch thick concrete slab underlain by 4 inches of rigid insulation placed over an 8-inch thick concrete slab.

The project consists of demolishing the entire building superstructure and reconstructing a building in the 1978 building footprint. The previous building additions would not be reconstructed at this time. Current conceptual design includes changing and reducing the layout of the office area, converting the mechanical space to office area, and expanding the existing bait storage to include ice-making operations into the area south of the existing bait storage. In addition, the current concept is to support the reconstructed building on the existing foundation; a new floor slab consistent with the existing bait storage area slab would be constructed in the footprint of the existing storage area.

AVAILABLE SUBSURFACE INFORMATION

OPA provided the results of three test borings performed at the property in 2019 as part of the bulkhead rehabilitation project. The borings were performed near the existing bulkheads about 20 to 30 feet from the building. Subsurface information prepared by others is provided for informational purposes only. RWG&A is unable to ensure the accuracy or completeness of information provided, either because doing so is impossible, or because of errors or omissions others may have committed when assembling the information. RWG&A does not accept responsibility for use of, interpretation of, or accuracy of information provided by others.

SITE VISIT

An RWG&A representative made a site visit on 29 March 2024 to observe the existing building's foundation and floor slab. During the visit, a laser level was used to measure top of slab elevation at several accessible locations within the 1978 building and additions. Observations made of the existing 1978 building foundation walls, where visible, did not indicate cracks or other signs of distress. Laser measurements made on the floor slab of the 1978 building indicate elevations are within about 1 inch across the bait storage area, sloping down from east to west.

EVALUATION OF GEOTECHNICAL DATA

General

Preliminary engineering evaluations for this project are based on the available subsurface explorations, a site visit, and the conceptual design information currently available to RWG&A.

In particular, the following preliminary evaluations pertain to reusing the existing foundations and floor slab and replacing the floor slab in the expanded bait storage and ice-making area. Should differing information become known before or during final design, these evaluations should be reviewed by RWG&A to confirm their continued applicability.

Existing and proposed building loads and finished grades were unavailable when this report was written. This report is suitable for planning and design but not for construction. RWG&A should review the following engineering evaluations to confirm their continued applicability after the proposed building foundation layout, finished floor elevation(s), and site grading have been finalized. Design and construction should comply with the requirements of applicable ordinances, regulations, and codes.

Subsurface Conditions

A review of the 2019 boring logs indicates soils encountered at the property consist of granular fill (sand and gravel, some silt) over naturally deposited silt and sand over bedrock. The logs indicate that the fill extended to depths of about 15 feet below ground surface and contained materials described as debris and wood. The fill thicknesses appear consistent with the record information provided for the 1978 building. The design drawings called for construction to follow New Hampshire Department of Public Works and Highways Standard Specifications dated 1974 and the use of *Gravel Fill*. The materials are consistent with gravel fill; however, it appears to have contained deleterious material locally. The limited Standard Penetration Test N-values indicate consistent fill relative density, suggesting compactive effort was applied as the fill was placed.

Foundations

It's understood that the building is free of known settlement-related damage or serviceability issues. Based on apparent building performance and RWG&A's observations, reusing the existing foundations to support the replacement building appears technically feasible. The *2018 International Existing Building Code* requires that new design loads be less than 5% greater than existing loads when considering static forces and be less than 10% greater when considering seismic forces. If the new loads would exceed these thresholds, then load testing of the foundation elements per Section 1708 *In-Situ Load Tests* of the *2018 International Building Code*© should be used to verify the existing foundations are suitable to support the new construction.

Ground Floor Slabs

The conceptual design indicates the existing slab in the area proposed for the bait storage and ice-making expansion would be removed and replaced with the same slab section as in the current bait storage area. For planning purposes, the existing subgrade should be suitable for support of the new slab section after evaluation with proof-rolling or compaction.

Seismic Site Class and Liquefaction Potential

The in-place soils encountered in the borings are not considered susceptible to liquefaction. Following the International Building Code 2018, the site classification is Site Class D based on the results of the available subsurface explorations. A higher site class might be attainable if shear wave velocity testing is conducted.

RECOMMENDATIONS FOR FINAL GEOTECHNICAL EVALUATION

These preliminary geotechnical evaluations are based on conceptual construction information and review of subsurface information from explorations performed near the existing building. An additional geotechnical evaluation should be performed during site design. Areas of geotechnical emphasis should include explorations performed close to the existing building to determine the fill composition and thickness, and thickness and composition of naturally deposited soil below the fill.

CLOSURE

This report has been prepared for specific application to the proposed Portsmouth Fish Pier Building Renovation project in Portsmouth, New Hampshire, for the exclusive use of Oak Point Associates. This service has been completed in accordance with generally accepted soil and foundation engineering practices. No other warranty, expressed or implied, is made. If any changes are made in the nature, design, or location of the proposed construction, the conclusions and recommendations of this report should be reviewed by RWG&A.

We have enjoyed working with Oak Point Associates on this project. If you have any questions or if we may be of further service, please do not hesitate to contact us.

Sincerely,
R.W. GILLESPIE & ASSOCIATES, INC.

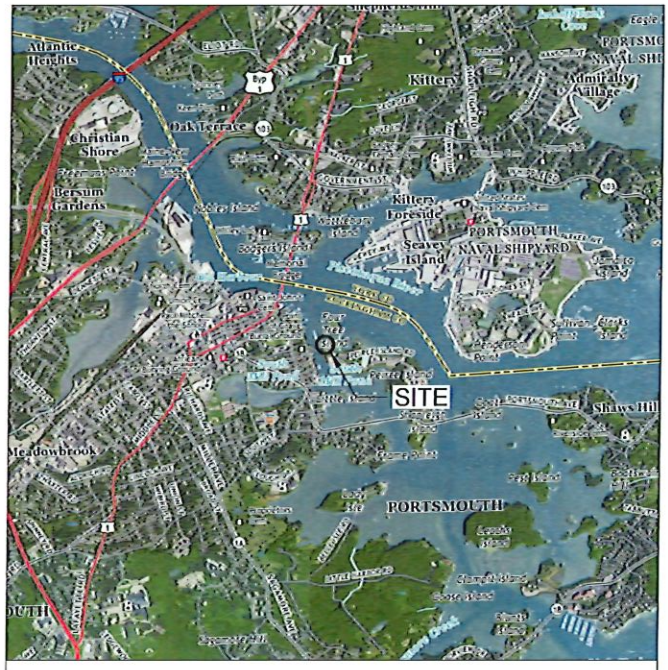
STATE OF NEW HAMPSHIRE
MARC R. GRENIER
No. 10615
04/9/2024
LICENSED
PROFESSIONAL ENGINEER

Marc R. Grenier, P.E.
Senior Geotechnical Engineer

MRG:fg

Enclosures:
Figure 1, Locus Map
Appendix, Available Subsurface Information

G:\PROJECTS\07\0767\0767-174\24 PORTSMOUTH FISH PIER\REPORT 2024-04-09 PRELIMINARY GI REPORT 0767-174.DOCX



SOURCE:
USGS 7.5-MINUTE TOPOGRAPHIC QUADRANGLE OF KITTERY, ME-NH, DATED 2021 AND PORTSMOUTH, NH-ME, DATED 2021.

FIGURE 1
LOCUS MAP
PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION
PORTSMOUTH FISH PIER BUILDING REPLACEMENT
PORSTMOUTH, NEW HAMPSHIRE

APRIL 2024 PROJECT NO. 0767-174

R.W. Gillespie & Associates
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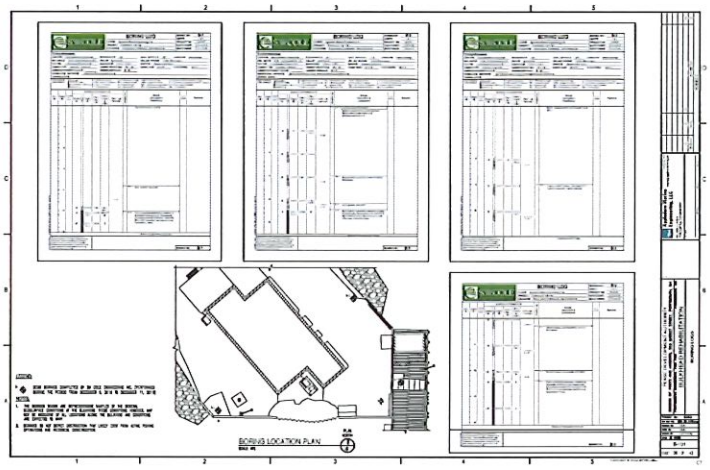
Environmental Consulting • www.rwgpeople.com

G:\PROJECTS\07\0767\0767-174\24 Portsmouth Fish Pier\Drawings\Fig 1 - LOCUS MAP 0767-174.dwg, 04/09/2024 10:27:17 AM

APPENDIX

AVAILABLE SUBSURFACE INFORMATION

Preliminary Geotechnical Engineering Evaluation
Portsmouth Fish Pier Building Renovation
Portsmouth, New Hampshire



RWG&A Project No. 0767-174

09 April 2024

RPF Environmental
TESTING & CONSULTING SERVICES
Hazardous Materials Inspection & Assessment
Asbestos, Mold, Lead Paint, Radon, PCBs
Air Quality Testing and Investigations
Industrial Hygiene, Safety & Training

April 25, 2024

Steven Sargent, PE
Engineer
Oak Point Associates
85 Middle Street
Portsmouth, NH 03801

Re: Portsmouth Fish Pier Concept Study Project
1 Peirce Island Rd., Portsmouth, NH
Hazardous Materials Survey Findings
RPF File No. 24.0119

Dear Mr. Sargent:

On March 29, 2024, RPF Environmental (RPF) conducted a survey at the Fish Pier Building located at 1 Pierce Island Road in Portsmouth, NH. The survey was performed inside the building and on the exterior of the building as designated by you or your site representative for accessible hazardous building material as indicated herein. Below is a summary of findings, discussion of the results and preliminary recommendations for proper management of the identified hazardous building material. Attached to this report are the survey data tables, laboratory results, survey methodologies and limitations.

This report is not intended to be used as an abatement specification or work plan. To proceed with abatement work, the following important steps are necessary:

- A work plan or project design documents should be prepared prior to abatement by a certified abatement project designer.
- The abatement specification or work plan should then be used to solicit bids from qualified abatement contractors. Only properly licensed contractors should be used for asbestos abatement and disposal.
- A qualified industrial hygiene/testing consultant should conduct sufficient testing and inspections of the work, independent of the abatement contractor. The consultant should also prepare final abatement reports for the work.

Summary of Findings

The Fish Pier building is a commercial style building with 1 floor, multiple refrigerated rooms, and office areas. The scope of the survey included accessible asbestos containing material in accordance with the initial asbestos inspection requirements prior to renovation or demolition work as stated in the State regulations and applicable federal regulations. In addition, the survey included screening for lead paint (LP), and other hazardous or regulated materials.

Asbestos

During this survey, several types of suspect asbestos containing material (ACM) were observed by RPF, including friable and nonfriable suspect material. Based on the testing performed by RPF, asbestos was detected in the following materials:

12" Tan Floor Tile
Tan Vinyl Sheet Flooring and Adhesive

Lead Paint

Based on the year of construction and extent of renovation conducted over the years, it is reasonable to assume that some lead paint (LP) is present. RPF conducted limited spot testing of paint and LP was absent on various interior and exterior building components. The intent of the lead testing was for potential lead hazardous waste disposal screening purposes only.

Other Potentially Hazardous Building Material

Based on the RPF visual observations, potentially polychlorinated biphenyl (PCB) containing light ballasts, mercury containing switches, and fluorescent light bulbs are present throughout the building. In addition, other potentially hazardous or universal wastes were identified as described below.

Depending on the extent of renovation and final construction plans, proper abatement and/or management of the materials may be required in accordance with applicable State and federal regulations. Renovation and demolition plans should be reviewed by a certified industrial hygienist and project designer for possible impact issues. Based on the impact assessment and planned usage, design documents should be prepared. A management plan should also be prepared to address any asbestos or other hazardous material scheduled to remain after construction.

Discussion of Findings

Asbestos-Containing Material

Asbestos is the name for a group of naturally occurring minerals that separate into strong, very fine fibers. The adverse health effects associated with asbestos exposure have been extensively studied for many years. Results of these studies and epidemiological investigations have demonstrated that inhalation of asbestos fibers may lead to an increased risk of developing one or more diseases. In all cases, extreme care must be used not to disturb asbestos-containing materials or to create fiber release episodes.

In the accessible locations surveyed, RPF identified eighteen (18) homogeneous groups of accessible suspect asbestos containing material. Suspect materials were identified based on current industry standards, EPA, and other guideline listings of potential suspect ACM.

The following is a summary list of the suspect ACM identified and sampled during this survey:

HG1	Textured Ceiling
HG2	Gypsum Board & Joint Compound
HG3	Door Caulk
HG4	Cove Base Adhesive
HG5	Blue 12" Floor Tile and Yellow Mastic
HG6	Grey 12" Floor Tile & Yellow Mastic
HG7	Brown/Tan 12" Floor Tile with Black Mastic
HG8	Vinyl Sheet Flooring and Inseparable Mastic
HG8	Wall Panel Adhesive
HG9	Covebase Adhesive
HG10	Formica Countertop (pine) with Adhesive
HG11	Formica Countertop (grey) with Adhesive
HG12	Formica Countertop (white) with Adhesive
HG13	Wall Panel Adhesive
HG14	Grey Seam Caulk
HG15	White Seam Caulk
HG16	Window Glaze
HG17	Asphalt Shingle
HG18	Roofing Paper and Adhesive
HG19	Pipe Fitting Insulation

A total of forty (40) samples were extracted from the different groups of suspect material in accordance with EPA sampling protocols. Of the samples collected by RPF, asbestos was detected in two (2) groups of suspect ACM. The following table includes a list of ACM and accessible asbestos identified in the accessible areas surveyed, EPA category listings, and asbestos content. Actual laboratory results are included in Appendix A.

SUMMARY OF ACM IDENTIFIED

Building Material	Location	Approximate Quantity	EPA Category	Asbestos Results
12" Tan Floor Tile on Non-ACM Mastic	New Office Area (3 offices, main lobby, and 2 closets)	800 SF	Category I Nonfriable	3% Chrysotile
Vinyl Sheet Flooring & Adhesive	Hallway, Closet, Bathroom, 2 NH Marine Patrol Offices, Crew Room and Shower Room	560 SF	Category I Nonfriable	30% Chrysotile

The ACM identified during this survey consists of nonfriable material. The nonfriable ACM was observed to be in fair to poor condition and left undisturbed and properly managed, is unlikely to cause any major fiber release episodes.

Suspect materials encountered at the site subsequent to this survey, which are not included on the enclosed listings of suspect material sampled, should be assumed to be ACM until proper testing proves otherwise (for example prior to any disturbance due to maintenance, renovation, or demolition activity). Please notify RPF in this event to arrange for proper testing and assessments. Please reference the attached methodology and limitations.

Lead Paint Screening

Based on the type and age of building construction, it is reasonable to assume that various painted surfaces contain some lead. It is common in buildings such as this and that have had various renovation and upgrades to have both lead containing paint and non-lead containing paint. Lead is a toxic metal that was used for many years in paint and other products found in and around buildings and homes. Exposure to lead may cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. Children six years old and under are most at risk; however, adults are also susceptible to the effects of lead over exposure.

For the purposes of this survey, RPF performed screening for lead in paint using a SciAps X-Ray Fluorescence (XRF) Meter of various interior and exterior painted surfaces. The results of this lead screening are shown in the following table:

SUMMARY OF LEAD PAINT SCREENING RESULTS

Component	Substrate	Color	Location/Description	Result (mg/cm^2)
Exterior wall	Gypsum Board & Joint Compound	Yellow	Inside Northwest Office area	0.0
Door Frame	Wood	Blue	Inside Northwest Office area	0.0
Door	Wood	Blue	Inside Northwest Office area	0.0
Window Sash	Wood	Blue	Inside Northwest Office area	0.0
Window frame	Wood	Blue	Inside Northwest Office area	0.0
Interior Wall	Gypsum Board & Joint Compound	White	Inside Northwest Office area	0.0
Interior Wall	Gypsum Board & Joint Compound	Light blue	Office outside Western Storage room	0.0

SUMMARY OF LEAD PAINT SCREENING RESULTS

Component	Substrate	Color	Location/Description	Result (mg/cm^2)
Door Frame	Wood	Blue	Office outside Western Storage room	0.0
Popcorn Ceiling	Gypsum Board & Joint Compound	White	Each Office area	0.0
Interior Walls	Gypsum Board & Joint compound	White	Marine Patrol Offices	0.0
Interior Walls	Gypsum Board Joint Compound	Blue	New office area	0.0
Safety Pole	Metal	Yellow	Outside Fish Coolers	0.0
Exterior Siding	Wood	Light Blue	Exterior of Main building outside office areas	0.0
Window Sash	Wood	White	Exterior outside office areas	0.0
Window Frame	Wood	White	Exterior outside office areas	0.0
Exterior Trim	Wood	White	Along South face of building	0.0
Exterior Siding	Wood	Light blue	Southern Face of Ice box	0.0
Exterior Trim	Wood	White	Southern Face of Ice box	0.0

The results of this testing did not show lead detected in any of the accessible paint coatings tested. The intent of the lead testing was for potential lead hazardous waste disposal screening purposes only.

Current State of New Hampshire Lead Poisoning regulations consider any paint that contains greater than 1.0 mg/cm^2 to be lead-based paint. However, the intent of this survey was for construction purposes only and preliminary demolition waste stream implications, not for compliance with State, HUD, or any regulatory abatement order.

Any surfaces with lead present should be managed in accordance with current rules and guidelines, including but not limited to OSHA worker safety rules and State and EPA waste handling and disposal regulations. U.S. Occupational Safety and Health Administration (OSHA) construction rules do not specify any "safe" or acceptable levels of lead within paint for the purposes of occupational exposures. Therefore, construction work involving paint found to contain lead must be completed in accordance with OSHA regulations, not limited to the lead standard, 29 CFR

1926.62. Contractors completing work in areas found to contain lead, or where it is reasonable to assume lead may be present, should be notified of the presence (and potential presence) of lead and proper work protocols should be used.

Please also note that construction and renovation work involving lead paint in housing and child-occupied facilities built before 1978 is also regulated under the EPA Renovation, Repair, and Painting (RRP) rule. Any contractors conducting such work must be properly certified and must use lead safe work methods pursuant to the EPA RRP rule. In addition, pursuant to Title X requirements landlords and sellers are required to disclose the results of lead inspections to tenants and purchasers, and to provide the warning notice and pamphlets in accordance with Title X and State requirements.

Other Universal/Regulated Wastes

In the course of this survey RPF completed inventories of suspect other potentially hazardous building materials. The following table includes a listing of the inventory with additional information included in the following paragraphs:

SUMMARY OF UNIVERSAL/REGULATED WASTES OBSERVED	
Description	Quantity
Fluorescent Bulbs	51
Compact Fluorescent Bulbs	5
Thermostats	5
Window A/C Unit	1
Air Handler Units	4
Refrigerated rooms	2
Paints	12
Fire Extinguishers	5
Stored Chemicals	5
Car Batteries (outside)	6

Fluorescent Bulbs & Mercury Switches

Fluorescent lamps contain a small quantity of mercury that may pose a hazard to human health or the environment if the materials are not managed properly. These bulbs, along with mercury switches (thermostats) should be segregated and properly disposed of during demolition.

Light Ballasts

PCBs have been shown to cause chronic toxic effects and are a human carcinogen. PCBs are toxic according to the U.S. EPA and are a regulated material. The two primary federal laws that affect the handling of PCBs are the Toxic Substance Control Act and the Superfund Law (CERCLA). Other regulations include various State requirements, Department of Transportation, U.S. OSHA, and the Resource Conservation and Recovery Act. The regulations establish various requirements for the removal, handling, storage, and disposal of PCBs.

With regard to light ballasts, approximately half were manufactured prior to 1979 and nearly all pre-1979 ballasts contain PCBs. Ballasts manufactured after July 1, 1978, and that do not contain PCBs are required to be clearly marked "No PCBs". Please note that it is possible that post 1979 ballasts may contain some PCBs in the capacitor oils and more information should be requested if needed for applicable State and federal agencies. PCBs may also be present in common household appliances with small capacitors and as dielectric fluids; other electric equipment such as transformers, switches, and voltage regulators. Documentation of current conditions and in-depth hazard assessments, and laboratory testing for these other PCB usages, is beyond the scope of work for this initial survey.

During demolition, additional inspections should be made to identify PCB versus non-PCB containing ballasts. Ballasts should be checked for a "PCB-Free" or "No PCBs" label prior to disposal. PCB and non-PCB ballasts should be segregated and packaged for waste disposal in accordance with State and federal requirements. There is a substantial cost difference for disposal of PCB ballasts versus non-PCB ballasts.

Batteries

Many batteries should not be disposed of through typical garbage or recycling methods. Many nickel-cadmium (Ni-Cd) batteries and small sealed lead batteries must be segregated and properly recycled or disposed of in accordance with state and federal regulations.

Other Universal Wastes

Many other common items can contain regulated or otherwise hazardous materials that require special consideration, handling, and disposal during demolition of a building. must be removed and properly disposed of prior to renovation or demolition activities. Many of these wastes are defined as "Universal Waste" and may require special handling, packaging, and disposal. During project design, a building or site-specific work plan should be developed to document and detail the specific storage, labeling, packaging, and disposal requirements based on the specific items and renovation or demolition planned. Such delineation is beyond the scope of this survey.

Conclusions

Based on the survey findings, the building was found to contain ACM and other universal/regulated building material.

Estimated budget costs for abatement or removal of the identified ACM and other universal/building materials is as follows:

Asbestos Abatement:	$10,000-$12,000
Removal/Disposal of Universal/Regulated Materials:	$2,000-$3,000

In accordance with current regulatory requirements, ACM that may be impacted or disturbed (such that asbestos fiber release occurs) by renovation, demolition or other such activity must be removed by qualified, licensed firms. Asbestos abatement work must be designed (abatement specifications or work plan prepared) by an accredited and/or licensed asbestos designer. Although regulations for removal of nonfriable ACM are somewhat less stringent than the requirements for friable ACM, it should be noted that nonfriable ACM that is subjected to grinding, abrasion, and other forces, could be rendered friable. In this event, the nonfriable ACM would be re-categorized friable ACM. ACM that will not be impacted by renovation or demolition activity may be left in place if managed properly and if the materials are maintained in good condition. Notification to State or US EPA is required 10-days prior to the start of abatement work and demolition.

ACM to remain in the building should be included in an asbestos management plan and operations and maintenance (O&M) program detailing the measures to be used to safely occupy the building until the ACM is fully removed. An accredited Management Planner should prepare the O&M Program in accordance with the guidelines set forth in 40 CFR Part 763 (AHERA).

Work impacting fluorescent light bulbs, mercury (and potential PCB ballasts) must be performed in accordance with current State and federal standards, including but not limited safe work practices, engineering controls, proper waste packaging, and proper disposal.

Sufficiently in advance of the start of renovation and/or remediation work, abatement project design should be completed. As part of the initial design steps any planned renovation and demolition activity should be reviewed for potential impact on ACM, LP, and other hazardous materials. Only qualified, trained, and licensed firms, as applicable, should be engaged to complete asbestos abatement, lead paint removal, or other activities that impact hazardous or regulated materials.

All employees and contractors that may access or otherwise disturb areas with ACM, LP or other hazardous materials should be notified of their presence, and the need to use caution when proceeding with work. Appropriate notifications, labeling and other hazard communications should be completed to all employees, contractors, and others in accordance with US OSHA regulations and other applicable requirements.

With the exception of the specific testing and analysis detailed herein, no other samples of materials, oil, water, ground water, air, or other suspect hazardous materials were collected in the course of this inspection that supports or denies these conclusions. No additional services beyond those explicitly stated herein were performed and none should be inferred or implied. The summary and conclusions are based on reasonably ascertainable information as described in this

report. RPF Environmental makes no guarantees, warranties, or references regarding this property or the condition of the property after the period of this report.

If you have any questions at this time, or if you would like to discuss the remediation process, please call our office.

Sincerely,
RPF ENVIRONMENTAL

Sean Smith
EH&S Consultant
Licensed Asbestos Inspector #AI103045

Enclosures:
Appendix A: Asbestos Analysis Results
Appendix B: Marked Map of Sample Locations
Appendix C: Photographs and Field Paperwork
Appendix D: Licenses and Certifications
Appendix E: Summary of Methodology and Limitations

24-0119 Fish Pier HAZMAT Report

APPENDIX A

Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method 600/R-93/116 and
40 CFR, Part 763, Subpart E, App.E

Customer: RFF Environmental Inc.
320 1st NH Turnpike
Northwood, NH 03261

Attn: Sean Smith

Project: 240119 Pierce Island Fish Pier building

Lab Order ID:	**10047623**
Analysis:	PLM
Date Received:	04/02/2024
Date Reported:	04/05/2024

Sample ID / *Lab Sample ID*	Description / *Lab Notes*	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes / Treatment
032924 - HG1A	Textured ceiling, white popcorn style, above breaker panel in West side office/ storage area	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0001					Teased
032924 - HG1B	Textured ceiling, white popcorn style, at light ballast by exterior door in West side office/ storage area	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0002					Teased
032924 - HG1C	Textured ceiling, white popcorn style, in large marine patrol office at pipes	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0003					Teased
032924 - HG1D	Textured ceiling, white popcorn style, in small marine patrol office above window	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0004					Teased
032924 - HG1E	Textured ceiling, white popcorn style, in marine patrol office closet	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0005					Teased
032924 - HG2A	Gypsum board & joint compound, white, in bathroom on West side office area	None Detected	10% Cellulose	90% Other	Gray Non-Fibrous Homogeneous
10047623_0006	*gypsum board & joint only*				Crushed
032924 - HG2B	Gypsum board & joint compound, yellow, above first aid box in West side office area	None Detected	10% Cellulose	90% Other	Gray, White Non-Fibrous Heterogeneous
10047623_0007	*gypsum board: none detect, joint compound: none detect*				Crushed
032924 - HG2C	Gypsum board & joint compound, white, in marine patrol office closet	None Detected	10% Cellulose 5% Fiber Glass	85% Other	Gray Non-Fibrous Homogeneous
10047623_0008	*gypsum only*				Crushed

Disclaimer: Due to the nature of the EPA 600 method, asbestos may not be detected in samples containing low levels of asbestos. We strongly recommend that analysis of floor tiles, vermiculite, and/or heterogeneous soil samples be conducted by TEM for confirmation of "None Detected" by PLM. This report relates only to the samples tested and may not be reproduced, except in full, without the written approval of SAI. This report may not be used by the client to claim product endorsement by NVLAP or any other agency of the U.S. government. Analytical uncertainty available upon request. Scientific analytical Institute participates in the NVLAP Proficiency Testing program. Unless otherwise noted blank sample correction was not performed. Estimated MDL is <1%

Megan Jevnovich (52)
Analyst

Approved Signatory

Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method 600/R-93/116 and
40 CFR, Part 763, Subpart E, App.E

Customer: RFF Environmental Inc.
320 1st NH Turnpike
Northwood, NH 03261

Attn: Sean Smith

Project: 240119 Pierce Island Fish Pier building

Lab Order ID:	**10047623**
Analysis:	PLM
Date Received:	04/02/2024
Date Reported:	04/05/2024

Sample ID / *Lab Sample ID*	Description / *Lab Notes*	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes / Treatment
032924 - HG3A	Interior door caulk, white, exterior door West side office area	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0009					Ashed
032924 - HG3B	Interior door caulk, white, exterior door West side office area South face of building	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0010					Ashed
032924 - HG4A	Cove base adhesive, yellow, bathroom in office area on West side of building	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0011					Dissolved
032924 - HG4B	Cove base adhesive, yellow, bathroom in office area on West side of building	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0012					Dissolved
032924 - HG5A - A	1'x1' floor tile and mastic, blue/grey top, large marine patrol office	None Detected		100% Other	Blue Non-Fibrous Homogeneous
10047623_0013	n/a				Dissolved
032924 - HG5A - B	1'x1' floor tile and mastic, blue/grey top, large marine patrol office	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0041	mastic				Dissolved
032924 - HG5B - A	1'x1' floor tile and mastic, blue/grey top, large marine patrol office	None Detected		100% Other	Blue Non-Fibrous Homogeneous
10047623_0014	n/a				Dissolved
032924 - HG5B - B	1'x1' floor tile and mastic, blue/grey top, large marine patrol office	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0042	mastic				Dissolved

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Megan Jevnovich (52)
Analyst

Approved Signatory

F4F-012.03 11/13/2020
Scientific Analytical Institute, Inc. 4604 Dundas Dr. Greensboro, NC 27407 (336) 393-3888

Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method 600/R-93/116 and
40 CFR, Part 763, Subpart E, App.E

Customer: RFF Environmental Inc.
320 1st NH Turnpike
Northwood, NH 03261

Attn: Sean Smith

Project: 240119 Pierce Island Fish Pier building

Lab Order ID:	**10047623**
Analysis:	PLM
Date Received:	04/02/2024
Date Reported:	04/05/2024

Sample ID / *Lab Sample ID*	Description / *Lab Notes*	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes / Treatment
032924 - HG6A - A	1'x1' floor tile and mastic, blue/grey, bottom, large marine patrol office	None Detected		100% Other	Gray Non-Fibrous Homogeneous
10047623_0035	n/a				Dissolved
032924 - HG6A - B	1'x1' floor tile and mastic, blue/grey, bottom, large marine patrol office	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0043	mastic				Dissolved
032924 - HG6B - A	1'x1' floor tile and mastic, blue/grey, bottom, large marine patrol office	None Detected		100% Other	Gray Non-Fibrous Homogeneous
10047623_0036	n/a				Dissolved
032924 - HG6B - B	1'x1' floor tile and mastic, blue/grey, bottom, large marine patrol office	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0044	mastic				Dissolved
032924 - HG7A - A	1'x1' floor tile and mastic, tan, black mastic, marine patrol office foyer	3% Chrysotile		97% Other	Brown, Tan Non-Fibrous Homogeneous
10047623_0037	n/a				Dissolved
032924 - HG7A - B	1'x1' floor tile and mastic, tan, black mastic, marine patrol office foyer	None Detected		100% Other	Black Non-Fibrous Homogeneous
10047623_0045	mastic				Dissolved
032924 - HG7B - A	1'x1' floor tile and mastic, tan, black mastic, marine patrol office foyer	Not Analyzed			
10047623_0038	n/a				
032924 - HG7B - B	1'x1' floor tile and mastic, tan, black mastic, marine patrol office foyer	Not Analyzed			
10047623_0046	mastic				

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Megan Jevnovich (52)
Analyst

Approved Signatory

F4F-012.03 11/13/2020
Scientific Analytical Institute, Inc. 4604 Dundas Dr. Greensboro, NC 27407 (336) 393-3888

Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and
40 CFR, Part 763, Subpart E, App.E

Customer: RPF Environmental Inc.
320 1st NH Turnpike
Northwood, NH 03261

Attn: Sean Smith

Lab Order ID: 10047623
Analysis: PLM
Date Received: 04/02/2024
Date Reported: 04/05/2024

Project: 24/0119 Pierce Island Fish Pier building

Sample ID / Lab Sample ID	Description / Lab Notes	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes / Treatment
032924 - HG8A	Linoleum & adhesive, tan patterned, marine patrol office in front of bathroom	30% Chrysotile		70% Other	Tan, Brown Fibrous Homogeneous
10047623_0019	inseparable mastic				Teased
032924 - HG8B	Linoleum & adhesive, tan patterned, marine patrol office in front of bathroom	Not Analyzed			
10047623_0020					
032924 - HG9A	Cove base adhesive, tan, small marine patrol office	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0021					Ashed
032924 - HG9B	Cove base adhesive, tan, marine patrol office closet	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0022					Ashed
032924 - HG10A - A	Formica countertop & adhesive, pine, marine patrol office in front of bathroom	None Detected		100% Other	Tan Non-Fibrous Homogeneous
10047623_0023	formica				Ashed
032924 - HG10A - B	Formica countertop & adhesive, pine, marine patrol office in front of bathroom	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0047	adhesive				Dissolved
032924 - HG10B - A	Formica countertop & adhesive, pine, marine patrol office in front of bathroom	None Detected		100% Other	Tan Non-Fibrous Homogeneous
10047623_0024	formica				Ashed
032924 - HG10B - B	Formica countertop & adhesive, pine, marine patrol office in front of bathroom	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0048	adhesive				Dissolved

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Megan Javenovich (52)
Analyst

Approved Signatory

Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and
40 CFR, Part 763, Subpart E, App.E

Customer: RPF Environmental Inc.
320 1st NH Turnpike
Northwood, NH 03261

Attn: Sean Smith

Lab Order ID: 10047623
Analysis: PLM
Date Received: 04/02/2024
Date Reported: 04/05/2024

Project: 24/0119 Pierce Island Fish Pier building

Sample ID / Lab Sample ID	Description / Lab Notes	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes / Treatment
032924 - HG11A - A	Formica countertop & adhesive, grey, marine patrol office kitchen sink	None Detected		100% Other	Gray, Blue Non-Fibrous Homogeneous
10047623_0025	formica				Ashed
032924 - HG11A - B	Formica countertop & adhesive, grey, marine patrol office kitchen sink	None Detected		100% Other	Tan Non-Fibrous Homogeneous
10047623_0049	adhesive				Dissolved
032924 - HG11B - A	Formica countertop & adhesive, grey, marine patrol office kitchen sink	None Detected		100% Other	Gray, Blue Non-Fibrous Homogeneous
10047623_0026	formica				Ashed
032924 - HG11B - B	Formica countertop & adhesive, grey, marine patrol office kitchen sink	None Detected		100% Other	Tan Non-Fibrous Homogeneous
10047623_0050	adhesive				Dissolved
032924 - HG12A - A	Formica countertop & adhesive, white, marine patrol office foyer	None Detected		100% Other	Gray Non-Fibrous Homogeneous
10047623_0027	formica				Ashed
032924 - HG12A - B	Formica countertop & adhesive, white, marine patrol office foyer	None Detected		100% Other	Tan Non-Fibrous Homogeneous
10047623_0051	adhesive				Dissolved
032924 - HG12B - A	Formica countertop & adhesive, white, marine patrol office foyer	None Detected		100% Other	Gray Non-Fibrous Homogeneous
10047623_0028	formica				Ashed
032924 - HG12B - B	Formica countertop & adhesive, white, marine patrol office foyer	None Detected		100% Other	Tan Non-Fibrous Homogeneous
10047623_0052					Dissolved

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Megan Javenovich (52)
Analyst

Approved Signatory

F4-402 v3.1 11/5/2020
Scientific Analytical Institute, Inc. 4604 Dundas Dr. Greensboro, NC 27407 (336) 292-3888

Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and
40 CFR, Part 763, Subpart E, App.E

Customer: RPF Environmental Inc.
320 1st NH Turnpike
Northwood, NH 03261

Attn: Sean Smith

Lab Order ID: 10047623
Analysis: PLM
Date Received: 04/02/2024
Date Reported: 04/05/2024

Project: 24/0119 Pierce Island Fish Pier building

Sample ID / Lab Sample ID	Description / Lab Notes	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes / Treatment
032924 - HG13A	Wall panel adhesive, marine patrol office kitchen sink	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0029					Dissolved
032924 - HG13B	Wall panel adhesive, marine patrol office kitchen sink	None Detected		100% Other	Yellow Non-Fibrous Homogeneous
10047623_0030					Dissolved
032924 - HG14A	Seam caulk, grey, marine patrol office kitchen sink	None Detected		100% Other	Gray Non-Fibrous Homogeneous
10047623_0031					Ashed
032924 - HG14B	Seam caulk, grey, marine patrol office kitchen sink	None Detected		100% Other	Gray, Beige Non-Fibrous Homogeneous
10047623_0032					Ashed
032924 - HG15A	Seam caulk, white, crew room next to door	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0033					Ashed
032924 - HG15B	Seam caulk, white, crew room next to door	None Detected		100% Other	White Non-Fibrous Homogeneous
10047623_0034					Ashed
032924 - HG16A	Exterior window glaze, white, outside small new office	None Detected		100% Other	Beige Non-Fibrous Homogeneous
10047623_0035					Dissolved, Crushed
032924 - HG16B	Exterior window glaze, white, outside small new office	None Detected		100% Other	Beige Non-Fibrous Homogeneous
10047623_0036					Crushed, Dissolved

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Analyst

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F4-402 v3.1 11/5/2020
Scientific Analytical Institute, Inc. 4604 Dundas Dr. Greensboro, NC 27407 (336) 292-3888

Bulk Asbestos Analysis

By Polarized Light Microscopy
EPA Method: 600/R-93/116 and
40 CFR, Part 763, Subpart E, App.E

Customer: RPF Environmental Inc.
320 1st NH Turnpike
Northwood, NH 03261

Attn: Sean Smith

Lab Order ID: 10047623
Analysis: PLM
Date Received: 04/02/2024
Date Reported: 04/05/2024

Project: 24/0119 Pierce Island Fish Pier building

Sample ID / Lab Sample ID	Description / Lab Notes	Asbestos	Fibrous Components	Non-Fibrous Components	Attributes / Treatment
032924 - HG17A	Asphalt roofing shingle, black, Above new office by concrete dock	None Detected	30% Fiber Glass	70% Other	Gray, Black Fibrous Homogeneous
10047623_0037					Dissolved
032924 - HG17B	Asphalt roofing shingle, black, Above new office by concrete dock	None Detected	30% Fiber Glass	70% Other	Gray, Black Fibrous Homogeneous
10047623_0038					Dissolved
032924 - HG18A	Roofing paper and adhesive, black, above new office by concrete dock	None Detected		100% Other	Black Non-Fibrous Homogeneous
10047623_0039					Dissolved
032924 - HG18B	Roofing paper and adhesive, black, above new office by concrete dock	None Detected		100% Other	Black Non-Fibrous Homogeneous
10047623_0040					Dissolved

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Analyst

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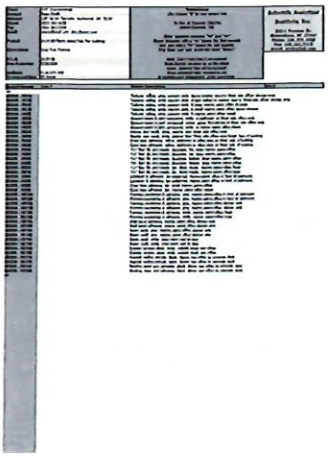
F4-402 v3.1 11/5/2020
Scientific Analytical Institute, Inc. 4604 Dundas Dr. Greensboro, NC 27407 (336) 292-3888

10047623

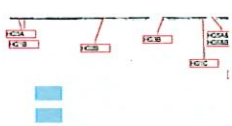


See email from Seans@airdr.com

yes 4/12 10:30am

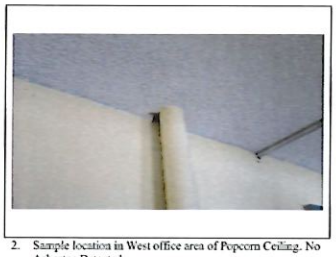
Accepted ☑
Rejected ☐

APPENDIX B

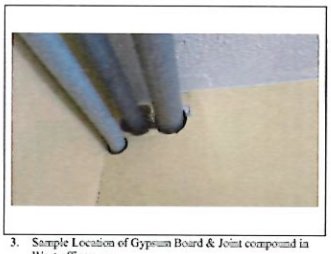


APPENDIX C

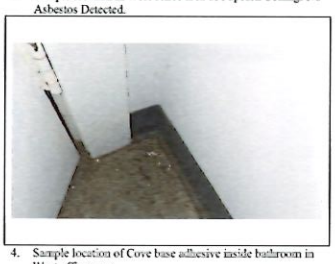
1. Overall Site Photo



2. Sample location in West office area of Popcorn Ceiling. No Asbestos Detected.



3. Sample Location of Gypsum Board & Joint compound in West office area



4. Sample location of Cove base adhesive inside bathroom in West office area

5. Non ACM Floor tile and mastic over ACM sheet flooring in Marine patrol office area

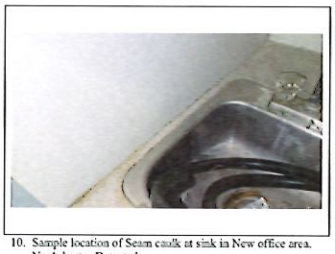
6. ACM floor tile on non-ACM mastic in New office areas

EXAMPLE PICTURES		RPF Environmental TESTING & CONSULTING SERVICES
Site Address: 1 Pierce Rd. Portsmouth NH Fish Pier HAZMAT Survey		www.rpf.com 888-SAFE AIR File No. 24.0119

7. ACM floor Tile on Non ACM mastic in New Office and ACM linoleum in hallway, bathroom, and marine patrol office

8. Sample location of Countertop adhesive, at sink in New office area. No Asbestos Detected.

9. Sample location of wall panel adhesive at sink in New office area. No Asbestos Detected.



10. Sample location of Seam caulk at sink in New office area. No Asbestos Detected.

11. Sample location of window glaze outside of small new office. No Asbestos Detected.

12. Sample location of Roofing shingle and paper, above locked new office. No Asbestos Detected.

EXAMPLE PICTURES		RPF Environmental TESTING & CONSULTING SERVICES
Site Address: 1 Pierce Rd. Portsmouth NH Fish Pier HAZMAT Survey		www.rpf.com 888-SAFE AIR File No. 24.0119

APPENDIX D

STATE of NEW HAMPSHIRE
Department of Environmental Services
Asbestos Management & Control Program

ASBESTOS INSPECTOR
AI103045 I
SEAN R SMITH
EFF. Date: 1/30/2024 EXP. Date: 1/29/2025

Air Resources Division Director
Craig A. Wright

Craig A. Wright

D-26

RPF ENVIRONMENTAL, INC.

320 First NH Turnpike, Northwood, NH 03261 (603) 942-5432

Class Location: Northwood, NH

This is to certify that

Sean Smith

has completed the requisite training for:

Inspector Initial Training
Pursuant to Title II of the Toxic Substance Control Act, 15 U.S.C. 2646

November 6, 2023 – November 8, 2023
Course Date

November 8, 2023
Examination Date

November 8, 2024
Expiration Date

230562-3/110999
Cert Scate Number/DOB

Brianna Hare, Instructor

D-27

APPENDIX E

D-28

Summary of Methodology: Asbestos-Containing Building Materials Survey

EPA accredited inspector(s) surveyed accessible space in the building or site areas included within the RPF Scope of Work (SOW) to identify suspect asbestos-containing building material (ACBM). Suspect ACBM was inventoried and categorized into homogeneous groups of materials. To the extent indicated in the report, samples were then extracted from the different groups of homogeneous materials in accordance with applicable State and federal rules and regulations. For surveys in which the SOW included full inspections of the affected space, sampling methodologies were based on the requirements set forth in 40 CFR Part 763 (EPA) and 29 CFR Part 1926.1101 (OSHA). For preliminary or limited surveys, findings apply to only the affected material or space as indicated in the RPF SOW and Report and additional inspection and testing will be required to satisfy regulatory obligations associated with renovation, demolition, maintenance and other occupational safety and health requirements. Sampling methodologies used are as set forth in 40 CFR Part 763 (EPA):

- Surfacing Material: 3 bulk samples from each homogenous area and/or material that is 1,000 square feet or less. 5 bulk samples from each homogenous area that is greater than 1,000 square feet but less than or equal to 5000 square feet. 7 bulk samples from each homogenous area that is greater than 5,000 square feet.
- Thermal System Insulation: 3 bulk samples from each homogenous area. 1 bulk sample from each homogenous area of patched thermal system insulation if the patched section is less than 6 linear or square feet. Samples sufficient to determine whether the material is ACM from each insulated mechanical system where cement is utilized on tees, elbows, or valves.
- Miscellaneous ACM: 3 samples from each miscellaneous material. 1 sample if the amount of miscellaneous material is less than 6 square or linear feet.

Collected samples were individually placed into sealed containers, labeled, and submitted with proper chain of custody forms to the RPF NVLAP-accredited vendor laboratory. Sample containers and tools were cleaned after each sample was collected. Samples were analyzed for asbestos content using polarized light microscopy (PLM). Although PLM is the method currently recognized in State and federal regulations for asbestos identification in bulk samples, PLM may not be sensitive enough to detect all of the asbestos fibers in certain types of materials, such as floor tile and other nonfriable ACBM. In the event that more definitive results are requested in cases of with negative or trace results of asbestos are detected, RPF recommends that confirmation testing be completed using transmission electron microscopy.

For each homogeneous group of suspect material, a "stop at first positive" (SFP) method may have been employed during the analysis. The SFP method is based on current EPA sampling protocols and means that if one sample within a homogeneous group of suspect material is found to contain >1% asbestos, then further analysis of that specific homogenous group samples is terminated, and the entire homogeneous group of material is considered to be ACBM regardless of the other sample results. This is based on the potential for inconsistent mix of asbestos in the product yielding varying findings across the different individual samples collected from the same homogeneous group. Unless otherwise noted in the report, sample groups found to have 1% to <10% asbestos content are assumed to be ACBM; to rebut this assumption further analysis with point count methods are required.

Inaccessible and hidden areas, including but not limited to wall/floor/ceiling cavity space, space with obstructed access (such as fiberglass insulation above suspended ceilings), sub floors, interiors of mechanical and process equipment, and similar spaces were not included in the inspection and care should be used when accessing these areas in the future. Unless otherwise noted in the RPF Report, destructive survey techniques were not employed during this survey.

In the event that additional suspect materials are encountered that are not addressed in this report, the materials should be properly tested by an accredited inspector. For example, during renovation and demolition it is likely that additional suspect material will be encountered, and such suspect materials should be assumed to be hazardous until proper inspection and testing occurs.

RPF followed applicable industry standards; however, various assumptions and limitations of the methods can result in missed materials or misidentification of materials due several factors including but not limited to: inaccessible space due to physical or safety constraints, space that is difficult to reach to fully inspection, assumptions regarding the determination of homogenous groups of suspect material, assumptions regarding attempts to conduct representative sampling, and potential for varying mixtures and layers of material sampled not being representative of all areas of similar material. Also reference the Limitations document attached to the report.

Summary of Methodology: Lead in Paint Survey

Screening for lead in paint (LP) was performed using bulk sampling of paint or using an X-Ray Fluorescence (XRF) meter for in situ measurements of various painted surfaces. For bulk sampling, samples for determinations were collected by scraping lead paint chips from the substrate. The surveyor attempted to sample layers of paint down to the substrate surface at each sample location. Samples were placed into proper sample containers, the containers were then sealed, labeled and shipped with chain of custody to the RPF AIHA accredited vendor laboratory. The samples were analyzed for total lead content using SW 846 3050B - NIOSH Method 7420. For XRF screening, the device was used and calibrated in accordance with the equipment and industry guidelines applicable for the specific testing performed.

Unless specific TCLP waste characterizations were included in the RPF Scope of Work (SOW), further analysis of waste streams for toxicity characteristics including, but not necessarily limited to lead, may be required prior to disposal of the waste stream. Other toxics may also be present including other heavy metals and PCBs and it may also be necessary to conduct waste characterization for these materials.

Sampling was limited to the specific components as listed in the RPF Report and testing and survey was not completed on every different surface in every room or area in the building. In addition, unless otherwise noted in the RPF Report, surface dust, air and soil testing were not conducted during this survey. In order to conduct thorough hazard assessments for lead exposures, representative surface dust testing and air monitoring throughout the building, LBP testing of all surfaces in the building, and representative soil testing in the exterior areas should be completed. This type of testing and analysis was beyond the SOW for the initial survey.

The intent of this survey is for lead in construction purposes, not for lead abatement, lead inspections, or lead hazard assessments in residential situations. Specific survey and inspection protocols are required for residential lead-based paint inspections that were not included in the RPF SOW.

RPF followed applicable industry standards for construction related identification in nonresidential settings; however, RPF does not warrant or certify that all lead or other hazardous materials in or on the building has been identified and included in this report. Various assumptions and limitations of the methods can result in missed materials or misidentification of materials due several factors including but not limited to: inaccessible space due to physical or safety constraints, space that is difficult to reach to inspect of sample, assumptions regarding the determination of homogeneous or like types of paint, assumptions regarding attempts to conduct representative sampling, and potential for varying mixtures and layers of material sampled not being representative of all areas of similar appearing material. Also reference the Limitations document attached to the report.

Summary of Methodology: Polychlorinated Biphenyls, Mercury and Refrigerants

Various, accessible fluorescent light fixtures were inspected to determine if the ballasts contain a "No PCBs" label. Ballasts that do not have the "No PCBs" label are assumed to contain PCB.

Only limited fixtures were checked based on accessibility and safety concerns. Further inspection will be required during the course of construction, maintenance, renovation and demolition.

Various equipment and machinery within the building may also contain PCB oils. Specific findings relating to such equipment and machinery were not included in the RPF SOW.

It is common to find fluorescent light bulbs, thermostats and switches present in buildings. RPF performed a visual inspection of specific areas included in the RPF SOW in an attempt to identify such materials. Findings are limited to the specific accessible space accessed by RPF.

Various compressor and refrigerant equipment may be present, and should be assumed that such equipment contains Freon or other chlorofluorocarbons unless otherwise tested or documented. Although general comment may be provided in the RPF Report, the specific identification of all potential Freon and CFCs is not included in the RPF SOW.

The findings may or may not be fully representative of all of the entire building. Confirmation testing and analysis of PCB, refrigerants and mercury was not included in the RPF SOW.

RPF followed applicable industry standards; however, RPF does not warrant or certify that all hazardous material in or on the building has been identified and included in this report. Various assumptions and limitations of the methods can result in missed materials or misidentification of materials due several factors including but not limited to: inaccessible space due to physical or safety constraints, space that is difficult to reach to fully inspection, electrical safety considerations, and assumptions relating to areas or material being representative of other locations which in fact may not be representative. Also reference the Limitations document attached to the report.

LIMITATIONS

1. The observations and conclusions presented in the Report were based solely upon the services described herein, and not on scientific tasks or procedures beyond the RPF Environmental, Inc. Scope of Work (SOW) as discussed in the proposal and/or agreement. The conclusions and recommendations are based on visual observations and testing, limited as indicated in the Report, and were arrived at in accordance with generally accepted standards of industrial hygiene practice and asbestos professionals. The nature of this survey or monitoring service was limited as indicated herein and in the report or letter of findings. Further testing, survey, and analysis is required to provide more definitive results and findings.

2. For site survey work, observations were made of the designated accessible areas of the site as indicated in the Report. While it was the intent of RPF to conduct a survey to the degree indicated, it is important to note that not all suspect ACBM material in the designated areas were specifically assessed and visibility was limited, as indicated, due to the presence of furnishings, equipment, solid walls and solid or suspended ceilings throughout the facility and/or other site conditions. Asbestos or hazardous material may have been used and may be present in areas where detection and assessment is difficult until renovation and/or demolition proceeds. Access and observations relating to electrical and mechanical systems within the building were restricted or not feasible to prevent damage to the systems and minimize safety hazards to the survey team.

3. Although assumptions may have been stated regarding the potential presence of inaccessible or concealed asbestos and other hazardous material, full inspection findings for all asbestos and other hazardous material requires the use of full destructive survey methods to identify possible inaccessible suspect material and this level of survey was not included in the SOW for this project. For preliminary survey work, sampling and analysis as applicable was limited and a full survey throughout the site was not performed. Only the specific areas and /or materials indicated in the report were included in the SOW. This inspection did not include a full hazard assessment survey, full testing or bulk material, or testing to determine current dust concentrations of asbestos in and around the building. Inspection results should not be used for compliance with current EPA and State asbestos in renovation/demolition requirements unless specifically stated as intended for this use in the RPF report and considering the limitations as stated therein and within this limitations document.

4. Where access to portions of the surveyed area was unavailable or limited, RPF renders no opinion of the condition and assessment of these areas. The survey results only apply to areas specifically accessed by RPF during the survey. Interiors of mechanical equipment and other building or process equipment may also have asbestos and other hazardous material present and were not included in this inspection. For renovation and demolition work, further inspection by qualified personnel will be required during the course of construction activity to identify suspect material not previously documented at the site or in this survey report. Bordering properties were not investigated and comprehensive file review and research was not performed.

5. For lead in paint, observations were made of the designated accessible areas of the site as indicated in the Report. Limited testing may have been performed to the extent indicated in the text of the report. In order to conduct thorough hazard assessments for lead exposures, representative surface dust testing, air monitoring and other related testing throughout the building, should be completed. This type of in depth testing and analysis was beyond the scope of services for the initial inspection. For lead surveys with XRF readings, it is recommended that surfaces found to have LBP or trace amount of lead detected with readings of less than 4 mg/cm² be confirmed using laboratory analysis if more definitive results are required. Substrate corrections involving destructive sampling or damage to existing surfaces (to minimize XRF read-through) were not completed. In some instances, destructive testing may be required for more accurate results. In addition, depending on the specific thickness of the paint films on different areas of a building component, differing amounts of wear, and other factors, XRF readings can vary slightly, even on the same building component. Unless otherwise specifically stated in the scope of services and final report, lead testing performed is not intended to comply with other state and federal regulations pertaining to childhood lead poisoning regulations.

RPF Service Limitations (cont.)

6. Air testing is to be considered a "snap shot" of conditions present on the day of the survey with the understanding that conditions may differ at other times or dates or operational conditions for the facility. Results are also limited based on the specific analytical methods utilized. For phase contrast microscopy (PCM) total airborne fiber testing, more sensitive asbestos-specific analysis using transmission electron microscopy (TEM) can be performed upon request.

7. For asbestos bulk and dust testing, although polarize light microscopy (PLM) is the method currently recognized in State and federal regulations for asbestos identification in bulk samples, some industry studies have found that PLM may not be sensitive enough to detect all of the asbestos fibers in certain nonfriable material, vermiculate type insulation, soils, surface dust, and other materials requiring more sensitive analysis to identify possible asbestos fibers. In the event that more definitive results are requested, RPF recommends that confirmation testing be completed using TEM methods or other analytical methods as may be applicable to the material. Detection of possible asbestos fibers may be made more difficult by the presence of other non-asbestos fibrous components such as celllelose, fiber glass, etc., by binder/matrix materials which may mask or obscure fibrous components, and/or by exposure to conditions capable of altering or transforming asbestos. PLM can show significant bias leading to false negatives and false positives for certain types of materials. PLM is limited by the visibility of the asbestos fibers. In some samples the fibers may be reduced to a diameter so small or masked by coatings to such an extent that they cannot be reliably observed or identified using PLM.

8. For hazardous building material inspection or survey work, RPF followed applicable industry standards; however, RPF does not warrant or certify that all asbestos or other hazardous materials in or on the building has been identified and included in this report. Various assumptions and limitations of the methods can result in missed materials or misidentification of materials due to several factors including but not limited to: inaccessible space due to physical or safety constraints, space that is difficult to reach to fully inspect, assumptions regarding the determination of homogenous groups of suspect material, assumptions regarding attempts to conduct representative sampling, and potential for varying mixtures and layers of material sampled not being representative of all areas of similar material.

9. Full assessments often requires multiple rounds of sampling over a period of time for air, bulk material, surface dust and water. Such comprehensive testing was beyond the scope of RPF services. In addition clearance testing for abatement, as applicable, was based on the visual observations and limited ambient area air testing as indicated in the report and in accordance with applicable state and federal regulations. The potential exists that microscopic surface dust remains with contaminant present even in the event that the clearance testing meets the state and federal requirements. Likewise for building surveys, visual observations are not sufficient alone to detect possible contaminant in settled dust. Unless otherwise specifically indicated in the report, surface dust testing was not included in the scope of the RPF services.

10. For abatement or remediation monitoring services: RPF is not responsible for observations and test for specific periods of work that RPF did not perform full shift monitoring of construction, abatement or remediation activity. In the event that problems occurred or concerns arouse regarding contamination, safety or health hazards during periods RPF was not onsite, RPF is not responsible to provide documentation or assurances regarding conditions, safety, air testing results and other compliance issues. RPF may have provided recommendations to the Client, as needed, pertaining to the Client's Contractor compliance with the technical specifications, schedules, and other project related issues as agreed and based on results of RPF monitoring work. However, actual enforcement, or waiving of, contract provisions and requirements as well as regulatory liabilities shall be the responsibility of Client and Client's Contractor(s). Off-site abatement activities, such as waste transportation and disposal, were not monitored or inspected by RPF.

11. For services limited to clearance testing following abatement or remediation work by other parties: The testing was limited to clearance testing only and as indicated in the report and a site assessment for possible environmental health and safety hazards was not performed as part of the scope of this testing. Client, or Client's abatement contractor as applicable, was responsible for performing visual inspections

of the work area to determine completeness of work prior to air clearance testing by RPF.

12. For site work, including but not limited to air clearance testing services, in which RPF did not provide full site safety and health oversight, abatement design, full shift monitoring of all site activity, RPF expresses no warranties, guarantees or certifications of the abatement work conducted by the Client or other employers at the job site(s), conditions during the work, or regulatory compliance, with the exception of the specific airborne concentrations as indicated by the air clearance test performed by RPF during the conditions present for the clearance testing. Unless otherwise specifically noted in the RPF Report, visual inspections and air clearance testing results apply only to the specific work area and conditions present during the testing. RPF did not perform visual inspections of surfaces not accessible in the work area due to the presence of containment barriers or other obstructions. In these instances, some contamination may be present following RPF clearance testing and such contamination may be exposed during and after removal of the containment barriers or other obstructions following RPF testing services. Client or Client's Contractor is responsible for using appropriate care and inspection to identify potential hazards and to remediate such hazards as necessary to ensure compliance and a safe environment.

13. The survey was limited to the material and/or areas as specifically designated in the report and a site assessment for other possible environmental health and safety hazards or subsurface pollution was not performed as part of the scope of this site inspection. Typically, hazardous building materials such as asbestos, lead paint, PCBs, mercury, refrigerants, hydraulic fluids and other hazardous product and materials may be present in buildings. The survey performed by RPF only addresses the specific items as indicated in the Report.

14. For mold and moisture survey services, RPF services did not include design or remediation of moisture intrusion. Some level of mold will remain at the site regardless of RPF testing and Contractor or Client cleaning efforts. RPF testing associated with mold remediation and assessments is limited and may or may not be representative of other surfaces and locations at the site. Mold growth will occur if moisture intrusion deficiencies have not been fully remedied and if the site or work areas are not maintained in a sufficiently dry state. Porous surfaces in mold contaminated areas which are not removed and disposed of will likely result in future spore release, allergen sources, or mold contamination.

15. Existing reports, drawings, and analytical results provided by the Client to RPF, as applicable, were not verified and, as such, RPF has relied upon the data provided as indicated, and has not conducted an independent evaluation of the reliability of these data.

16. Where sample analyses were conducted by an outside laboratory, RPF has relied upon the data provided, and has not conducted an independent evaluation of the reliability of this data.

17. All hazard communication and notification requirements, as required by U.S. OSHA regulation 29 CFR Part 1926, 29 CFR Part 1910, and other applicable rules and regulations, by and between the Client, general contractors, subcontractors, building occupants, employees and other affected persons were the responsibility of the Client and are not part of the RPF SOW.

18. The applicability of the observations and recommendations presented in this report to other portions of the site was not determined. Many accidents, injuries and exposures and environmental conditions are a result of individual employee/employer actions and behaviors, which will vary from day to day, and with operations being conducted. Changes to the site and work conditions that occur subsequent to the RPF inspection may result in conditions which differ from those present during the survey and presented in the findings of the report.

Hydrant Flow Test Report

Test Date 3/20/2024 **Test Time** 9:30am

Location

Oak Point Associates
Building Replacement Study
Portsmouth Fish Pier
Pierce Island Rd.
Portsmouth, NH

Tested by

Richard Boisvert
Underground Testing & Services LLC
809 Back Mountain Rd
Goffstown NH 03045

Notes

Flow Hydrant (At the pool)
Static Hydrant (At the fish pier)

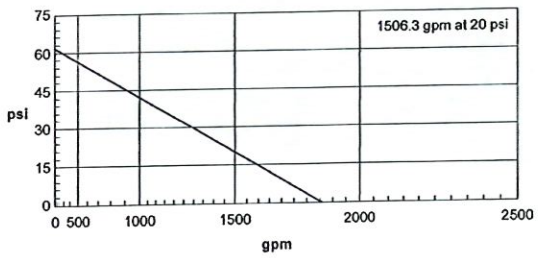
Read Hydrant

62 psi **static pressure**
40 psi **residual pressure**
0 ft **hydrant elevation**

Flow Hydrant(s)

Outlet	Elev	Size	C	Pitot Pressure	Flow
#1	0	2.5	.9	40	1062 gpm

Flow Graph



Created with the free hydrant flow test program from www.igneusinc.com

NHB DataCheck Results Letter
NH Natural Heritage Bureau
Please note: maps and NHB record pages are confidential and shall be redacted from public documents.

To: Steven Sargent, Oak Point Associates
85 Middle Street
Portsmouth, NH 03840
ssargent@oakpoint.com

From: NHB Review
NH Natural Heritage Bureau
Main Contact: Ashley Litwinenko - nhbreview@dncr.nh.gov

cc:

Date: 04/25/2024 (valid until 04/25/2025)
Re: DataCheck Review by NH Natural Heritage Bureau and NH Fish & Game
Permits: OTHER - Project evaluation

NHB ID: **NHB24-1178**
Town: Portsmouth
Location: 1 Pierce Island Road

Project Description: The project being evaluated includes demolition of the existing 5,100 square foot building, reconstruction of a portion of the building (1,750 sf) on the existing foundations, and paving the remaining former building area.

Next Steps for Applicant:

NHB's database has been searched for records of rare species and exemplary natural communities. Please carefully read the comments and consultation requirements below.

NHB Comments: If all work is within existing paved areas then NHB has no concerns. If any work is proposed along the shoreline, then please contact NHB with proposed plans and representative photos during the growing season of the shoreline proposed to be impacted.

NHFG Comments: No comments at this time.

NHB Consultation
If this NHB DataCheck letter includes records of rare plants and/or natural communities/systems, please contact NHB and provide any requested supplementary materials by emailing nhbreview@dncr.nh.gov.

If this NHB DataCheck letter DOES NOT include any records of rare plants and/or natural communities/systems, no further consultation with NHB is required.

NHB DataCheck Results Letter
NH Natural Heritage Bureau
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NH Fish and Game Department Consultation
If this NHB DataCheck letter DOES NOT include ANY wildlife species records, then, based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

If this NHB DataCheck letter includes a record for a threatened (T) or endangered (E) wildlife species, consultation with the New Hampshire Fish and Game Department under Fis 1004 may be required. To review the Fis 1000 rules (effective February 3, 2022), please go to https://www.wildlife.nh.gov/wildlife-and-habitat/nongame-and-endangered-species/environmental-review. All requests for consultation and submittals should be sent via email to NHFGreview@wildlife.nh.gov or can be sent by mail, and must include the NHB DataCheck results letter number and "Fis 1004 consultation request" in the subject line.

If the NHB DataCheck response letter does not include a threatened or endangered wildlife species but includes other wildlife species (e.g., Species of Special Concern), consultation under Fis 1004 is not required; however, some species are protected under other state laws or rules, so coordination with NH Fish & Game is highly recommended or may be required for certain permits. While some permitting processes are exempt from required consultation under Fis 1004 (e.g., *statutory permit by notification, permit by rule, permit by notification, routine roadway registration, docking structure registration, or conditional authorization by rule*), coordination with NH Fish & Game may still be required under the rules governing those specific permitting processes, and it is recommended you contact the applicable permitting agency. For projects not requiring consultation under Fis 1004, but where additional coordination with NH Fish and Game is requested, please email NHFGreview@wildlife.nh.gov, and include the NHB DataCheck results letter number and "review request" in the email subject line.
Contact NH Fish & Game at (603) 271-0467 with questions.

NHB DataCheck Results Letter
NH Natural Heritage Bureau
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NHB Database Records:
The following record(s) have been documented in the vicinity of the proposed project.
Please see the map and detailed information about the record(s) on the following pages.

Plant species	State[1]	Federal	Notes
marsh elder (*Iva frutescens*)	T	--	Threats are primarily alterations to the hydrology of the wetland, such as ditching or tidal restrictions that might affect the sheet flow of tidal waters across the intertidal flat, activities that eliminate plants, and increased input of nutrients and pollutants in storm runoff.

[1]Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list.
An asterisk (*) indicates that the most recent report for that occurrence was 20 or more years ago.

Disclaimer: NHB's database can only tell you of known occurrences that have been reported to NHFG/NHB. Known occurrences are based on information gathered by qualified biologists or members of the public, reported to our offices, and verified by NHB/NHFG.
However, many areas have never been surveyed, or have only been surveyed for certain species.
NHB recommends surveys to determine what species/natural communities are present onsite.

NHB DataCheck Results Letter
NH Natural Heritage Bureau
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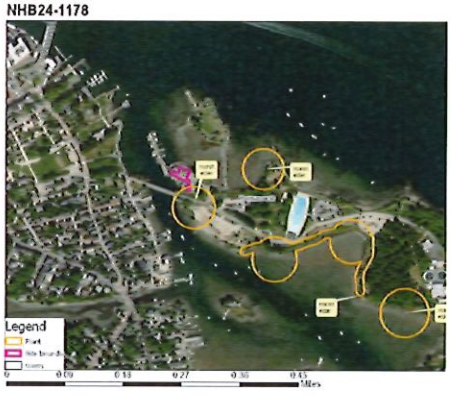
NHB24-1178



New Hampshire Natural Heritage Bureau - Plant Record

marsh elder (*Iva frutescens*)

Legal Status	Conservation Status
Federal: Not listed	Global: Demonstrably widespread, abundant, and secure
State: Listed Threatened	State: Imperiled due to rarity or vulnerability

Description at this Location

Conservation Rank: Excellent quality, condition and landscape context ('A' on a scale of A-D).
Comments on Rank: This rank may be for the state rather than relative to others in the region.

Detailed Description: 2023: Transplant, Lady Isle: 10 plants transplanted to this location from the west side of both ends of the Lady Isle Bridge (old locations not mapped in database). 2021: Lady Isle: Plants intermittently distributed along the westernmost portion of the island. 2020: Tidal Pool: Species observed in flower. 2017: Leachs Island: Several thousand plants spread along 800+ feet of shoreline. 10-20% dieback, 10-15% yellowing, 65-80% normal to vigorous. Aphids observed on 80% of clumps. 2016: Peirce Island: Additional subpopulations located, raising total number of plants to over 600. Plants appear to be in much better health than 2014, with all individuals in fruit and in good vigor. Shaws Hill: Several clumps over an area approximately 30 x 15 feet. Estimated at over 200 individuals. Tidal Pool: Plants in 3 areas along shoreline near tidal pool. 2014 Peirce Island: Over 500 plants were observed, all stunted, with approximately 50-60% dead stems, mostly confined to the upper portions of the plants. 1996: Constant observation since 1953 reported, including all stages of phenology and age structure. 1982: Good clump observed.

General Area: 2023: Transplant, Lady Isle: Plants transplanted next to a known marsh elder (*Iva frutescens*) stand. This area has full-sun exposure and soil composition that supports this species. The transplant site is just above the highest observable tide line and is not subject to prolonged periods of flooding and saturation. The site is adjacent to a well-established, naturally wooded, upland buffer bordering a salt marsh with no nearby development. The invasive plants Japanese barberry (*Berbis thunbergia*), glossy buckthorn (*Frangula alnus*), and Japanese honeysuckle (*Lonicera japonica*) were present at the site and removed along with large overhanging oak (*Quercus sp.*) limbs. 2017: Leachs Island: Upper edge of brackish marsh/rocky shore. Plants absent from areas with broader expanse of marsh. Rocks present in most areas where the plants are growing. Associated species include black oak (*Quercus velutina*), saltmarsh rush (*Juncus gerardii*), sea-blite (*Suaeda* sp.), hastate-leaved orache (*Atriplex cf. prostrata*), smooth cordgrass (*Spartina alterniflora*), Carolina sea-lavender (*Limonium carolinianum*), and seaside plantain (*Plantago maritima* ssp. *juncoides*). 2016: Peirce Island: Population forms a narrow band immediately above the highest observed wrack line along the shore. Associated upland species include staghorn sumac (*Rhus hirta*), autumn-olive (*Elaeagnus umbellata* var. *parvifolia*), Asian bittersweet (*Celastrus orbiculatus*), and speckled alder (*Alnus incana* ssp. *rugosa*). The saline areas downslope

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NHB24-1178 ECOCODE: FOAST5B090*005*NH

of the marsh elder contained over 50% unvegetated substrate, as well as a mixture of cordgrass (*Spartina* sp.) and saltgrass (*Distichlis spicata*). Shaws Hill: Surrounding land use is developed. All plants below highest observable tide line in ***high salt marsh***, located among saltmeadow cordgrass (*Spartina patens*), smooth cordgrass (*Spartina alterniflora*), and seaside goldenrod (*Solidago sempervirens*). Tidal Pool: Sagamore Creek/Great Bay shoreline, with smooth cordgrass (*Spartina alterniflora*), saltmarsh rush (*Juncus gerardii*), saltmeadow cordgrass (*Spartina patens*), seaside goldenrod (*Solidago sempervirens*), and sea-blite (*Suaeda* spp.). 1996: On shores of several islands and peninsulas in the more or less enclosed bay system. Associated plant species: *Solidago sempervirens* (seaside goldenrod), *Juncus gerardii* (salt marsh rush), *Spartina patens* (salt-meadow cord-grass), *Triglochin maritimum* (arrow-grass), *Elymus virginicus* (Virginia wild rye), *Atriplex patula* (narrow-leaved orach), and *Artemisia vulgaris* (common mugwort). Substrate: gravel and marsh peat and muck. 1982: On shore at Pleasant Point.

General Comments: 2023: Transplant, Lady Isle: Bill Nichols the State botanist noted this may not have been the best location for the transplant and suggested the plants should have been planted within the high salt marsh along its upper edge where inundated by spring (full and new moon) tides. He noted the marsh elder likely would have had a much better chance to survive if transplanted in with the marsh graminoids below the oak seedlings mixed in with the graminoids. 2021: Lady Isle: Site is referred to Belle Isle on reporting form, and appears as Belle Island on some maps, but is called Lady Isle on USGS topo. 2016: Peirce Island: "The population currently appears to be in good health, although the results of the June 2014 surveys indicated that there may be some intermittent pressure on this population. The propensity of this species to grow in a very narrow band along the tide line does not allow for rapid adaptation to changing sea levels, storm events, or polluted runoff that a larger, robust population may resist. If sea levels gradually rise as expected, the marsh elder will be unable to move inland due to a small but steep cut bank that forms the upland break adjacent to the marsh elder population. The remaining subpopulations may also be getting shaded by the adjacent upland vegetation, which appears to be encroaching on the shoreline. This vegetation is comprised of large shrub species and the invasive Oriental bittersweet that is capable of overtaking the native plants in the area."

Management Comments: 2023: Transplant, Lady Isle: Ten plants transplanted to this site next to an existing marsh elder population. The transplant site was prepared by removing invasive species and their root systems and removing large overhanging oak limbs to allow for greater sun penetration. Ten holes were dug to accommodate the roots masses of the shrubs to be transplanted. To avoid transplant shock by way of heat exposure, the transplanting occurred on an overcast day with intermittent showers and breaks from the sun where the temperature did not exceed 68 degrees Fahrenheit. To avoid damage to the root system, a large pry bar was used. This allowed the transplant team to get well beneath the entire root system and loosen the surrounding soil with only minimal damage to the root systems. The shrubs were then extracted by hand from the substrate. Immediately following removal, team members placed the root mass of the shrubs in a bucket and they were individually walked to the transplant site. The holes dug the previous day were reworked to ensure they accommodated each plant and the root ball was then inserted into the ground so the crown of the plant rested at

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NHB24-1178 ECOCODE: FOAST5B090*005*NH

the soil line. To facilitate maximum water uptake, wet soils at the transplant site were used to cover the root masses. Dryer soils from the transplant area were used to backfill any remaining void spaces. Once the plants were in the ground and the parent soil material was backfilled, natural mulch and duff in the surrounding area was used to cover the surface of ground surrounding the transplants. Rocks were also placed around each plant to increase stability during high tides. Lime green ribbon was placed on the transplants so they can be more readily differentiated from the surrounding landscape during follow-up inspections. Following the transplant the marsh elder will continue to be monitored for three years and will be watered during any abnormally dry conditions.

Location

Survey Site Name: Little Harbor, back channel
Managed By: Little Harbor Trust

County: Rockingham
Town(s): Portsmouth
Size: 61.6 acres Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: 2021: Lady Isle: Shoreline along western end of Lady Isle. 2017: Leachs Island: Island in New Castle only accessible by boat. Plants observed on south shore of island. 2016: Peirce Island: Along the southern shore of Peirce Island, along the edge of a small cove west of the wastewater treatment facility. Shaws Hill: Take Laurel Lane off New Castle Avenue, bear left onto driveway right-of-way servicing 51A & 51B Laurel Lane. At end of right-of-way, 51B will be located on the right. Tidal Pool: Along Sagamore Creek shoreline on Creek Farm Reservation property in Portsmouth. In the vicinity of Rte. 1B which encircles the Little Harbor back channel from Portsmouth to New Castle and Rye. Many of the sites are visible only by boat.

Dates documented

First reported: 1953 Last reported: 2023-06-07

231 Main Street, Biddeford, ME 04005 TEL 207.283.0193 FAX 207.283.4283 www.oakpoint.com
85 Middle Street, Portsmouth, NH 03801 TEL 603.431.4849 FAX 603.431.1870

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 15, 2024

Myles Greenway
PDA Division of Ports & Harbors (PDA)
555 Market Street
Portsmouth, New Hampshire 03801

Cc: Atlantic States Marine Fisheries Commission (ASMFC)

Re: Portsmouth Commercial Fish Facility Building - **Concept Study**
Portsmouth NH

Dear Mr. Greenway

Appledore Marine Engineering, LLC (AME) is pleased to submit this concept study for the replacement of the Commercial Fish Facility Building on Pierce Island, Portsmouth, NH. Presented in this study are a narrative description with associated drawings and opinion of probable design, permit application, and construction costs.

During concept development, it was determined that replacement of the existing facility in kind would likely exceed the anticipated budget by a significant amount. It was jointly decided between PDA and AME that that most logical course of action for the study would be to focus on developing a base bid concept that satisfies the minimum core functions of the facility and bid options for opportunities to expand the scope of the project, should additional funding become available. The anticipated cost for the base bid concept exceeds the current anticipated budget, but it is our opinion that it represents the minimum scope required to maintain operations at the facility. The table below provides a summary of anticipated costs associated with the base bid of the project:

Table 1: Summary of Anticipated Costs

TASK	AMOUNT
Engineering Studies / Design	$99,400
Permit Application Development	$14,200
Construction Engineering / Administration	$106,500
Design / Engineering / Permitting Subtotal	**$220,100**
Demolition / HAZMAT / Removals	$239,980
Construction of New Facility	$959,920
Demolition / Construction Subtotal	**$1,199,900**
TOTAL PROJECT (Base Bid)	**$1,420,000**

This effort represents the conceptual phase of design with the intent to provide a viable replacement concept for the building, general arrangement plan, and opinion of the probable costs. The next phase of this project would be to progress the concept development to the design of construction documents and develop/submit permit applications.

Thank you for the opportunity to work with you on this study. If you have any questions or require additional information, please do not hesitate to contact us.

Noah J. Elwood, PE, D.PE, D.OE
President

Travis Baker, PE
Project Manager

Appledore Marine Engineering, LLC
600 State Street, Suite E | Portsmouth New Hampshire 03801

May 23, 2024

Myles Greenway
Acting Director
Pease Development Authority – Division of Ports and Harbors
555 Market Street
Portsmouth NH 03801

M.Greenway@peasedev.org

Re: **Proposal for Engineering Services**
Rye Harbor – Retail Platform Design

Dear Mr. Greenway:

Appledore Marine Engineering, LLC (AME) is pleased to present this proposal for the referenced project. This proposal presents the Scope of Work, Assumptions, Schedule, and Fees for the services required to complete the work.

Background

The Rye Harbor facility has a section along the entrance drive dedicated to the retail sale of fish and light-prepared foods. These "fish shack" buildings allow the fishing industry to sell directly to the public fresh off the boat.

Figure 1 Area of the subject project fish shacks.

Rising water levels and an increase in the intensity of storms have resulted in periodic flooding of the fish shacks, causing severe damage and an interruption to operations. To improve the resiliency of the fish shacks, a project is being proposed to construct an elevated platform above the highest anticipated water level to support prefabricated buildings.

Figure 2 Flooding in early 2024. Note fish shacks on the top left.

We understand the State has authorized the use of ARPA SFRF funds under Section 602 (c)(1)(C) to fund the project up to $1,000,000.

This project's scope is to provide the required services, including engineering, design, permitting, bidding, and construction observation, to support the construction of a retail platform and prefabricated buildings.

Scope of Work

The Scope of Work outlined below provides for site investigations, design, engineering, and preparation of contract documents to design a new platform and prefabricated buildings. The proposal includes the following:

1. Site Investigations and Surveys;
2. Design Services and Preparation of Contract Documents (Drawings, Specifications, and Opinion of Construction Estimate);
3. Permitting Services;
4. Submission and Deliverables; and
5. Construction Period Services.

1. Site Surveys and Investigations

The following site surveys and investigations are required to define existing conditions to support the progression of the design services.

1. A topographic survey of the project area, including the location of wetland flags by a Wetland Scientist, the location of the Highest Observable Tide Line outside and along the limit of the survey area, and the location of apparent property boundary monuments (boundary information to be provided by the PDA.
2. Geotechnical subsurface investigations include up to four (4) borings (the actual number of borings will depend on the progress of work during the time available (one drill-crew day). Samples will be taken from the borings and evaluated for geotechnical properties. Geotechnical recommendations will be provided for the project, including foundation type and requirements, subgrade preparation, and reuse of on-site materials; and
3. Identification and field delineation of jurisdictional wetlands and the highest observable tide line within 100 feet of the project area.

2. Design Services and Preparation of Contract Documents

We will provide professional services, including civil, structural, mechanical, and electrical engineering, as well as architectural, to support the platform design.

Professional services will include the following:

1. Removal drawings depicting selective demolition of components that will be removed;
2. Structural plans, elevations, and details following program requirements;
3. Design of foundation and structure;
4. Design of plumbing systems;
5. Design of electrical systems;
6. Design of site facilities, pavements, grading, and erosion control;
7. Design of utility services according to utility company standards and requirements;
8. Preparation of an opinion of probable construction costs;
9. Incorporate review comments and adjust drawings and specifications as necessary for the next submission and
10. Preparation of Contract Documents, including drawings and specifications. Division 00 and Division 01 specifications. We intend to leverage EJCDC bidding documents as provided on other PDA-DPH projects.

3. Permitting Services

We have reviewed the applicable regulations and determined that the following permits are required. We will complete the required regulatory applications, consult with regulators as necessary, and prepare a package for the Owner's signature. Once identified, PDA-DPH must provide a check for the applicable permitting fees before submission.

1. A NHDES Shoreland permit application due to work within 250 feet of the high-water line;
2. A NHDES Standard Dredge and Fill Permit application due to work within 100 feet of the high-water line.
    a. Meetings include a site walk with NHDES wetlands and the Town of Rye Conservation Commission and attendance at the Town of Rye Conservation Commission public meetings.
    b. The project site is expected to be considered "developed" by NHDES Wetlands. If the project impacts undeveloped areas, then a Coastal Functional Assessment may be required by NHDES Wetlands, which is not included in this fee proposal. A modification to the contract may be processed if this is required.
3. An NHDES Application for an individual sewage disposal system. This item is associated with replacing/modifying the existing sewage holding tank for the food preparation shack.

4. Meetings

We have included the following meetings to support collaboration with the PDA-DPH.

1. Pre-design (kick-off) meeting with Owner representatives to discuss project requirements;
2. Design review meeting with the Owner representatives following the Schematic Submission;
3. Design review meeting with the Owner representatives following the Pre-Final Submission and
4. A meeting arranged by the Owner for the purpose of sharing the project details with the public and gaining public input.

5. Construction Period Services

Services under this task involve consulting with and advising PDA during construction. The services under this phase are limited to the level of engagement and awareness that the engineer is only knowledgeable of the onsite construction work based on submittals and RFI's from the contractor and periodic site visits to assess the level of completion and become generally familiar with the quality of work. During this phase, the contractor is responsible for notifying the Owner of conflicts or issues with the construction that require engagement by the engineer, as well as the construction means, methods, techniques, sequences, or procedures and site safety.

This task includes the following activities as requested by PDA:

- Reviewing for compliance with overall design intent, shop drawings, material certifications, and other submittals by the contractor.
- Visiting the project site at appropriate intervals as construction proceeds to observe and report on the progress and the overall quality of the completed work. We have planned five (5) site visits during critical construction milestones. Complete inspection reports documenting work progress after the scheduled site visits, noting specific observations, deficiencies, and photographs.
- Respond to the contractor's request for information (RFI's). We have based our estimate on 20 RFI's.
- Prepare a final punch list after notification by the contractor of substantial completion.
- Reviewing the contractor's as-built drawings for completeness.

This proposal is premised on a qualified, experienced contractor; therefore, weekly construction inspections are deemed unnecessary. If it is determined during construction that the contractor is having challenges achieving the design intent or quality of work, additional inspection services may be added through a modification to this contract.

The presence or duties of AME's/OPA's personnel at a construction site, whether as onsite representatives or otherwise, do not make AME/OPA or AME's/OPA's personnel in any way responsible for those duties that belong to PDA and/or the construction contractors or other entities, and do not relieve the construction contractors or any other entity of their obligations, duties, and responsibilities, including, but not limited to, all construction methods, means, techniques, sequences, scheduling, and procedures necessary for coordinating and completing all portions of the construction work following the construction contract documents and any health or safety precautions required by such construction work.

AME/OPA and AME's/OPA's personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions and have no duty to inspect, note, observe, correct, or report on health or safety deficiencies of the construction contractor(s) or other entity or any other persons at the site except AME's/OPA's personnel.

The presence of AME/OPA personnel at a construction site provides PDA with a greater degree of confidence that the completed construction work will conform generally to the construction documents and that the integrity of the design concept as reflected in the construction documents has been implemented and preserved by the construction contractor(s). AME/OPA neither guarantees the performance of the construction contractor(s) nor assumes responsibility for the construction contractor's failure to perform work following the construction documents.

DELIVERABLES

We have reviewed the project requirements and determined the following deliverables would be required. If additional submissions are required to allow further owner input, a modification to the contract would be required.

1. Schematic design submission (drawings and opinion of cost);
2. Pre-final design submission (drawings, specifications, and opinion of cost);
3. Final Design Submission (drawings, specifications, and opinion of cost).

Each submission will include two hard copies and one electronic copy.

SUBCONSULTANTS

We acknowledge that the project requires architectural and building design engineering services, which we will subcontract with OPA, a consultant in our master services agreement with the PDA-DPH.

EXCLUSIONS AND CLARIFICATIONS

The following services are not anticipated to be required and are therefore not included in this proposal. If, during the progression of the work, additional services are deemed necessary, a modification to our contract may be completed.

1. Hazardous material testing, survey, and abatement;
2. Special inspections (Chapter 17, IBC);
3. Evaluation of soil vapor, radon, asbestos, or other potential environmental concerns not included in the ASTM or All Appropriate Inquiries (AAI) standards;

4. Regulated building material survey or management;
5. Historical/cultural resources investigation;
6. Revisions of project development program as requested by client, state, or local agencies;
7. As-built plans, easement plans, construction survey and/or certification;
8. Construction materials testing;
9. Renderings;
10. LEED certification;
11. Permitting except as noted above; and
12. Commissioning.

SCHEDULE

We expect to proceed with the work immediately upon receipt of the signed acceptance of this proposal. We will work closely with the PDA-DPH to provide the Final Submission by October 1, 2024. To achieve this schedule, we would require notice to proceed within two weeks of proposal submission.

Permit applications will be developed and submitted to the review authorities as soon as the design development process and the PDA-DPH allow; however, the time required to complete the permitting process may extend beyond the Final Submission.

FEES FOR CONSULTING SERVICES

Fees for consulting services will be on a fixed fee basis per the fee schedule detailed in the table below:

Scope	Fee
Project Management, Meetings and QC Services	$ 63,392
Site Investigations, Surveys and Program Analysis	$ 40,270
Design Services and Preparation of Contract Documents	$ 74,118
Permitting Services	$ 35,384
Construction Period Services	$ 30,096
Total Architectural and Engineering Services	**$243,260**

The fixed fee includes all labor, reimbursable, and equipment expenses required to complete the work. Payment is due within thirty (30) days of the invoice date.

Please do not hesitate to contact me with any questions about this proposal.

Regards

Noah Elwood

Noah J Elwood, PE, BC. PE, BC. OE

President

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, May 22, 2024 1:33 PM
To: andy42152@aol.com;Damon Frampton;Brad Cook;Chris Holt;Chris Snow;Chris Ward;jeffartwork@yahoo.com;Mike Donahue;Myles Greenway;William McQuillen
Subject: RE: Notice- Port Committee meeting June 3rd 8:30 AM

Hi Erik,

I'm going to try and send it out to you guys as a link, in the meantime, anyone is welcome to come and take a look at the hard copy that we have at the Port office.

Brenda

From: andy42152@aol.com <andy42152@aol.com>
Sent: Wednesday, May 22, 2024 12:36 PM
To: Damon Frampton <dtframpton@gmail.com>; Brad Cook <captbradatlanticfleet@comcast.net>; Brenda Therrien <B.Therrien@peasedev.org>; Chris Holt <cholt@portsmouthpilots.com>; Chris Snow <csnow@nhpta.com>; Chris Ward <cwrd68@gmail.com>; jeffartwork@yahoo.com; Mike Donahue <donahue.m.j@comcast.net>; Myles Greenway <M.Greenway@peasedev.org>; William McQuillen <wjmcquillen@cityofportsmouth.com>
Subject: Re: Notice- Port Committee meeting June 3rd 8:30 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hello Brenda
Will there be the conceptual plans from Oak Point at this meeting? I plan on attending
Thanks Erik A

On Wednesday, May 22, 2024 at 09:30:17 AM EDT, Brenda Therrien <b.therrien@peasedev.org> wrote:

Good morning everyone,

We wanted to let you know there is a Port Committee "work session" scheduled for June 3rd at 8:30 AM at the PDA Board room at 55 International Dr.

This is a Kick-Off work session to discuss the ARPA funding awards for the Portsmouth Fish Pier Building, and Rye Harbor improvements. Attached is the approved item, in case you hadn't seen it yet.

This meeting is open to the public and will be posted accordingly.

Please get with myself, or Myles with any questions.

Brenda

Brenda Therrien

Administrative Assistant

Division of Ports and Harbors

555 Market St.

Portsmouth, NH 03801

P: 603-766-9221

F: 603-436-2780

b.therrien@peasedev.org

www.portofnh.org

Raeline O'Neil

From: Suzy Anzalone
Sent: Wednesday, May 22, 2024 10:41 AM
To: Brenda Therrien
Subject: Accepted: Port Committee work session-Next steps for ARPA Funds PFP & Rye

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, May 22, 2024 9:44 AM
To: Mandy Huff;Tomas Maciel;Del Record;Adam Winkler;Tracy Shattuck;Myles Greenway;Mike Moreau;Leo Axtin;Lana LaRochelle;Lana LaRochelle
Subject: Port Committee meeting June 3rd 8:30 AM
Attachments: Fiscal and G C - Rye -Portsmouth ARPA Request dated 3-18-24.pdf

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Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
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Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

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Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

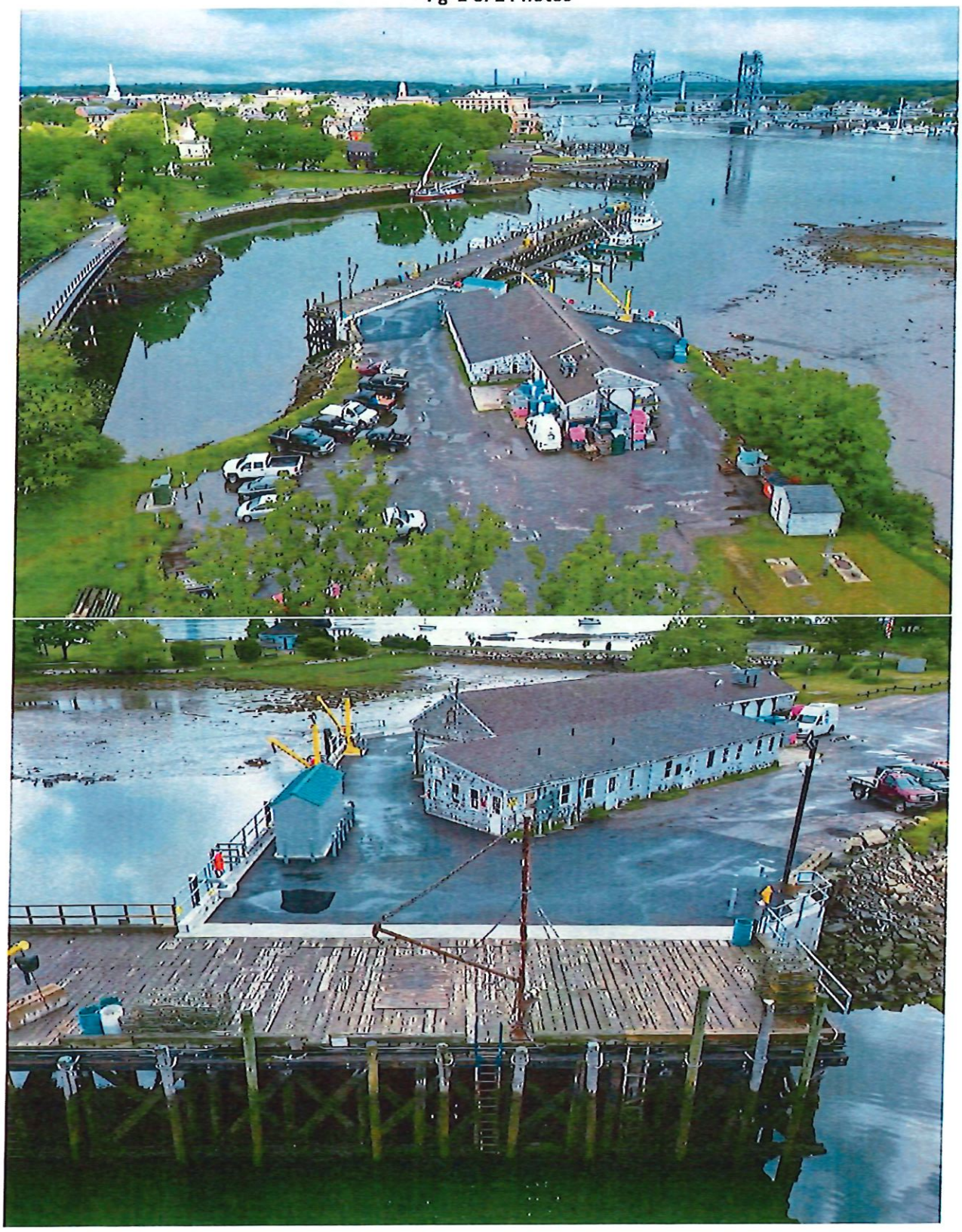
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

From: Paul Brean
Sent: Wednesday, May 22, 2024 9:40 AM
To: Brenda Therrien
Subject: Accepted: Port Committee work session-Next steps for ARPA Funds PFP & Rye

Raeline O'Neil

From:	Brenda Therrien
Sent:	Wednesday, May 22, 2024 9:30 AM
To:	Damon Frampton;Brad Cook;Brenda Therrien;Chris Holt;Chris Snow;Chris Ward;Erik Anderson;jeffartwork@yahoo.com;Mike Donahue;Myles Greenway;William McQuillen
Subject:	Notice- Port Committee meeting June 3rd 8:30 AM
Attachments:	Fiscal and G C - Rye -Portsmouth ARPA Request dated 3-18-24.pdf

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Brenda

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Administrative Assistant
Division of Ports and Harbors
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PEASE
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55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

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- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

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Pease Development Authority

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Portsmouth Fish Pier (3)

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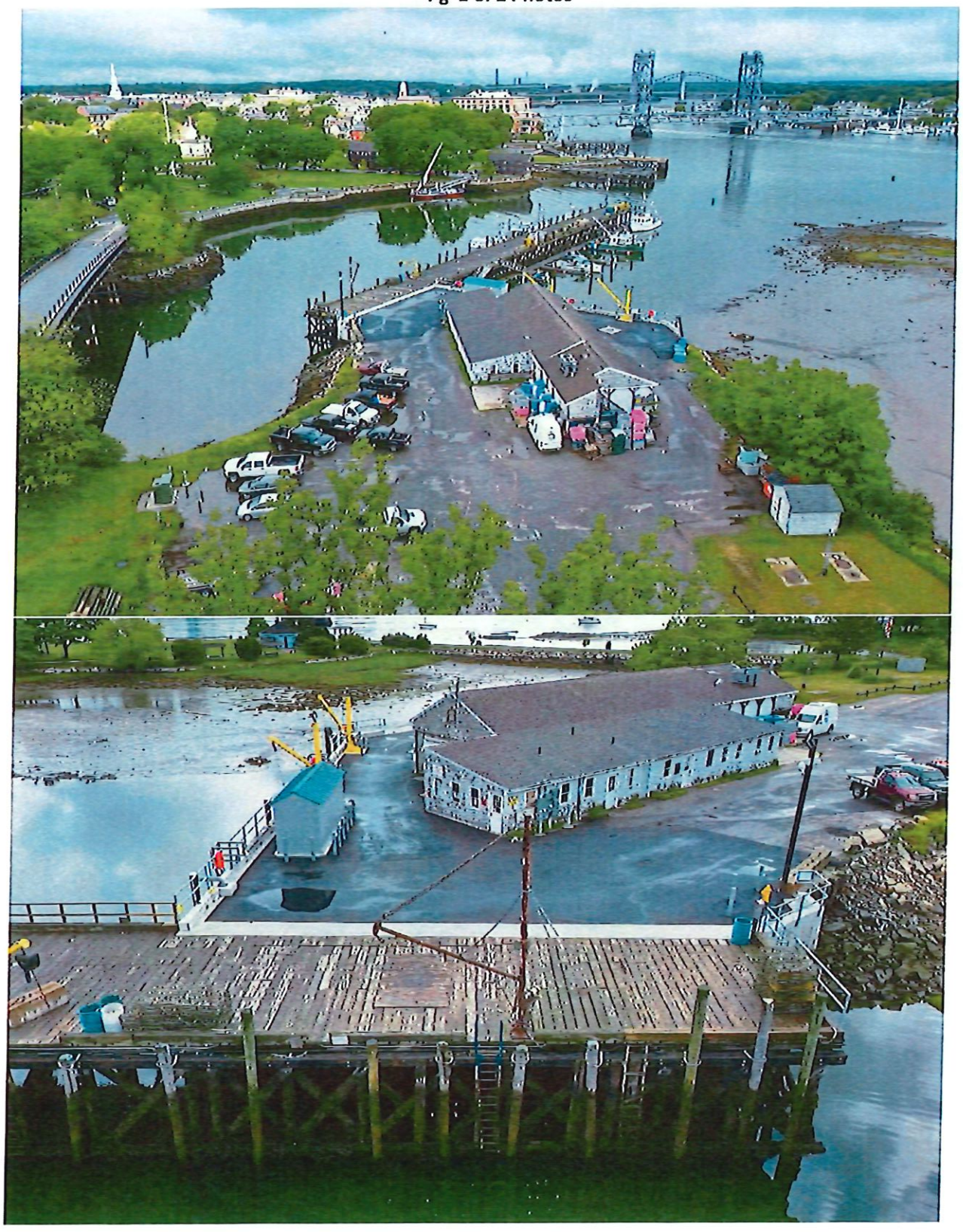
Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, May 22, 2024 9:28 AM
To: Mandy Huff;Tomas Maciel;Del Record;Adam Winkler;Tracy Shattuck;Myles Greenway;Mike Moreau;Leo Axtin
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55 International Drive, Portsmouth NH 03801

March 18, 2024

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And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

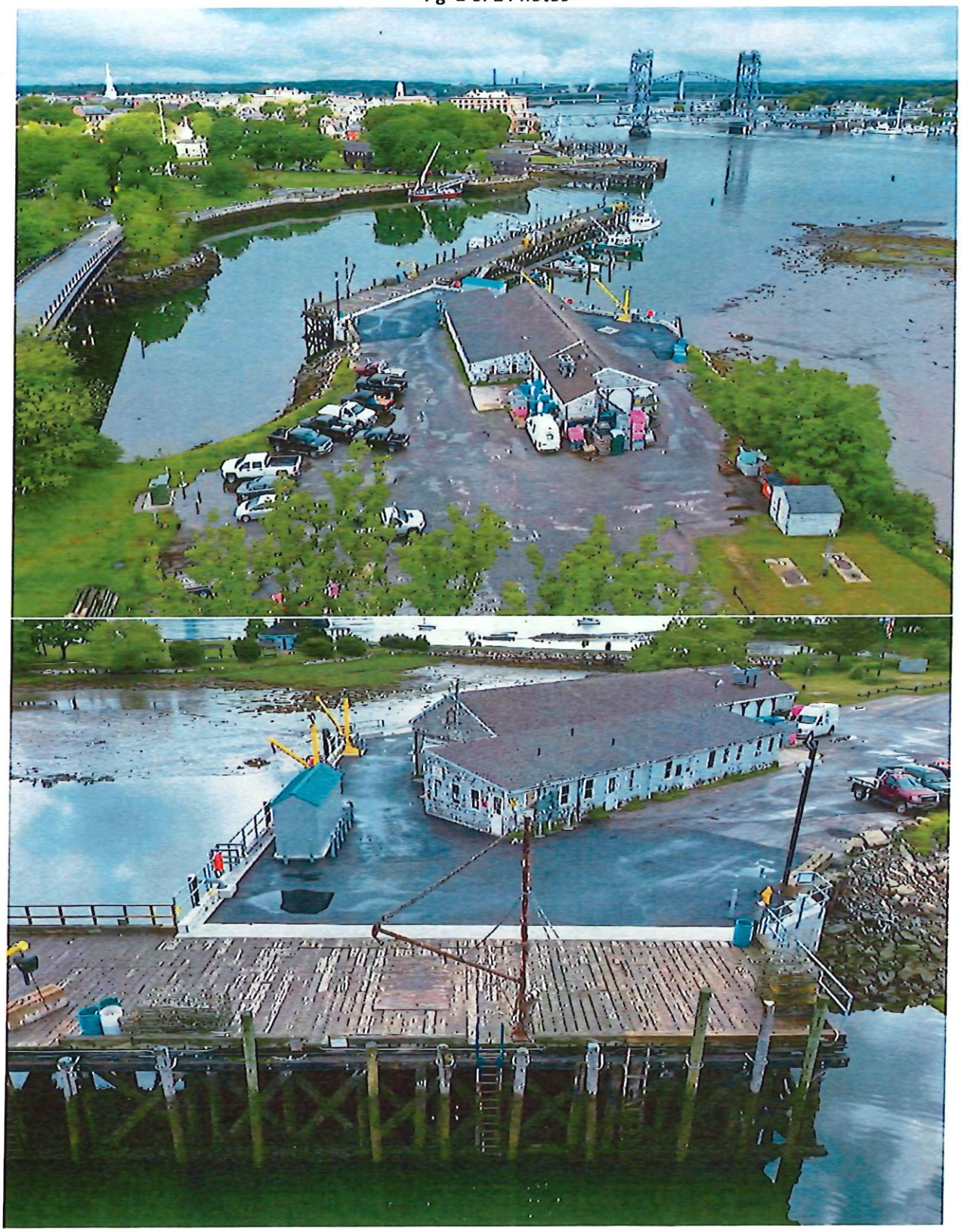
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

Subject:	Port Committee work session-Next steps for ARPA Funds PFP & Rye
Location:	PDA Board meeting Room, 55 International Dr. Portsmouth NH
Start:	Mon 6/3/2024 8:30 AM
End:	Mon 6/3/2024 9:30 AM
Recurrence:	(none)
Meeting Status:	Meeting organizer
Organizer:	Brenda Therrien
Required Attendees:	Brenda Therrien; Neil Levesque; Karen Conard; Steve Fournier (srfournier@comcast.net); Myles Greenway; Paul Brean; Brad Cook; Anthony Blenkinsop
Optional Attendees:	Raeline O'Neil; Suzy Anzalone; Steve Fournier

This is a kickoff meeting to discuss the best use of the ARPA funding received for the Portsmouth Fish Pier Building and Rye Harbor improvements. The goal will be to determine the course of action going forward to ensure there is a contract in place for each facility, ASAP (no later than Dec 31, 2024) and to complete the projects no later than June 30, 2025, as per the requirements of the funding.

I will send an agenda and any other related materials as soon as possible.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Myles Greenway
Sent: Tuesday, May 21, 2024 3:18 PM
To: Brenda Therrien
Subject: Re: Location for workshop RE: Senior Staff Meeting Follow-Up

I think it will be up at Pease...

Get Outlook for iOS

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, May 21, 2024 3:11:27 PM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: Location for workshop RE: Senior Staff Meeting Follow-Up

Can we have this here at the Port or does it have to be at Pease. I just need to make sure the big room is available if it's going to be at Pease.

If it's here, you could bring up maps and graphics etc.

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Tuesday, May 21, 2024 12:44 PM
To: Tracy Shattuck <T.Shattuck@peasedev.org>; Adam Winkler <A.Winkler@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>; Tomas Maciel <T.Maciel@peasedev.org>
Subject: Senior Staff Meeting Follow-Up
Importance: High

Good Afternoon

Follow-up information needed from Senior Staff Meeting this AM...

Brenda – can you please reach out to the Port Committee members and see what dates/times work for the members to conduct a **Port Committee Workshop,** workshop will kick-off the Portsmouth Fish Pier and Rye Harbor ARPA funded projects. Passed that we would conduct Workshop prior to June board meeting to brief out progress in June..

Tom – can you please collect information that you/team require for crane services and pass to Toni-Marie Vaughn (tonimarie.vaughn@gmail.com) accordingly – she in turn will generate RFP etc....

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, May 21, 2024 1:10 PM
To: Raeline O'Neil
Subject: Here is the motion
Attachments: 5f Motion & MTB DPH - Rye -Portsmouth ARPA Request (3-14-2024).pdf

I'll talk to Myles, but I don't believe the Port needs to ask for any approvals until we have a proposed plan in place.

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Conard:

The Pease Development Authority ("PDA") Board of Directors hereby approves of and authorizes the Executive Director and Division Director on behalf of the Division of Ports and Harbors to apply for, accept and expend the American Rescue Plan Act (ARPA) Grant(s) for which Portsmouth Fish Pier and Rye Harbor are deemed eligible. This approval includes the authority to execute any and all documents necessary or appropriate to accept the ARPA Grant(s) on an expedited basis and to use said grants for any purpose which the revenues may be lawfully used; all in accordance with the memorandum of Geno Marconi, Director of Ports and Harbors, attached hereto; dated March 4, 2024.

XII

N:\RESOLVES\2024\ARPA Grants (PFP & Rye Harbor) 3-14-2024.docx

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

Date: March 4, 2024

To: Pease Development Authority (PDA) Board of Directors

From: Geno Marconi, Division Director

Re: American Rescue Plan Act, State Fiscal Recovery Funds for Portsmouth Fish Pier and Rye Harbor Marine Facility Projects

Upon approval of the PDA Board of Directors, the Division of Ports and Harbors (the "Division") will submit the request below to the State of NH Fiscal Committee, and Governor and Executive Council.

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

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TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
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EXPLANATION

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In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, May 21, 2024 12:45 PM
To: Myles Greenway;Tracy Shattuck;Adam Winkler;Tomas Maciel
Subject: RE: Senior Staff Meeting Follow-Up

Got it, will do.

Brenda

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Tuesday, May 21, 2024 12:44 PM
To: Tracy Shattuck <T.Shattuck@peasedev.org>; Adam Winkler <A.Winkler@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>; Tomas Maciel <T.Maciel@peasedev.org>
Subject: Senior Staff Meeting Follow-Up
Importance: High

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Tom – can you please collect information that you/team require for crane services and pass to Toni-Marie Vaughn (tonimarie.vaughn@gmail.com) accordingly – she in turn will generate RFP etc....

Thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director

Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Raeline O'Neil

From: Myles Greenway
Sent: Wednesday, May 8, 2024 11:45 AM
To: Brenda Therrien
Subject: RE: ARPA fund deadline clarification RE: quick question FW: Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

Roger that – thank you...

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, May 8, 2024 11:42 AM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: ARPA fund deadline clarification RE: quick question FW: Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

See below, the Rye and PFP approval currently requires the funds to be under contract by end of Dec and fully expended by Jun 2025. That said, it sounds like we could go back to Fiscal and G & C and ask for approval to extend the date to spend the funds to Jun 2026. Just something to keep in mind as those projects advance and in share during discussions with PDA.

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Wednesday, May 8, 2024 11:26 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: RE: disregard, RE: quick question FW: Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

For all ARPA funds, the funds must be fully obligated by 12/31/24, and the outer limit for expending those funds is 12/31/26. However, by state process you need to keep in mind the fiscal authorization date, which may vary per project. Does that make sense?

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, May 8, 2024 11:23 AM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: RE: disregard, RE: quick question FW: Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

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Ok thank you for that information, that is helpful.

Is that the same for the recently approved Rye and PFP approvals as well? ($2,000,000) Sorry for all the questions, I just want to be sure we follow the correct process and keep everyone on track

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Wednesday, May 8, 2024 11:17 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: RE: disregard, RE: quick question FW: Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

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Sure. To be clear, though, the funds have to obligated by 12/31/24 – meaning Pease has to have them under contract by that date, basically. So long as they are obligated by 12/31/24, they can be expended up until the fiscal authorization of 6/30/25.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, May 8, 2024 11:14 AM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Subject: disregard, RE: quick question FW: Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I answered my own question... I believe the Army Corp will be billing us immediately (if the funds are approved)so the ARPA money will be dispersed well before June 2025.

> **From:** Brenda Therrien
> **Sent:** Wednesday, May 8, 2024 11:06 AM
> **To:** Lisa Cota-Robles <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
> **Subject:** quick question FW: Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA
>
> Hi there,
> Would one of you be able to give me a call regarding the date for the use of the funds? Fiscal Committee and Governor and Council approval through June 30, 2025
>
> Thank you,
> Brenda 603-892-1052.

> **From:** Brenda Therrien
> **Sent:** Wednesday, May 8, 2024 10:26 AM
> **To:** Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
> **Cc:** Myles Greenway <m.greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
> **Subject:** Final draft for review Pease Div. or Ports and Harbors - May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA
>
> Good morning Lisa & Tom,

Please see attached for the final draft, and let us know of any questions or concerns, or if it's ready for signature and submittal.

Also, did we decide if we are going to bring this to G & C on the 15th? Or if we are waiting until the 29th.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, May 8, 2024 8:44 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Subject: RE: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the send

Hi Suzy and Brenda,

Please see attached, showing your overall ARPA award of $516,105 reduced by indirect costs and audit set-aside, as GOFERR requested. We can then submit a G&C request to accept and expend the delta of $3,514 into your existing acct-unit 3850-Harbor Management, class 103, so that you could pay the CORPS the anticipated Sponsor feasibility study cost/amount of $516,105.

Let me know if you have any questions or need anything else, and lets discuss via phone or MS Teams if you'd like.

Thank-you,

Steve McLocklin

State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use c dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Tuesday, May 7, 2024 4:35 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anzalone, Susanne <s.anzalone@peasedev.org>
Subject: RE: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

We have a couple of options if we are not adding 040 and 041 costs on top of the ARPA study funds. I'll do a little research in the am and send an updated draft or drafts.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use c dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, May 7, 2024 3:42 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anzalone, Susanne <S.Anzalone@peasedev.org>
Subject: RE: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you Lisa,

We will work with Steve and submit an updated request once we have that information.

Appreciate your help with this!

Brenda

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Tuesday, May 7, 2024 3:40 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Subject: RE: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

EXTERNAL: Do not open attachments or click on links unless you recognize and trust tl

Brenda:

I will leave that to DAS to answer! I do know you are not obligated to take indirect, but I do believe audit is required. Whether that can come from another source and what that should look like within a Fiscal item I will leave to the experts... @McLocklin, Stephen A., can you please chime in here?

Thank you!
Lisa

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, May 7, 2024 3:34 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anzalone, Susanne <S.Anzalone@peasedev.org>
Subject: RE: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

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Would it be an option to provide the audit and indirect costs from the Port funds, rather than ARPA so that we can submit payment in it's entirety to the Army Corp?

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Tuesday, May 7, 2024 3:32 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>

Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Subject: RE: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

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Hi Steve:

The total amount cannot exceed $516,205 – so any audit and/or indirect must be taken from that amount. We are not authorized to provide any additional ARPA funds beyond that amount. The Fiscal Item will need to be adjusted to reflect that.

Lisa

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Tuesday, May 7, 2024 3:29 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anzalone, Susanne <s.anzalone@peasedev.org>
Subject: RE: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA

Hi Brenda,

Please see attached which includes class 040-Indirect Costs and class 041-Audit funds set-aside on top of the study/contract costs.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is

prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, May 7, 2024 12:40 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anzalone, Susanne <S.Anzalone@peasedev.org>
Subject: Updated request Pease Div. or Ports and Harbors PH For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA
Importance: High

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sende

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All, please disregard the prior attachments and refer to the attached for review and comment.

Thank you,

Brenda

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, May 7, 2024 11:21 AM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Lisa Cota-Robles <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Subject: For review and comment- May 17 Fiscal item -PDA -DPH Hampton 107 Request 2024 ARPA
Importance: High

Good morning Tom, Lisa & Steve,

The Division received an email from Commissioner Caswell indicating the Hampton/Seabrook dredging ARPA fund request is moving forward and will be on the May 17th Fiscal agenda. The amount of the item will be $516,105.

The DRAFT request is attached for review and comment. I believe Steve will add in the appropriate financial information.

Also wondering if we are going to be on the G & C agenda for the 15th, or are we just going to Fiscal on the 17th, then G & C on the 29th?

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Myles Greenway
Sent: Wednesday, May 1, 2024 5:11 PM
To: Tomas Maciel;Brenda Therrien
Subject: ARPA Rye Harbor.docx
Attachments: ARPA Rye Harbor.docx

I'm thinking of taking the attached up tomorrow AM to start the next discussion...

At least it's a start...?

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Rye Harbor Facility
Pease Development Authority Division of Ports and Harbors
555 Market St. Portsmouth, NH 03801
Phone-603-436-8500 Fax 603-436-2780

Budget Allocation and Project Scope:

- Discuss the constraints of the one-million-dollar budget with relevant stakeholders, outlining the need to cover concept development, engineering, design, bidding, permitting, and construction.

- Collaborate with project team members to prioritize fund allocation to essential project phases, ensuring alignment with the goal of enhancing retail operations at Rye Harbor.

- Consider whether phased development or prioritization of critical elements would maximize budget impact.

Concept Development and Design:

- Initiate discussions to define project scope and objectives through comprehensive conceptualization, tailored to the needs of Rye Harbor's retail operations.

- Coordinate closely with stakeholders to plan for collaboration with current retail tenants, potentially involving relocation of personal property and operational adjustments.

    - We intend to primarily focus on meeting our project's requirements autonomously rather than coordinating closely with stakeholders for collaboration with current retail tenants. This may involve minimal engagement in planning for potential relocations of personal property and operational adjustments. Our priority is to effectively utilize and rent the spaces to fulfill our objectives.

    - I believe it's crucial for us to consider the legal implications of our approach. While we prioritize meeting our project's requirements autonomously, we must also acknowledge the rights of the current

retail tenants who own their buildings. Given that we own the land, there's a possibility of legal disputes arising if we proceed without closely coordinating with these tenants. Ignoring potential relocations of personal property and operational adjustments could expose us to litigation risks. It's essential to strike a balance between fulfilling our objectives and respecting the rights of existing tenants to avoid potential legal challenges down the line.

- Seek input from the project team on developing preliminary design concepts that balance functionality, aesthetics, and cost-effectiveness within budget constraints.

Engineering and Permitting:

- Engage in discussions to enlist experienced engineers to devise detailed plans meeting regulatory standards while ensuring structural integrity and resilience.

- Allocate funds for the permitting process, including fees and environmental assessments, and proactively address concerns to streamline approvals.

Bidding and Construction:

- Collaborate with relevant stakeholders on the process of soliciting bids from qualified contractors and subcontractors, emphasizing cost-conscious proposals aligning with the budget.

- Assess bids based on criteria such as experience, expertise, and proposed timelines to ensure quality work within budget constraints.

- Implement cost-saving measures like value engineering and efficient project management, while regularly updating stakeholders on progress to address any overruns or delays.

Retail Operations Integration:

- Engage in discussions to design the new structure to optimize retail operations at Rye Harbor, providing ample space, functionality, and amenities.

- Explore revenue-generating opportunities like retail space leasing or complementary services, incorporating feedback from stakeholders into the process.

Cost Control and Financial Management:

- Discuss the need for rigorous cost control measures to adhere to the one-million-dollar budget with relevant stakeholders.

- Collaborate on employing financial management strategies to track expenses, optimize resource allocation, and ensure financial sustainability.

- Regularly review project expenditures and adjust plans as necessary to prevent budget overruns while maintaining transparency with stakeholders.

Raeline O'Neil

Subject:	G & C meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	State House 107 North Maine St. Executive Council Chambers 2nd floor
Start:	Wed 5/1/2024 10:00 AM
End:	Wed 5/1/2024 2:00 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
Required Attendees:	Paul Brean; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Steve A McLocklin; Melanie Walsh; Suzy Anzalone

Hello, just sending as a reminder, the G & C is a follow up to the Fiscal meeting. The materials are the same for both the Fiscal and G & C meeting so please hang on to that from tomorrows fiscal meeting. Also, keep an eye on emails for location change, here is the link to the G & C website, https://www.council.nh.gov/meetings, currently, it's listed as being held here:

State House, 107 North Main Street, Executive Council Chambers, Second Floor, Concord, NH.
5/1/2024 10:00 am Regular Meeting:

To listen to the Governor and Executive Council meeting:

1. Call in: 1 (603) 931-4944
2. Phone Conference ID: 594 751 883 #

The Governor and Council meetings are open to the public for observation only.

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

Subject:	Agenda Attached - Fiscal meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	Legislative Office Building; Room 210-211
Start:	Fri 4/19/2024 10:00 AM
End:	Fri 4/19/2024 11:00 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
Required Attendees:	Brenda Therrien; Paul Brean; Suzy Anzalone; Geno Marconi; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Melanie Walsh

Hello, the agenda is attached. Pease is on page 3, under the American Rescue Plan 2021 (Consent items) 3rd one down.

FROM: Charles M. Arlinghaus
Commissioner

AT (Office):
Administrative Services
Budget Office
State House Annex - Rm. 100

SUBJECT: **Fiscal Committee Meeting**

TO: **ALL DEPARTMENT HEADS**

APRIL 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, April 19, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the **deadline of:**

10:00AM – Thursday, March 28, 2024

Please mark your calendars with these important dates.

Thank you.

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

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Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

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Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

FISCAL COMMITTEE
AGENDA

Friday, April 19, 2024 in Room 210-211 of the Legislative Office Building

10:00 a.m.

(1) Acceptance of Minutes of the March 15, 2024 meeting

(2) Old Business:

FIS 24-088 Department of Agriculture, Markets and Food – authorization to amend FIS 22-405, approved November 18, 2022, and as extended (FIS 23-166) on May 19, 2023, by adjusting the project scope and by extending the end date from June 30, 2024 to September 30, 2024, with no increase in funding (Tabled March 15, 2024)

NOTE: ALL ITEMS LISTED ON THE AGENDA UNDER CONSENT CALENDAR ARE IN BOLD.

CONSENT CALENDAR

(3) **RSA 9:16-a, II, Transfers Authorized:**

FIS 24-109 Department of Safety – authorization to transfer $1,438,949 in general/highway/ turnpike funds among accounts through June 30, 2024

FIS 24-110 Department of Transportation – authorization to transfer $1,247,000 in federal/other/highway funds between various classes through June 30, 2024

FIS 24-119 Department of Agriculture, Markets and Food – authorization to transfer $6,045 in other funds in and among classes within an accounting unit through June 30, 2024

FIS 24-120 Police Standards and Training Council – authorization to transfer $190,562 in general funds between various accounting units and classes through June 30, 2024

FIS 24-121 Department of Transportation – authorization to transfer $72,000 in federal/ other/general funds and create a new expenditure class code through June 30, 2025

FIS 24-122 Department of Transportation – authorization to transfer $30,000 in turnpike funds between various classes through June 30, 2024

FIS 24-123 State Treasury – authorization to transfer $773,593 in general/federal funds through June 30, 2025

FIS 24-130 Department of Military Affairs and Veterans Services – authorization to transfer $115,000 in general/federal funds through June 30, 2024

FIS 24-131 Department of Military Affairs and Veterans Services – authorization to transfer $181,000 in general funds through June 30, 2024

FIS 24-132 Prescription Drug Affordability Board – authorization to transfer $8,404 in general funds between various class lines and to create new expenditure class codes through June 30, 2025

FIS 24-143 Department of Health and Human Services – authorization to transfer $25,012,500 in federal/general funds through June 30, 2025

(4) RSA 9:16-c, I, Transfer of Federal Grant Funds:

FIS 24-111 Department of Education – authorization to transfer $738,920 in federal funds in and among classes through June 30, 2024

(5) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over $100,000 from any Non-State Source:

FIS 24-113 New Hampshire Fish and Game Department – authorization to accept and expend $358,810 in federal funds through June 30, 2024

FIS 24-114 Department of Natural and Cultural Resources – authorization to accept and expend $157,170 in federal funds through June 30, 2025

FIS 24-116 Department of Revenue Administration – authorization to accept and expend $246,290 in other funds through June 30, 2024

FIS 24-117 Department of Safety – authorization to accept and expend $796,347 in federal funds through June 30, 2025

FIS 24-133 Department of Health and Human Services – authorization to accept and expend $253,069 in federal funds through June 30, 2025

FIS 24-134 Department of Health and Human Services – authorization to accept and expend $1,948,154 in federal funds through June 30, 2025

FIS 24-144 Department of Health and Human Services – authorization to accept and expend $2,565,566 in other funds through June 30, 2025

(6) RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over $100,000 from any Non-State Source, and RSA 124:15 Positions Authorized:

FIS 24-135 Department of Health and Human Services – authorization through June 30, 2025 to; 1) amend FIS 21-242, approved on August 20, 2021, with subsequent actions on February 18, 2022 (FIS 22-068), July 22, 2022 (FIS 22-252), January 27, 2023 (FIS 23-024), May 19, 2023 (FIS 23-167), and on October 19, 2023 (FIS 23-296), by transferring $60,000 in federal funds and extending the end date from May 31, 2024 to June 30, 2025, and 2) accept and expend $1,917,015 in federal funds, and 3) contingent upon approval of Request #1 and #2, authorization to continue the full-time temporary position #9T3109 effective June 1, 2024 through June 30, 2025

FIS 24-136 Department of Health and Human Services – authorization to; 1) retroactively amend FIS 23-138, approved April 21, 2023, and as amended (FIS 23-268) on September 14, 2023, by extending the end dated from March 30, 2024 to March 30, 2025, and 2) contingent upon approval of Request #1, retroactively extend one (1) temporary full-time position, #9T2927, from April 1, 2024 to March 30, 2025

(7) **RSA 124:15 Positions Authorized:**

FIS 24-137 Deferred Compensation Commission – authorization to; 1) establish a full-time temporary position, #9T3344, 13-1140 Compensation, Benefits, and Job Analysis Specialist-4 through June 30, 2025

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

(8) **RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over $100,000 from any Non-State Source:**

FIS 24-112 Department of Education – authorization to amend an accept and expend with no change to the original amount, by extending the end date from June 30, 2024 to June 30, 2025 and adjusting appropriations in the amount of $56,359 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) (Originally approved (FIS 22-236) on June 17, 2022, with subsequent action (FIS 22-249) on July 22, 2022, and (FIS 23-166) on May 19, 2023)

FIS 24-115 Pease Development Authority, Division of Ports and Harbors – authorization to accept and expend $2,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through September 30, 2024

FIS 24-124 Governor's Office for Emergency Relief And Recovery – authorization to accept and expend $1,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025

FIS 24-141 Department of Environmental Services – authorization to accept $500,000 in federal additional ARPA funds through June 30, 2025

FIS 24-142 Department of Transportation – authorization to amend FIS 22-370, approved October 14, 2022 with subsequent action taken (FIS 23-166) on May 19, 2023, by moving $741,519 between various classes through June 30, 2025

FIS 24-145 Department of Natural and Cultural Resources – authorization to accept and expend $1,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025

REGULAR CALENDAR

(9) RSA 206-33-b Transfers from Fish and Game Fund:

FIS 24-125 New Hampshire Fish and Game Department – authorization to transfer $31,000 from the New Hampshire Fish and Game Fund Reserve to the Fish and Game FY 2024 Operating Budget through June 30, 2024

(10) Chapter 79:11, Laws of 2023, Department of Corrections; Transfer Authority:

FIS 24-118 Department of Corrections – authorization to transfer $13,197,002 in general funds among accounts through June 30, 2024

(11) Miscellaneous:

FIS 24-147 Office of Legislative Budget Assistant – requests approval of the Fiscal Committee to fill two Auditor vacancies at the LBA Audit Division

(12) Informational Materials:

LBAO Report on Additional Revenues and Federal Coronavirus Funds for the Biennium Ending June 30, 2025 – Fiscal Committee Approvals through March 15, 2024 (RSA 14:30-a, VI)

Joint Legislative Facilities Committee
Legislative Branch
Detail of Balance of Funds Available
Fiscal Year 2024
As of 03/31/2024

FIS 24-126 Department of Natural and Cultural Resources – RSA 216-A:3-m, II., RSA 215-A:3, II-b, and RSA 215-C:2, VIII-b – Quarterly report of transfer of funds between and among the appropriations for; Parks Administration, Cannon Mountain, Cannon Retail and Concession, Service Park Operations, Office of Community Recreation, Land Water Conservation Fund and Trails Administration for the first two Fiscal Year 2024 quarters ending December 31, 2023

FIS 24-127 State Treasury – pursuant to Chapter 132, Laws of 2023 and Executive Order 2023-03, An Order Directing State Entities to Prioritize Investment Returns and Minimize Risk in Fulfillment of Their Fiduciary Duties and report annually, certified by the State Treasurer December 31, 2023

FIS 24-128 State Treasury – RSA 6-B:2, VII. – Quarterly Balance Report of the NH State Treasury for the period ended December 31, 2023

FIS 24-129 Legislative Performance Audit and Oversight Committee – notice of intent to discontinue the performance audit of the Department of State's Division of Archives and Records Management, per the Committee's vote on March 18, 2024

FIS 24-138 Department of Administrative Services – Chapter 79:347, Laws of 2023 (HB2) – General Fund Appropriation Lapse Report for the fiscal year ending June 30, 2024

FIS 24-139 Department of Health and Human Services – Operating Statistics Dashboard SFY24 report through February 29, 2024, with the exception of data for the NH Unemployment Rate, and Mental Health and Substance Use Disorder (SUD) Caseloads, which is through January 31, 2024, and further data for the Developmental Disabilities, Acquired Brain Disorders, and In-Home Supports waitlist through June 30, 2023

FIS 24-140 NH Lottery Commission – RSA 284:21-h, VII – Quarterly report on the status of the incentive employee recognition program for the sale of the four different game segments for the second quarter of FY 2024

FIS 24-146 Governor's Office for Emergency Relief and Recovery – Informational item summarizing unobligated American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Funds (SFRF) made available from previously approved requests in order tor allocate funding to other projects that will be submitted separately to Fiscal Committee for approval at future meetings, dated April 3, 2024

Audits:

State of New Hampshire
Single Audit of Federal Financial Assistance Programs
For The Year Ended June 30, 2023

(13) Date of Next Meeting and Adjournment

Raeline O'Neil

Subject:	Agenda Attached - Fiscal meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	Legislative Office Building; Room 210-211
Start:	Fri 4/19/2024 10:00 AM
End:	Fri 4/19/2024 11:00 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Declined
Organizer:	Brenda Therrien
Required Attendees:	Brenda Therrien; Paul Brean; Suzy Anzalone; Geno Marconi; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Melanie Walsh

Hello, the agenda is attached. Pease is on page 3, under the American Rescue Plan 2021 (Consent items) 3rd one down.

FROM:	Charles M. Arlinghaus Commissioner	**AT (Office):** Administrative Services Budget Office
SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100
TO:	**ALL DEPARTMENT HEADS**	

APRIL 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, April 19, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the **deadline of:**

10:00AM – Thursday, March 28, 2024

Please mark your calendars with these important dates.

Thank you.

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

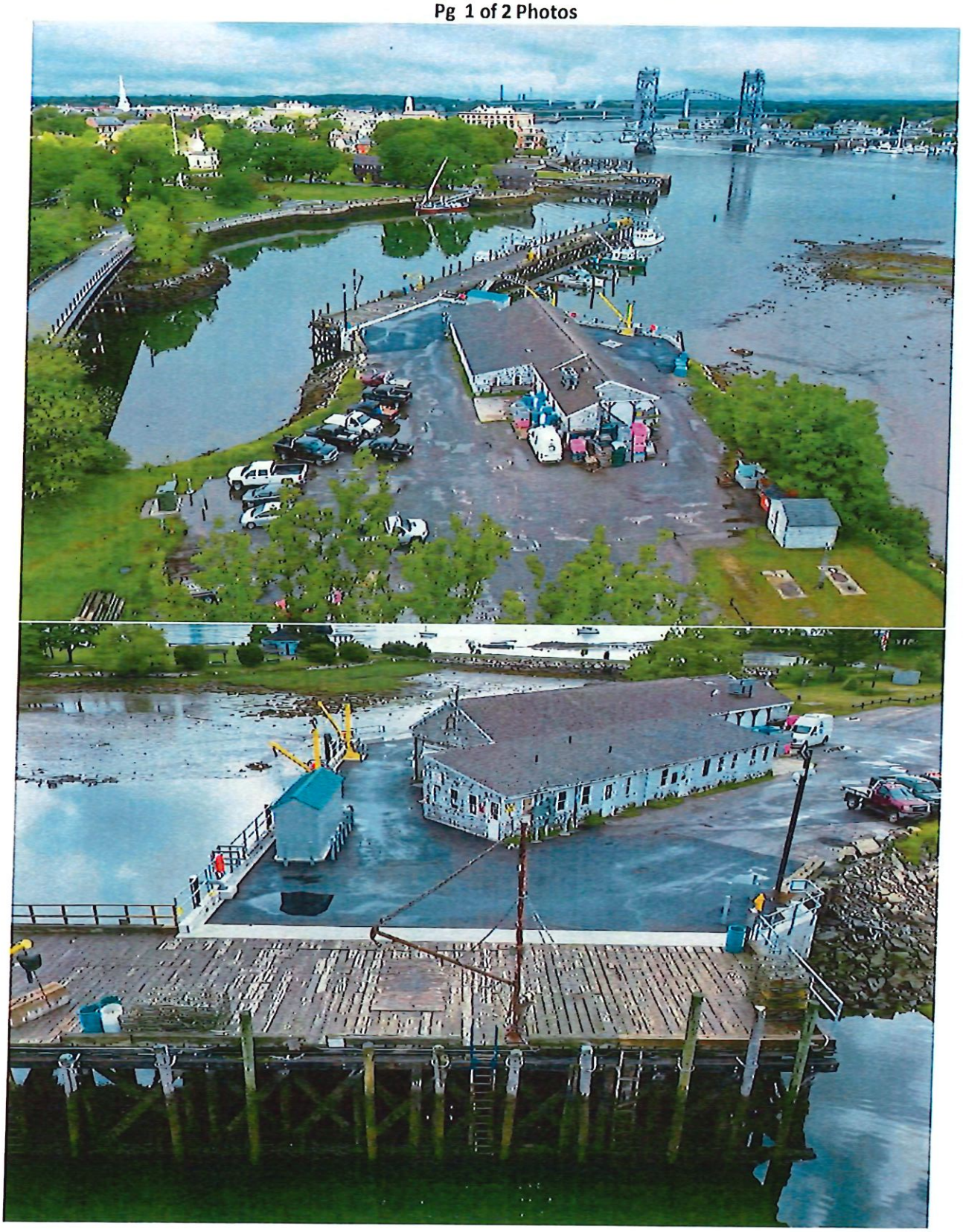
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
WA Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

FISCAL COMMITTEE
AGENDA

Friday, April 19, 2024 in Room 210-211 of the Legislative Office Building

10:00 a.m.

(1) Acceptance of Minutes of the March 15, 2024 meeting

(2) Old Business:

FIS 24-088 Department of Agriculture, Markets and Food – authorization to amend FIS 22-405, approved November 18, 2022, and as extended (FIS 23-166) on May 19, 2023, by adjusting the project scope and by extending the end date from June 30, 2024 to September 30, 2024, with no increase in funding (Tabled March 15, 2024)

NOTE: ALL ITEMS LISTED ON THE AGENDA UNDER CONSENT CALENDAR ARE IN BOLD.

CONSENT CALENDAR

(3) **RSA 9:16-a, II, Transfers Authorized:**

FIS 24-109 Department of Safety – authorization to transfer $1,438,949 in general/highway/ turnpike funds among accounts through June 30, 2024

FIS 24-110 Department of Transportation – authorization to transfer $1,247,000 in federal/other/highway funds between various classes through June 30, 2024

FIS 24-119 Department of Agriculture, Markets and Food – authorization to transfer $6,045 in other funds in and among classes within an accounting unit through June 30, 2024

FIS 24-120 Police Standards and Training Council – authorization to transfer $190,562 in general funds between various accounting units and classes through June 30, 2024

FIS 24-121 Department of Transportation – authorization to transfer $72,000 in federal/ other/general funds and create a new expenditure class code through June 30, 2025

FIS 24-122 Department of Transportation – authorization to transfer $30,000 in turnpike funds between various classes through June 30, 2024

FIS 24-123 State Treasury – authorization to transfer $773,593 in general/federal funds through June 30, 2025

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AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

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REGULAR CALENDAR

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Detail of Balance of Funds Available
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As of 03/31/2024

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FIS 24-146 Governor's Office for Emergency Relief and Recovery – Informational item summarizing unobligated American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Funds (SFRF) made available from previously approved requests in order tor allocate funding to other projects that will be submitted separately to Fiscal Committee for approval at future meetings, dated April 3, 2024

Audits:

State of New Hampshire
Single Audit of Federal Financial Assistance Programs
For The Year Ended June 30, 2023

(13) Date of Next Meeting and Adjournment

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, April 3, 2024 10:36 AM
To: Brad Cook;Brenda Therrien;Chris Holt;Chris Snow;Chris Ward;Erik Anderson;Geno Marconi;Gjmarconi@Comcast.net;jeffartwork@yahoo.com;Mike Donahue;William McQuillen
Subject: RSVP-Port Council meeting 4/10/2024 -Meeting materials enclosed
Attachments: PAC meeting packet 4-10-2024.pdf

Good morning everyone,

Please see attached and let us know if you are planning to attend, or not, so that we can determine if a quorum will be in the room.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS ADVISORY COUNCIL
WEDNESDAY, APRIL 10, 2024 @ 6:00 P.M.
MEETING AGENDA

The meeting will be held at the Division office at 555 Market St. Portsmouth NH

1. Call meeting to order
2. Approve minutes- from the March 13, 2024 meeting
3. Finance report-Period End February 29, 2024
4. Piscataqua river vessel transit report – March 2024
5. Director's report
    - From the March 14, 2024 PDA Board meeting:
        i. Reports:
            1. Commercial mooring transfers
            2. DPH DRAFT Capital Improvement Plan
            3. Replacement of Truck Scale
        ii. Approvals:
            1. Hampton Harbor, Jetty Special Use Permit, Extension
            2. Hampton Harbor, Luciano, ROE extension
            3. ARPA accept and expend funds for PFP & Rye Harbor
            4. Rye Harbor, Bauer Construction, ROE extension
            5. Rye Harbor, Gangway Replacement
    - General Facility updates
6. New business
7. Committee reports
    - Business Development/FTZ-Donahue
    - Dredging-Holt
    - Fisheries-Anderson
    - Government-McQuillen
    - Moorings-Snow
        i. 2015-2024 Mooring Analysis
        ii. 2024 Mooring Waitlist Analysis
    - PDA Liaison-Cook
    - Recreational Piers-Ward
8. Old business- PDA Board meetings vs. PAC meetings, possible meeting date changes
9. Public comment
10. Press questions
11. Adjournment

Division of Ports and Harbors Advisory Council
555 Market St.
Portsmouth, NH 03801
Tel 603-436-8500
Fax 603-436-2780

PORT ADVISORY COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 13, 2024 6:00 PM

PRESENT: Brad Cook, Chair
Mike Donahue, Vice-Chair, via TEAMS
Erik Anderson
Jeff Gilbert, Treasurer (arrived at 6:15)
Bill McQuillen
Chris Snow
Chris Ward
Geno Marconi, Director, PDA-DPH
Myles Greenway, Assistant Director, PDA-DPH

1. CALL TO ORDER

The meeting was called to order at 6.00 PM.

2. APPROVE MINUTES

McQuillen made a motion to approve the February 14, 2024 minutes, Ward seconded. No discussion, a vote was taken, all members (Gilbert not present) were in favor and the motion passed.

3. FINANCE REPORT

The report for FY ending January 31, 2024 was included in the meeting packet. There were a couple of salt ships in the last couple of months, a heavy lift ship is coming in next week, and a cable ship will be arriving towards the end of the month. There should be another salt ship in early April. As a reminder, not shown in this report is the mooring revenue for February or March.

4. PISCATAQUA RIVER VESSEL TRANSIT REPORT

The February 2024 report was included in the meeting packet. There was a propane ship this past month. Discussion on value of cargo that comes up the river. The Department of Safety does track the cargo value as they look at the tax on the oil. Discussion on the value of the cable that transits on this river to/from SubCom, any numbers reported could be proprietary based on the confidentiality of certain government contracts. Back in 2012 an economic impact study was completed in relation to the replacement of the Sarah Long Bridge, the report is available on the Port website. The study was designed to be used as a tool for planning of the Sarah Mildred Long Bridge. The businesses were able to provide their individual information to the project managers. The study was significant to design a new bridge rather than repairing the existing bridge. Speaking of river front businesses, the Propellor Clubs next meeting is March 28th at the Atlantic Grill. The CEO of SubCom, David Coughlin is the speaker. Discussion on the last page of the Finance report regarding the Hampton Dock Replacement, the Division hopes to use the remaining funds to help out with the Hampton/Seabrook 107 Feasibility Study for the ongoing shoaling in that harbor, which has a cost of over $500,000. Further discussion on the history of the shoaling and the harbor. The fuel enclosure shed for Rye Harbor recreation side docks is in the process of being built. Discussion on fuel systems in case of a spill.

5. DIRECTOR'S REPORT

The Hampton floats will be going in on March 19th. The gangway in Rye was damaged beyond repair during the last storm and the Division is requesting approval to purchase a new gangway at tomorrow's board meeting, there is a bit of a lead time for orders so in the meantime there is a gangway available for the Division to use temporarily. Also, the Division is presenting a report on the storm damages, and preliminary estimated cost of repairs to the PDA Board. Going forward, the Division's Capital Improvement Plan will be included in the PDA Board package. There is an internal assessment (measurements, current condition, damage, etc.) scheduled for the Portsmouth Commercial Fish Pier building tomorrow in conjunction with the Concept Study for a replacement building. At the Market St. Terminal a heavy lift ship is coming next week, the pictures of the "synchronizing condenser", which weighs 326 tons, were passed around. There are several smaller components being offloaded as well. Some of the smaller units are moving offsite right away and some, along with the condenser, will be kept at the Port for a couple of months then moved to Amherst for an Eversource project. This is a huge undertaking and will require a 24 axle truck to move the condenser around the Port and then on to Amherst.

6. NEW BUSINESS-

Going forward the PDA monthly board meeting dates will be held on the 2nd Thursday of the month (with the exception of April and October, which will remain the 3rd Thursday) that change will put the PAC and PDA meetings on back-to-back days during the following months, May, June, Sept, Nov, Dec. Discussion on considering changing the PAC meeting dates to a different night on the months in which that occurs to allow for time between the Council meetings and the PDA meetings in case there are items that need to be brought forth to the Board. The Council will revisit in April.

7. COMMITTEE REPORTS

- Business Development/FTZ- No report.
- Dredging- Nothing new outside of the discussion regarding Hampton/Seabrook Harbor.
- Fisheries- HB 1029, regarding licensing for taking of lobsters is back on the table after being previously "Inexpedient to Legislate" at the House. Even so, the bill was recalled by the Sponsor of the bill and will be going back to the House tomorrow. If it goes to the Senate the fisheries group will get involved. There was a meeting held with regards to looking at programs for mitigation for damage done during construction of Off Shore Wind components. There will be a regional Administrator assigned by BOEM to oversee any claims for the Atlantic lease areas. The lease areas in the Gulf of Maine are expected to be released within the next week. Discussion on the hole in the roof at PFP, it's on the Division's work list of projects to be done.
- Government- DES is hosting a community forum tonight in Hampton to discuss the impacts and the potential planning and changes that communities can take regarding coastal flooding. Portsmouth has a representative at the meeting.
- Moorings- No report
- PDA- The next PDA Board meeting is March 14th (tomorrow) and the Port Committee meeting is Tuesday, April 2nd.
- Recreational Piers- Ward said the issues in Rye are access to the ramp. He showed some photos of the impacts of the storm in Rye this past weekend, showed the buildings had moved and Harbor Rd. washed out. Discussion on the rocks stored at Rye Harbor, he has asked for an extension of the ROE, the Division will be going to PDA Board tomorrow for approval. The concern is that 3 more months will bring the ROE into the harbor season, the Division will be working with Bauer to minimize any impacts to the public operations at the Harbor. Ward showed photos of the rocks that Bauer is using for his construction project.

8. OLD BUSINESS-

No old business.

9. PUBLIC COMMENT-

No public comment.

10. PRESS QUESTIONS –

No Press present.

11. ADJOURNMENT

Anderson made a motion to adjourn the meeting and the meeting adjourned at 7:10 pm.

PORT AUTHORITY OF NEW HAMPSHIRE
FY2024 FINANCIAL REPORT
FOR THE EIGHT MONTH PERIOD ENDING FEBRUARY 29, 2024

PORT ADVISORY COUNCIL
APRIL 10, 2024

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - DIVISION OF PORTS AND HARBORS-UNRESTRICTED
For the Eight Months Ended February 29, 2024

	Actual Feb FY2024	Budget Feb FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	$37,243	$34,249	$2,993	8.7%	$294,144	$286,163	$7,980	2.8%
CONCESSION REVENUE	0	0	0	-	49,202	6,000	43,202	720.0%
MOORING FEES	37,677	39,583	(1,906)	(4.8%)	301,414	316,667	(15,253)	(4.8%)
PARKING	0	100	(100)	(100.0%)	80,014	79,154	860	1.1%
REGISTRATIONS	30,850	18,083	12,767	70.6%	121,823	144,667	(22,844)	(15.8%)
FUEL FLOWAGE	1,334	231	1,104	478.2%	14,422	12,342	2,072	16.8%
WHARFAGE AND DOCKAGE	60,514	51,667	8,847	17.1%	292,218	413,336	(121,118)	(29.3%)
FUEL SALES	9,347	5,550	3,797	68.4%	409,263	631,023	(221,760)	(35.1%)
INTEREST	-	-	-	-	-	-	-	-
OTHER REVENUE	3,580	6,583	(3,003)	(45.6%)	97,931	90,250	7,682	8.5%
TOTAL OPERATING REVENUES	**180,545**	**156,046**	**24,499**	**15.7%**	**1,660,431**	**1,979,602**	**(319,171)**	**(16.1%)**
EXPENSES								
0								
WAGES AND FRINGE BENEFITS	135,661	129,611	(6,050)	(4.7%)	1,067,200	1,155,849	88,649	7.7%
BUILDING AND FACILITIES	45,727	30,385	(15,342)	(50.5%)	138,665	183,082	44,417	24.3%
GENERAL AND ADMINISTRATIVE	15,349	10,760	(4,588)	(42.6%)	101,208	95,491	(5,717)	(6.0%)
UTILITIES	12,571	18,110	5,139	28.4%	76,038	113,055	37,018	32.7%
PROFESSIONAL SERVICES	6,018	7,629	1,611	21.1%	58,948	68,029	9,080	13.3%
MARKETING AND PROMOTION	0	217	217	100.0%	764	1,733	969	55.9%
OTHER OPERATING EXPENSES	6,559	4,288	(2,271)	(53.0%)	288,941	492,470	193,529	40.1%
TOTAL OPERATING EXPENSES	**222,284**	**200,999**	**(21,285)**	**(10.6%)**	**1,731,765**	**2,099,710**	**367,945**	**17.5%**
OPERATING INCOME/(LOSS)	**(41,740)**	**(44,953)**	**3,213**	**(7.1%)**	**(71,334)**	**(120,108)**	**48,774**	**(40.6%)**
NON-OPERATING (INCOME) EXPENSE	(5,930)	(183)	5,747	(3134.9%)	(52,701)	(1,467)	51,235	(3493.3%)
DEPRECIATION	94,327	74,715	(19,612)	(26.2%)	795,225	648,422	(146,803)	(22.6%)
NET OPERATING INCOME/(LOSS)	**(130,136)**	**(119,485)**	**(10,652)**	**8.9%**	**(813,857)**	**(767,063)**	**(46,794)**	**6.1%**

Unrestricted operating revenues for the DPH trended favorably in February, decreasing the revenue shortfall to $319,000 (16.1%) lower than budget. Significant line items trending lower than budget include fuel sales and wharfage and dockage fees.

Year-to-date operating expenses are under budget by $368,000 (17.5%) and are attributable to lower fuel purchases, full-time wages and benefits, contractor services and utilities expenses.

BUSINESS UNIT ANALYSIS	RYE HARBOR	HAMPTON HARBOR	PORTS. RSH PIER	MARKET ST.	HARBOR MGMT	ADMIN	TOTAL
OPERATING REVENUES	258,380	232,472	171,243	575,099	423,237	0	1,660,431
OPERATING EXPENSES*	199,879	304,644	217,668	333,898	355,425	320,251	1,731,765
*Excluding Depreciation							
OPERATING INCOME	58,501	(72,172)	(46,425)	241,201	67,812	(320,251)	(71,334)

DIVISION OF PORTS AND HARBORS-UNRESTRICTED
Statement of Net Position
For the Eight Months Ended February 29, 2024

	2024 Ending	2023 Ending
ASSETS		
Cash and Investments	$1,913,471	$1,871,728
Accounts Receivable - Net	793,042	397,596
Inventories	50,743	61,693
Prepaids	5,814	7,328
	2,763,069	2,338,345
RESTRICTED ASSETS		
Loans Receivable - NHFL		
NON-CURRENT ASSETS		
Land	376,641	376,641
Construction-in-Process	8,576,751	11,661,368
Other Capital Assets - Net	17,248,731	6,542,836
TOTAL NON-CURRENT ASSETS	26,202,123	18,580,845
TOTAL ASSETS	28,965,192	20,919,190
DEFERRED OUTFLOWS OF RESOURCES		
Pension	282,947	282,604
OPEB	347,561	479,175
LIABILITIES		
ACCOUNTS PAYABLE AND ACCRUED EXPENSES	793,201	356,660
Retainage	78,500	0
Unearned Revenues	422,556	345,651
Long-Term Liabilities		
Net Pension Liability	1,094,497	893,071
Net OPEB Liability	2,884,107	3,192,720
Due in more than 1 Year	29,729	17,494
	5,302,591	4,805,796
RESTRICTED LIABILITIES		
Long-Term Liabilities		
Due within 1 Year	0	0
Due in more than 1 Year	0	0
TOTAL LIABILITIES	5,302,591	4,805,796
DEFERRED INFLOWS OF RESOURCES		
Pension	50,473	281,343
OPEB	250,130	162,948
NET POSITION		
Net Investment in Capital Assets	26,202,123	18,580,845
Restricted For:		
Unrestricted	(2,209,618)	(2,149,963)
TOTAL NET POSITION	23,992,505	16,430,883

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - FOREIGN TRADE ZONE
For the Eight Months Ended February 29, 2024

	Actual Feb FY2024	Budget Feb FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	14,000	12,000	2,000	16.7%
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	-	-	-	-	-	-	-
TOTAL OPERATING REVENUES	-	-	-	-	**14,000**	**12,000**	**2,000**	**16.7%**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	104	104	100.0%	1,250	833	(417)	(50.0%)
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	1,636	708	(928)	(131.0%)	5,979	5,667	(312)	(5.5%)
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**1,636**	**813**	**(824)**	**(101.4%)**	**7,229**	**6,500**	**(729)**	**(11.2%)**
OPERATING INCOME	**(1,636)**	**(813)**	**(824)**	**101.4%**	**6,771**	**5,500**	**1,271**	**23.1%**
NON-OPERATING (INCOME) EXPENSE	(1)	-	-	(78.5%)	(4)	(3)	1	(38.3%)
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**(1,635)**	**(812)**	**(823)**	**101.4%**	**6,775**	**5,503**	**1,272**	**23.1%**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - HARBOR DREDGING
For the Eight Months Ended February 29, 2024

	Actual Feb FY2024	Budget Feb FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	12,838	10,000	2,838	28.4%	66,501	80,000	(13,499)	(16.9%)
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	850	583	267	45.7%	4,750	4,667	83	1.8%
TOTAL OPERATING REVENUES	**13,688**	**10,583**	**3,105**	**29.3%**	**71,251**	**84,667**	**(13,416)**	**(15.8%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	5,917	5,917	100.0%	-	47,333	47,333	100.0%
GENERAL AND ADMINISTRATIVE	25	1,000	975	97.5%	232	8,000	7,768	97.1%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**25**	**6,917**	**6,892**	**99.6%**	**232**	**55,333**	**55,101**	**99.6%**
OPERATING INCOME	**13,663**	**3,667**	**9,996**	**272.6%**	**71,019**	**29,333**	**41,686**	**142.1%**
NON-OPERATING (INCOME) EXPENSE	(442)	(35)	407	(1163.5%)	(4,696)	(280)	4,416	(1577.2%)
DEPRECIATION	5,587	5,917	330	5.6%	47,607	47,333	(274)	(0.6%)
NET OPERATING INCOME	**8,519**	**(2,215)**	**10,734**	**(484.6%)**	**28,108**	**(17,720)**	**45,828**	**(258.6%)**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - REVOLVING LOAN FUND
For the Eight Months Ended February 29, 2024

	Actual Feb FY2024	Budget Feb FY2024	Variance From Monthly Budget	% Variance	Actual YTD FY2024	Budget YTD FY2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	2,663	3,000	(337)	(11.2%)	22,697	24,000	(1,303)	(5.4%)
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	75	(75)	(100.0%)	448	600	(152)	(25.3%)
TOTAL OPERATING REVENUES	**2,663**	**3,075**	**(412)**	**(13.4%)**	**23,145**	**24,600**	**(1,455)**	**(5.9%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	42	42	100.0%	116	333	216	64.7%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	1,737	1,250	(487)	(38.9%)	10,957	10,000	(957)	(9.6%)
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**1,737**	**1,292**	**(445)**	**(34.4%)**	**11,075**	**10,333**	**(743)**	**(7.2%)**
OPERATING INCOME	**927**	**1,783**	**(857)**	**(48.0%)**	**12,070**	**14,267**	**(2,197)**	**(15.4%)**
NON-OPERATING (INCOME) EXPENSE	(20)	-	20	-	(143)	-	143	-
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**947**	**1,783**	**(837)**	**(46.9%)**	**12,213**	**14,267**	**(2,054)**	**(14.4%)**

REVOLVING LOAN FUND ($ 000's)	BALANCE AT 02-29-2024	BALANCE AT 06-30-2023
CASH BALANCES		
GENERAL FUNDS	176	194
SEQUESTERED FUNDS	-	-
	176	194
LOANS OUTSTANDING (1)		
CURRENT	129	117
LONG TERM	973	954
	1,102	1,071
TOTAL CAPITAL BASE	1,278	1,265
CAPITAL UTILIZATION RATE -% *	86.2%	84.7%

*EXCLUDES SEQUESTERED FUNDS

SUMMARY OF CONSTRUCTION WORK IN PROCESS
AS OF FEBRUARY 29, 2024

($000's)

PROJECT NAME	BALANCE AT 06-30-23	CURRENT YEAR EXPENDITURES	TRANSFER TO PLANT IN SERVICE	NET CURRENT YEAR CHANGE	BALANCE AT 2/29/2024
DIVISION OF PORTS AND HARBORS (DPH)					
MAIN PIER (BUILD GRANT)	2,653	5,579	-	5,579	8,232
FUNCTIONAL REPLACEMENT - BARGE DOCK	-	75	-	75	75
HAMPTON DOCK REPLACEMENT (ARPA)	131	-	-	-	131
PFP BRACING & DECKING (ARPA)	123	16	-	16	139
RYE GATE HOUSE	-	21	(21)	-	-
PFP HOIST	-	5	(5)	-	-
RYE FUEL DISPENSER	13	80	(93)	(13)	-
	2,920	**5,776**	**(119)**	**5,657**	**8,577**

VESSEL TRANSIT LOG FOR THE PORTS OF PORTSMOUTH AND NEWINGTON NEW HAMPSHIRE

Employer: Portsmouth Pilots, Inc. — Date From: MARCH 01, 2024 — TO: MARCH 31, 2024

Name of Pilot	Name of Vessel and Towing Tug	Homeport	Cargo	Date In / ETA	Hdc	Weather	Date Out / ETD	Hdc	Weather	DWT Capacity Tonnage	HP Vessel Tug	Draft	Length	Beam	Draft	Arrival/Local / Dock Tonnage
RH	CH	SUNACTION	MARSHALL ISL	3/1 CH	H	DRIZZLE	3/8 LT	H	CLEAR	58,781	1 3400 1 3000	MVSP	623	106	35	46,000 D
RH	CH	NOR EASTER	MARSHALL ISL	3/4 CH	H	OVERCAST	3/5 LT	L	RAIN	37,452	1 3400 1 3000	IPU/MG	604	90	35	32,000 D
LT	LT	DELTA LINCOLN 4/4	USA	OIL RCVD	H	CLEAR	3/8 LT	L	CLEAR	28,000	1 3400	IPU/MG	599	78	28	27,000 D
CH	RH	DORINDALE	MARSHALL ISL	CABLE	L	SNOWSHOWERS	3/5 LT	L	CLEAR	7,800	1 3400 1 3000	S/BOOM	478	70	24	5,500 L
RH	RH	PAPUANS LEGACY	PANAMA	CABLE	H	RAIN/SNOW	3/13 LT	H	RAIN	38,852	1 3000 1 3400	S/BOOM	603	75	38	2,000 L
RH	RH	NOR EASTER	MARSHALL ISL	3/14 CH	H	CLEAR	3/14 LW	L	CLEAR	37,452	1 3400 1 3000	IPU/MG	604	90	35	32,000 D
LT	LT	DELTA PURCHASE	USA	OIL	L	RAIN	3/15 LT	L	CLEAR	8,500	1 3400	MVSP	408	62	29	8,000 D
RH	LT	FALLING SKY	ANTIGUA	3/15 LT	H	RAIN	3/17 LW	L	CLEAR	14,900	2 3400	S/L	470	76	29	8,000 D
RH	RH	FEDERAL INDUS	PANAMA	DIPPLIM	H	CLEAR	3/22 LT	H	CLEAR	43,000	2 3400	S/BOOM	606	106	35	40,000 D
RH	CH	DURANCE	MARSHALL ISL	CABLE	L	CLOUDY	3/20 LT	L	CLEAR	18,000	1 3400	S/BOOM	462	68	24	5,000 L
RH	LT	BONNIE	ANTIGUA	HEAVY LIFT	H	CLEAR	3/18 LT	L	CLEAR	13,525	2 3400	MVSP	468	76	23	5,000 D
CH	CH	NOR PROVIDENCE	MARSHALL ISL	OIL	H	RAIN	3/24 LT	L	CLEAR	37,452	2 3400	IPU/MG	604	90	35	9,000 D
RH	LT	MAID PROVIDENCE	PANAMA	4 TUGS	L	RAIN	3/27 LT	L	CLEAR	28,796	2 3400	S/B	476	84	29	32,000 D
RH	RH	CELTA CROWN	BAHAMAS	DIPPLIM	H	CLEAR	3/26 LT	L	CLEAR	21,855	2 3400	W/L CHP	748	106	30	40,000 D
CH		DURANCE	MARSHALL ISL	CABLE	L	CLEAR/WIND				18,000	2 3400	MVSP	462	68	24	8/24/24S

I certify that the statements and information in the foregoing report are true, complete, and correct to the best of my knowledge and belief. I further understand that false statements or information may be subject to the Pease Development Authority for submitting false statements and information or omitting required statements and information.

Christopher Holt, Captain — Richard Holt Jr., Captain — Vincent Tassitto, Captain

PEASE INTERNATIONAL PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Gero J. Marconi, Director, DPH

DATE: January 8, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #7729, from Randy Campolini to Derek Gauron of Steaker Charters, LLC.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

Division of Ports & Harbors
Memorandum

To: Capt. Geno J. Marconi

From: Chief H/M Tracy R. Shattuck

Re: Commercial Transfer

Date: January 5, 2024

Randy Campolini and Derek Gauron of Steaker Charters, LLC are requesting the transfer of a Mooring Permit (#7729) in the Hampton Harbor area 1 mooring field. Attached is documentation of Gauron's commercial enterprise in the form of his Commercial Fishing License. Also attached is the transfer request and bill of sale from Campolini. Derek Gauron has asserted that he understands that the mooring must remain in commercial use.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #7729 be transferred to:

Derek Gauron
Steaker Charter's LLC
294 Mill Road
Hampton, NH 03842

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Geno J. Marconi, Director, DPH

DATE: January 9, 2024

RE: Commercial Mooring Transfer

XII

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #4380, from Gary Carbonneau to Philippe Lantagne.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

Division of Ports & Harbors
Memorandum

To: Capt. Geno J. Marconi

From: Chief H/M Tracy R. Shattuck

Re: Commercial Transfer

Date: January 9, 2024

Gary Carbonneau and Philippe Lantagne are requesting the transfer of a Mooring Permit (#4380) in the RyeHarbor mooring field. Attached is documentation of Lantagne's commercial enterprise in the form of his Commercial Fishing License. Also attached is the transfer request and bill of sale from Carbonneau. Philippe Lantagne has asserted that he understands that the mooring must remain in commercial use.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #4380 be transferred to:

Philippe Lantagne
21 Kennedy Drive
Pelham, NH 03076

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Geno J. Marconi, Director, DPH

DATE: February 5, 2024

RE: Commercial Mooring Transfer

XII

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #8296, from Charles H Fetch, III to Irene Moge.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

TAKING YOU THERE
ph. 603-436-8500 fax. 603-436-2780 www.peasedev.org

Division of Ports & Harbors
Memorandum

To: Capt. Geno J. Marconi

From: Chief H/M Tracy R. Shattuck

Re: Commercial Transfer

Date: February 5, 2024

Charles H. Felch, III and Irene Moge are requesting the transfer of a Mooring Permit (#8296) in the Seabrook Harbor mooring field. Attached is documentation of Moge's commercial enterprise in the form of commercial saltwater lobster license. Also attached is the transfer request and bill of sale from Felch. Irene Moge has asserted that she understands that the mooring must remain in commercial use.

Irene Moge obtained this permit in 2022 when her husband passed away and transferred it to Felch in 2023. The sale to Felch has fallen through and they both agreed to request transfer back to Moge.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #8296 be transferred to:

Irene Moge
12 Deer Run Road
North Hampton, NH 03862

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Geno J. Marconi, Director, DPH

DATE: February 5, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #8178, from Gauron Fisheries to Randy Campolini.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

Division of Ports & Harbors
Memorandum

To: Capt. Geno J. Marconi

From: Chief H/M Tracy R. Shattuck

Re: Commercial Transfer

Date: January 24, 2024

Denise Gauron of Gauron Fisheries and Randy Campolini are requesting the transfer of a Mooring Permit (#8178) in the Seabrook Harbor mooring field. Attached is documentation of Campolini's commercial enterprise in the form of advertising and Secretary of State forms. Also attached is the transfer request and bill of sale from Gauron. Randy Campolini has asserted that he understands that the mooring must remain in commercial use.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #8178 be transferred to:

Derek Gauron
Steaker Charter's LLC
294 Mill Road
Hampton, NH 03842

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Geno J. Marconi, Director, DPH

DATE: January 16, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #4423, from Tontine Fishing, Inc to Matthew Krajewski.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

Division of Ports & Harbors
Memorandum

To: Capt. Geno J. Marconi

From: Chief H/M Tracy R. Shattuck

Re: Commercial Transfer

Date: January 16, 2024

Patrick Dennehy of Tontine Fishing and Matthew Krajewski of Jaclynn Lee Fisheries are requesting the transfer of a Mooring Permit (#4423) in the Hampton Harbor area 2 mooring field. Attached is documentation of Krajewski's commercial enterprise in the form of his Commercial Fishing License. Also attached is the transfer request and bill of sale from Dennehy. Matthew Krajewski has asserted that he understands that the mooring must remain in commercial use.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #4423 be transferred to:

Matthew Krajewski
43 North Road
Kingston, NH 03848

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Geno J. Marconi, Director, DPH

DATE: February 14, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #7718, from R. Douglas Kirkland to Peter Kirkland of First Light Fisheries, LLC.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

XI

Division of Ports & Harbors
Memorandum

To: Capt. Geno J. Marconi

From: Chief H/M Tracy R. Shattuck

Re: Commercial Transfer

Date: February 14, 2024

R. Douglas Kirkland and Peter Kirkland of First Light Fisheries, LLC are requesting the transfer of a Mooring Permit (#7718) in the Hampton Harbor area 1 mooring field. Peter Kirkland has already purchased and registered the boat as part of the transaction. Attached is documentation of Peter Kirkland's commercial enterprise in the form of his Commercial Fishing License and business creation documents. Although Peter Kirkland did not sign the boat registration and fishing license they are valid documents. Also attached is the transfer request and bill of sale from Doug Kirkland. Peter Kirkland has asserted that he understands that the mooring must remain in commercial use.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #7718 be transferred to:

Peter Kirkland
First Light Fisheries, LLC
65 Walnut Ave
North Hampton, NH 03862

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA

FROM: Geno J. Marconi, Director, DPH

DATE: February 23, 2024

RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #2800, from Andy Lang of Lang Fisheries, LLC to Kurtis Lang.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

XII

SUMMARY FINDINGS AND CASH FLOWS

$ (000's)

- THE CURRENT CAPITAL IMPROVEMENT PLAN FOR THE DIVISION OF PORTS AND HARBORS (DPH) HAS IDENTIFIED PROJECT REQUESTS THAT TOTAL **$ 47,544**. THE MAJORITY OF FUNDING IS CENTERED ON EXPANSION AND INFRASTRUCTURE IMPROVEMENTS AT THE MARKET STREET TERMINAL AS WELL AS OTHER LOCATIONS

	GRANT FUNDED	INTERNALLY FUNDED	TOTAL
INFRASTRUCTURE	$6,247	$296	$6,543
EXPANSION	40,200	0	40,200
EQUIPMENT	428	279	707
SAFETY	65	29	94
REGULATORY	-	0	0
	46,940	604	47,544

- **KEY SENSITIVITIES INCLUDE:**
  - ABILITY TO GENERATE POSITIVE ANNUAL CASH FLOW FOR INTERNALLY FUNDED PROJECTS.
  - AVAILABILITY OF GRANT FUNDING OPPORTUNITIES
  - GRANT PROJECTS FUNDED AT 100%
  - IMPACT OF INFLATION ON CONSTRUCTION COSTS
  - REVENUE ENHANCEMENT OPPORTUNITIES

- PROJECT JUSTIFICATION WAS DIRECTED TOWARD REQUESTS THAT ARE IN SUPPORT OF SAFETY, EXPANSION, INFRASTRUCTURE IMPROVEMENTS AND EQUIPMENT.

UNRESTRICTED CASH AND INVESTMENTS

	AMOUNT
CASH AND INVESTMENTS - FEBRUARY 28, 2024	$1,682
NET OPERATING INCOME- EXCLUDING DEPRECIATION	550
AVAILABLE FUNDS	2,232
FINANCING ACTIVITIES	
GRANT FUNDING	46,940
CAPITAL EXPENDITURES:	
GRANT FUNDED	(46,940)
INTERNALLY FUNDED	(604)
NET FINANCING ACTIVITIES	(604)
CASH AND INVESTMENTS- JUNE 30, 2030	$1,628

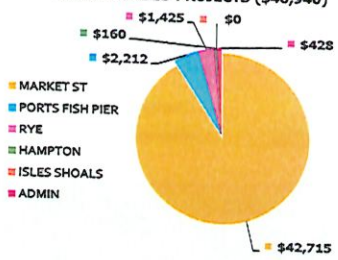
DRAFT

PROJECTED CAPITAL EXPENDITURES...

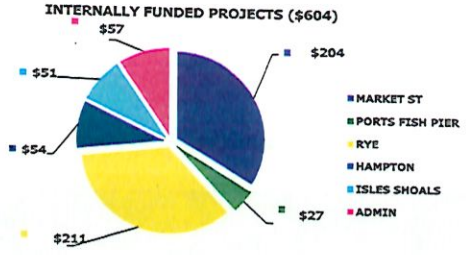
$ (000's)

FISCAL YEAR	MARKET ST	PORTSMOUTH FISH PIER	RYE HARBOR	HAMPTON HARBOR	ISLES OF SHOALS	ADMIN/OTHER	TOTAL
2024 TO GO	$2,386	$5	$170	$130	$0	$50	$2,741
2025	20,528	2,214	1,425	50	-	35	$24,252
2026	20,405	20	5	34	27	-	$20,491
2027	-	-	36	-	24	-	$60
2028	-	-	-	-	-	-	-
2029	-	-	-	-	-	-	-
2030	-	-	-	-	-	-	-
	43,319	2,239	1,636	214	51	85	47,544

GRANT FUNDED PROJECTS ($46,940)



INTERNALLY FUNDED PROJECTS ($604)



DRAFT

Division of Ports & Harbors
Memorandum

To: Capt. Geno J. Marconi

From: Chief HM Tracy R. Shattuck

Re: Commercial Transfer

Date: February 22, 2024

Andy Lang of Lang Fisheries, LLC and Kurtis Lang are requesting the transfer of a Mooring Permit (#2800) in the Sagamore Creek mooring field. Andy and Kurtis were in business together and Andy has now transferred his interest in the business to Kurtis. Attached is documentation of Kurtis's commercial enterprise in the form of his Commercial Fishing License and landings. Also attached is the transfer request and bill of sale from Andy. Kurtis Lang has asserted that he understands that the mooring must remain in commercial use.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #2800 be transferred to:

Kurtis Lang
86 Walker Bungalow Road
Portsmouth, NH 03801

PEASE DEVELOPMENT AUTHORITY- DIVISION OF PORTS AND HARBORS

DRAFT CAPITAL IMPROVEMENT PLAN FY 2024 - FY 2030

BOARD OF DIRECTORS MEETING
MARCH 14, 2024

INTERNALLY FUNDED CAPITAL PROJECT REQUESTS...

$ (000's)

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
MARKET STREET TERMINAL									
TRUCK SCALE	178	-	-	-	-	-	-	178	★
REPLACE WATER SHACK	-	13	-	-	-	-	-	13	
REPAIR POTABLE WATER CONNECTION	8	-	-	-	-	-	-	8	★
EMERGENCY GENERATOR CONNECTIONS (3)	-	-	5	-	-	-	-	5	
TOTAL	186	13	5	-	-	-	-	204	

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
PORTSMOUTH FISH PIER									
EMERGENCY GENERATOR CONNECTIONS	-	-	6	-	-	-	-	6	
WASTE OIL SHED	-	-	14	-	-	-	-	14	★
FACILITY LIGHTING	-	7	-	-	-	-	-	7	★
TOTAL	-	7	20	-	-	-	-	27	

★ HIGH PRIORITY

DRAFT

GRANT FUNDED CAPITAL PROJECT REQUESTS...

$ (000's)

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
MARKET STREET TERMINAL									
SECURITY FENCING	0	65	-	-	-	-	-	65	★
MAIN WHARF REHABILITATION	2,000	0	-	-	-	-	-	2,000	★
FUNCTIONAL REPLACEMENT - BARGE DOCK	200	20,000	20,000	-	-	-	-	40,200	
WAREHOUSE REMOVAL/OFFICE REPLACEMENT	-	450	-	-	-	-	-	450	
TOTAL	2,200	20,515	20,000	-	-	-	-	42,715	

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
PORTSMOUTH FISH PIER									
DECK AND X BRACING REPLACMENT (ARPA)	5	1,107	-	-	-	-	-	1,112	★
STUDY AND DESIGN FOR BUILDING REPLACEMENT	-	100	-	-	-	-	-	100	
DESIGN AND CONSTRUCT BUILDING (GOFERR)	-	1,000	-	-	-	-	-	1,000	
TOTAL	5	2,207	-	-	-	-	-	2,212	

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
RYE HARBOR									
DESIGN & CONSTRUCT RETAIL/AMENITIES BLDGS (GOFERR)	-	1,000	-	-	-	-	-	1,000	★
RIPRAP REPAIR	-	425	-	-	-	-	-	425	★
TOTAL	-	1,425	-	-	-	-	-	1,425	

★ HIGH PRIORITY

DRAFT

INTERNALLY FUNDED CAPITAL PROJECT REQUESTS

(CONTINUED)...

$ (000's)

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
RYE HARBOR									
WASTE OIL SHED	7	-	-	-	-	-	-	7	
BOAT LAUNCH/RECOVERY RAMP *	65	-	-	-	-	-	-	65	★
GANGWAY *	35	-	-	-	-	-	-	35	★
REPLACE HOIST	-	-	-	22	-	-	-	22	
FUEL SYSTEM INSTALL - RECREATIONAL	28	-	-	-	-	-	-	28	★
NEW FUEL ENCLOSURE - RECREATIONAL PIER	11	-	-	-	-	-	-	11	★
OFFICE/RESTROOM IMPROV./REPAIR *	13	-	-	-	-	-	-	13	★
FUEL ENCLOSURE-COMMERCIAL PIER	11	-	-	-	-	-	-	11	★
EMERGENCY GENERATOR CONNECTIONS	-	-	5	-	-	-	-	5	
PARKING LOT CONCEPT DESIGN	-	-	-	14	-	-	-	14	
TOTAL	170	-	5	36	-	-	-	211	

* Potential FEMA reimbursement

★ HIGH PRIORITY

DRAFT

GRANT FUNDED CAPITAL PROJECT REQUESTS

(CONTINUED)...

$ (000's)

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL
HAMPTON HARBOR								
HAMPTON FLOATING DOCKS (ARPA)	110			-	-	-	-	110
RIPRAP REPAIR		50		-	-	-	-	50
TOTAL	110	50	-	-	-	-	-	160

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL
ADMIN/OTHER								
HARBORMASTER-OUTBOARDS	-	28		-	-	-	-	28
SECURITY CAMERAS - ALL LOCATIONS			400	-	-	-	-	400
TOTAL	-	28	400	-	-	-	-	428
TOTAL GRANT FUNDED	2,315	24,225	20,400	-	-	-	-	46,940

★ HIGH PRIORITY

DRAFT

INTERNALLY FUNDED CAPITAL PROJECT REQUESTS

(CONTINUED)...

$ (000's)

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
HAMPTON HARBOR									
REFUELING STATION REDESIGN WORK	-	-	6	-	-	-	-	6	
EMERGENCY GENERATOR CONNECTIONS	-	-	6	-	-	-	-	6	
DEDICATED WORK SKIFF	-	-	-	-	-	-	-	-	
OFFICE IMPROVEMENTS/REPAIRS	10	-	-	-	-	-	-	10	★
SEAWALL	10	-	-	-	-	-	-	10	★★
REPLACE/FIX HOISTS	-	-	22	-	-	-	-	22	
TOTAL	20	-	34	-	-	-	-	54	

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
ISLES OF SHOALS									
CONDITIONAL SURVEY OF DOCK	-	-	-	24	-	-	-	24	
IMPROVEMENT CONCEPT	-	-	27	-	-	-	-	27	
TOTAL	-	-	27	24	-	-	-	51	

PROJECT DESCRIPTION	FY 2024 TO GO	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	TOTAL	
ADMIN/OTHER									
NEW VEHICLE	50	-	-	-	-	-	-	50	★
UTILITY BED	-	7	-	-	-	-	-	7	★
TOTAL	50	7	-	-	-	-	-	57	
TOTAL INTERNALLY FUNDED	426	27	91	60	-	-	-	604	

★ HIGH PRIORITY

DRAFT

PEASE INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

Date: March 5, 2024

To: PDA Board of Directors

From: Geno Marconi, Port Director

Subject: Truck Scale Replacement

Northeast Scale Company that services the truck scale at the Market Street Marine Terminal has reported that the current, ten (10) year old, scale is deteriorating and will be in need of replacement within a year. This above ground scale was initially bought when the prior, below ground pit scale, failed suddenly during winter months when salt transportation is critical. Truck scales are not an "off the shelf" commodity and there is about an eight (8) month lead time for a scale. With that long lead time ten (10) years ago, the Division did locate the existing scale, new, in Kansas and arranged to have it trucked here during the winter. That particular winter was very harsh and many highways between Kansas and New Hampshire were closed due to snow conditions. The scale was not the ideal scale for the environmental and work conditions aboard the Market Street Marine Terminal, however it was necessary to purchase and continue operations. The scale generates $24,000 a year in revenue. Expenses for the scale for the two (2) year period, 2022 and 2023 were $10,737.19. Upon installation of a new scale, the Division will revisit the revenue/expense and adjust the rental fee accordingly.

The Division has identified the specifications (attached) of a new scale better suited for placement at the terminal. Manufactured with heavier gauge steel with galvanized coatings the Division is anticipating a longer life cycle. The replacement scale and a second scale are identified in the Division CIP and estimated at $178,460 for both, which will be funded from the Ports and Harbors Fund.

Due to the reported condition of the current scale and the anticipated lead time of eight (8) to ten (10) months, the Division intends to immediately advertise for a scale purchase.

OOOO TAKING YOU THERE

ph: 603-430-8500 fax: 603-430-2760 www.peasedev.org

Engineering Specifications – Steel Platform Truck Scale

Contractor shall furnish and install a B-TEK Centurion-DT Steel Deck Truck Scale or approved equal.

The following set of specifications will describe a fully electronic, low profile, flat-top, steel deck truck scale system, fully assembled and ready for installation upon arrival at the job site.

SECTION 1.0 – TRUCK SCALE WEIGHBRIDGE DESIGN

The scale platforms, load cells and weight indicator shall be designed, assembled, and supplied by one manufacturer located in the United States of America. The scale shall be a galvanized B-TEK Centurion-DT Model: CT-7211-DT or equivalent and shall meet the following minimum standards.

1.0 – General Provisions

1.1. The scale shall be NTEP Certified and meet the requirements set forth by the NIST Handbook 44 for Class IIIL devices. A current copy of the Certificate of Conformance (COC) shall be submitted with the bid.

1.2. The scale shall be a full electronic design. Mechanical lever systems are not acceptable.

1.3. The weighbridge shall be a flat-top style, WF-Beam bridge type design with bottom of weighbridge open to ambient air circulation. Tall outside beams that extend above the surface of the deck are not acceptable.

1.4. The weighbridge shall be suitable for installation on an above-grade pier, floating slab, or pit style foundation and must provide full width section cover plates for top access to load cells.

1.5. The weighbridge shall include full width removable end and middle section cover plates on each module to allow top access to all critical cleanout areas.

1.6. The weighbridge shall incorporate a bumper style self-checking system. Checking systems that use the load cell body or any part of the load cell assembly for limiting weighbridge motion is not acceptable.

1.7. The scale shall have a full-scale capacity rating of 135 Tons (270,000 lb.) with a displayed resolution of 200,000 x 20 lb. In accordance with the NIST, Class IIIL device requirement of 10,000 divisions.

1.8. The weighbridge modules shall be designed with a minimum concentrated load capacity (CLC) and dual tandem axle (DTA) rating of 50 tons as defined by NIST. When a 50 ton CLC/DTA load is applied at mid-span on a module, the maximum bending stress in the steel shall not exceed 20,000 PSI and weighbridge deflection shall not cause the scale to exceed the allowable accuracy tolerance as specified by NIST in Handbook 44.

1.9. The weighbridge shall have a minimum calculated "r" factor of 2.94

1.10. The weighbridge shall be designed to have a span deflection ratio that is not less than 1:1,100 when legal highway loading is applied at mid-span of module.

1.11. The weighbridge shall consist of three (3) factory- welded platforms, providing an unobstructed weighing surface of 72' *(actual)* long by 11' (actual) wide.

1.12. The weighbridge shall have a 16" minimum elevation profile and provide a minimum underneath clearance of 5.5" between foundation floor and bottom of weighbridge *(or sufficient to meet compliance with State and Local Weights and Measures)*

1.13. The weighbridge shall be constructed utilizing ASTM-A36 structural steel WF-Beam, sized, and arranged for proper strength and able to withstand the stress and loads which result when vehicles drive onto and off the scale. Weighbridges constructed with bent flat steel plate used as a structural steel member is not acceptable.

1.14. The weighbridge shall be welded in accordance with the requirements of AWS D1.1 by welders that are internally certified and adhere to strict quality standards as outlined in the B-TEK Quality Manual that complies with the requirements of ISO-9001:2000.

1.15. No field assembly or welding of individual weighbridges shall be necessary or allowed.

1.16. The weighbridge modules shall include heavy mounting base plates for the load cells.

1.17. The weighbridge modules shall be cleaned prior to the application of any coating or paint to remove oil, mill scale, rust, dirt, and other contaminants.

1.18. The weighbridge assembly shall be steel shot blasted to meet standard SSPC-SP6 requirements for commercial blast cleaning of unpainted or painted steel surfaces.

1.19. The weighbridge shall be protected by a two-component, high-solids, epoxy primer applied to a dry film thickness of 2-3 mils, followed by a two-component, polyurethane top-coat applied to a dry film thickness of 2-3 mils.

1.20. Once cured, the painted weighbridge shall undergo a dry film thickness testing to insure proper paint coverage in all areas.

1.21. Additional field painting other than touchup painting of damaged surfaces shall not be required.

1.22. Load cell base plates shall be flush mounted to the concrete piers and anchored using expansion wedge anchor bolts. A minimum of ¾" x 7" anchor bolts are required.

1.23. The weighbridge shall not require the setting of grout plates for leveling. Grout plates or embedded items in the foundation concrete are not allowed.

1.24. The weighbridge shall have a maximum deck thickness of 10-1/2".

1.25. The weighbridge shall be a WF-Beam bridge design with a minimum of 3/8" thick checkered steel deck plate that is supported with a minimum of (8) longitudinal 10" WF-Beams. Weighbridge designs using primary understructure components made of heat plates or channels or tubing are not acceptable.

1.26. Each WF-Beam in the weighbridge shall be stitch-welded to the deck plate above. Continuous welding of weighbridge structure that creates sealed cavities or pockets is not acceptable.

1.27. The weighbridge shall be designed to accommodate over 2,000,000 trucks with a DTA of 60,000 lbs. without degradation of the weighbridge or compromising the structural integrity.

1.28. Structural steel elements of 72' x 11' weighbridges shall have a combined minimum weight of 28,000 lb. not including sight rail or other options. Weighbridge BOM may be requested to confirm actual build weight.

1.29. The weighbridge shall be available with optional bolt-on safety guiderails *(Guide rails are optional for surface installations)*

1.29.1. The guiderails shall utilize a minimum of 3.5" diameter SCH 40 pipe.

1.29.2. The guiderails shall be painted yellow for increased driver visibility.

1.29.3. The guide rail assemblies shall bolt to brackets that are welded to the outside beams of the weighbridge and a minimum of 3 bolts shall be used to attach each rail assembly. Guide rails that are clamped, wedged, or welded to the weighbridge shall not be permitted.

1.30. The weighbridge structure shall be warranted for a minimum of 5-Years.

1.31. The scale shall be a B-TEK Scales Model: CT-7211-DT or equivalent.

SECTION 2.0 – LOAD CELLS AND JUNCTION BOX

Load cells shall be B-TEK Scales Model: CPD-M Digital or equivalent. CPD-M Digital cells utilize (8) strain gages to prevent problems with side loading, end-loading, and torque loading. Many competitive shear beam type load cells are not well suited to handle dynamic loading conditions frequently experienced on most truck scale applications. These types of sensors were designed to be loaded precisely vertical and do not handle side load forces efficiently. Shear beam style load cells are not acceptable.

2.0 – General Provisions

2.1. Load cells shall be of the Digital (RS-485 output) type and have a minimum capacity of 77,000 lb. each with an overload safety factor of 150%. Traditional analog (low level mV output) load cells are not acceptable.

2.2. Load cells shall have a Digital RS-485 output that is not susceptible to electrical or radio frequency noise / interference. Load cells shall have an operating temperature range of at least -30C to +70C.

2.3. Load cells shall store their individual calibration data such that in the case of the weight indicator being replaced, the data can be uploaded into the weight indicator. This feature allows for the scale to not need recalibration after weight indicator replacement.

2.4. Load cells shall have a hermetically sealed design to meet NEMA 6P / IP68 / IP69K standards for moisture ingression and water submersion protection.

2.5. The load cells shall have a diagnostic system that allows individual load cell outputs to be visible from the scale weight indicator.

2.6. Load cells shall be easily serviceable / removable by jacking the weighbridge approximately 1". The load cells shall not be bolted to the stand.

2.7. Load cell mounting parts shall consist of hardened, stainless alloy components that allow a free-floating platform. Load cell assemblies that require links / loops or other type of suspension system will not be allowed.

2.8. Junction boxes shall be constructed of stainless steel with a NEMA 4X rating and include a removable cover with gasket that is secured with screws and include a single directional membrane vent.

2.9. Load cell cables shall be removable from the cell body for ease of replacement. The connector will be rated IP69K and the attached cable will have both a braided metal sheath as well as an addition clear poly coating for moisture protection.

2.10. Surge voltage and lightning protection will be provided as standard for protection of load cells and junction box.

2.11. Load cells shall have a minimum 5-year warranty against defects in materials and workmanship and failure resulting from lightning or surge voltages. The warranty shall cover all costs associated with replacement cell, travel, mileage, and on-site labor.

2.12. The load cells shall be B-TEK Model: CPD-M or equivalent.

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Lamson:

The Pease Development Authority ("PDA") Board of Directors hereby authorizes the Executive Director to enter into Addendum #4 regarding the previously approved Special Use Permit ("SUP"), as amended, from the Department of Natural and Cultural Resources, Division of Parks and Recreation ("Division"), regarding access to Division property by the US Army Corps of Engineers ("ACOE") in connection with the ongoing Hampton Beach Jetty Repair; substantially in accordance with the memorandum from Geno J. Marconi, Division Director dated February 22, 2024 and the draft Addendum #4; attached hereto.

N:\RESOLVES\2024\DPH – ACOE ROE for Hampton Harbor Jetty Repair (Addendum #4) 3-14-2024.docx

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PEASE INTERNATIONAL PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority Board of Directors

From: Geno Marconi, Division Director

Re: Addendum 4 to Special Use Permit-Hampton Harbor Federal Navigation Improvement Project

Date: February 22, 2024

In December 2022, the Pease Development Authority Board of Directors authorized the PDA-DPH to enter into a Special Use Permit (SUP) with the New Hampshire Department of Natural and Cultural Resources, Division of Parks and Recreation regarding the Hampton Harbor Federal Navigation Improvement Project, attached hereto. This agreement allows the Army Corps of Engineers (ACOE) to access PDA-DPH and Parks and Recreation property in order to effect repairs to the Hampton Harbor North Jetty. Recently, Parks and Recreation has asked the PDA to enter into Addendum #4 to the SUP, also attached hereto, which modifies the agreement to extend the term of the SUP through May 17, 2024.

At the Board's March 14, 2024, meeting, please authorize the Executive Director to execute the SUP Addendum # 4 agreement with the Department of Natural and Cultural Resources, Division of Parks and Recreation.

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ph 603-436-1500 fax 603-436-2780 www.peasedev.org

NH Department of Natural and Cultural Resources
Division of Parks and Recreation
172 Pembroke Road
Concord, NH 03301 Phone: 603/271-3556 Fax: 603/271-3553

Special Use Permit Package

SUP ADDENDUM #4

Permittee: Pease Development Authority
Event: Hampton Harbor Jetty Repair
Original Permit fully executed 5/10/22
Addendum #4 Date: 02/02/2024

This Addendum grants the following changes to the above referenced Permit:

- Page 1 of the original Permit and subsequent Addendum #1, dated 11/14/22, Period of Use shall be revised to say: September 25, 2023, through May 17, 2024. The Permittee shall agree that although the work is being extended into the standard operating season, the safety and experience of the Park patrons shall remain a priority and patrons shall not be disturbed.
- Page 2 of the original document item #19 should be revised to say: DNCR and the Permittee shall complete a joint post-construction inspection upon the completion of the project but no later than May 17, 2024.

All other contract items listed in the original Permit and subsequent Addendums 1-3 shall remain true to their original form.

Paul Brean, Executive Director — Date
Pease Development Authority

Brian J. Wilson, Director — Date
NH Division of Parks and Recreation

Concur:

Sarah L. Stewart, Commissioner — Date
Department of Natural and Cultural Resources

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Parker:

The Pease Development Authority Board of Directors hereby authorizes the Executive Director to retroactively approve the Right of Entry extension request of Luciano's Excavation, Inc. for work associated with the Hampton Harbor Jetty Repair project; for the period of March 2, 2024 through May 17, 2024; all in accordance with the Memorandum of Geno J. Marconi, Director of the Division of Ports and Harbors, dated February 21, 2024; attached hereto.

N:\RESOLVES\2024\DPH – Luciano Excavation ROE- Hampton Harbor Jetty Repair (3-14-24).docx

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PEASE INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority ("PDA") Board of Directors

From: Geno Marconi, Director

Date: February 21, 2024

Subject: Luciano's Excavation, Inc., Extension of Right of Entry, Hampton Harbor Marine Facility

The Division of Ports and Harbors (the "Division") received a request from Luciano's Excavation, Inc. ("Luciano's") to extend its Right of Entry ("ROE") at the Hampton Harbor Marine Facility (the "Premises") to use certain property of the PDA-DPH, as outlined below.

The Division reviewed the request and recommends approval of the request subject to the following terms and conditions, and, with the exception of fee changes, under the same terms and conditions in the existing Right of Entry:

PREMISES: Hampton Harbor Marine Facility, 1 Ocean Blvd. Hampton NH

PURPOSE: Use of a portion of Premises for Overnight Berthing for 1 (one) crew boat and 1 (one) push boat and parking for up to 10 vehicles in conjunction with the Hampton Jetty Repair Project, all in areas of the Premises as directed by PDA-DPH.

ORIGINAL TERM: October 2, 2023 through March 1, 2024

EXTENSION TERM: Retroactive beginning on March 2, 2024, on a month to month basis, or until May 17, 2024

FEES: Berthing Fee $8.00 per foot, per quarter, per vessel (currently paid through 1st quarter (Jan-March 2024)
Parking Fee $380 for up to 10 (ten) vehicles, valid for the term of the ROE
Electricity (vessels) $50 for the term of the ROE

INSURANCE: On or before the effective date of this ROE, Luciano's and any agent, contractor, or vendor of Luciano's shall provide PDA-DPH with proof of required insurance coverage as outlined in Exhibit A, including Environmental/Pollution Liability Coverage.

EXHIBIT A

TO: ALL CONTRACTORS, SUBCONTRACTORS AND/OR AGENTS

RE: MINIMUM REQUIREMENTS OF CERTIFICATES OF INSURANCE FOR CONTRACTORS/SUBCONTRACTORS WORKING ON PROPERTY OF PEASE DEVELOPMENT AUTHORITY-DIVISION OF PORTS AND HARBORS

All contractors, subcontractors and/or any agents thereof are required to provide proof of insurance to the Pease Development Authority-Division of Ports and Harbors (PDA-DPH) before the commencement of any work on PDA-DPH property. The following are the minimum requirements for insurance coverage:

1. **Commercial General Liability:** Two (2) million dollars commercial general liability coverage per occurrence; and Two (2) million dollars per project aggregate.
2. **Automobile Liability:** One (1) million dollars automobile liability coverage.
3. **Workers Compensation:** Coverage equal to minimum statutory levels as required by New Hampshire State law.
4. **Longshore and Harbor Workers Compensation Act Insurance:** *To the extent applicable* and to limits as required by Federal and State law.
5. **Environmental/Pollution Liability:** As required by activities which give rise to the necessity for such coverage and in such amounts as determined by PDA-DPH from time to time.
6. **Additional Insureds:** Pease Development Authority Division of Ports and Harbors and the State of New Hampshire must be named as additional insureds under all liability coverages.
7. **Certificate Holder:** Pease Development Authority, Division of Ports of Harbors
   555 Market St.
   Portsmouth, NH 03801
8. **Professional Liability:** As required by activities which give rise to the necessity for such coverage and in a minimum amount of One (1) million dollars.
9. **Notice of Cancellation:** A 30 day notice of cancellation (with the exception of a 10 day notice for non-payment of premium) must be provided.
10. **Waiver of Subrogation:** With the exception of workers compensation coverage, a statement that a waiver of subrogation is included with respect to applicable coverage.
11. **Primary Insurance:** A provision that any liability coverage required to be carried shall be primary and noncontributing with respect to any insurance carried by the PDA.

PEASE INTERNATIONAL
DEVELOPMENT AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Conard:

The Pease Development Authority ("PDA") Board of Directors hereby approves of and authorizes the Executive Director and Division Director on behalf of the Division of Ports and Harbors to apply for, accept and expend the American Rescue Plan Act (ARPA) Grant(s) for which Portsmouth Fish Pier and Rye Harbor are deemed eligible. This approval includes the authority to execute any and all documents necessary or appropriate to accept the ARPA Grant(s) on an expedited basis and to use said grants for any purpose which the revenues may be lawfully used; all in accordance with the memorandum of Geno Marconi, Director of Ports and Harbors, attached hereto; dated March 4, 2024.

N:\RESOLVES\2024\ARPA Grants (PFP & Rye Harbor) 3-14-2024.docx

PEASE INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

Date: March 4, 2024

To: Pease Development Authority (PDA) Board of Directors

From: Geno Marconi, Division Director

Re: American Rescue Plan Act, State Fiscal Recovery Funds for Portsmouth Fish Pier and Rye Harbor Marine Facility Projects

Upon approval of the PDA Board of Directors, the Division of Ports and Harbors (the "Division") will submit the request below to the State of NH Fiscal Committee, and Governor and Executive Council.

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		$0	$2,000,000	$2,000,000
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		$0	$2,000,000	$2,000,000

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 05FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 05FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 05FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 05FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

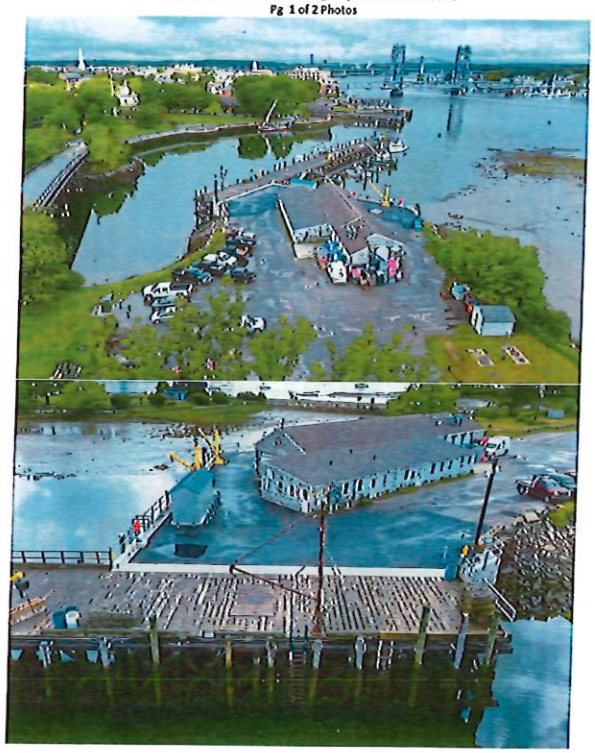
In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul B. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Fournier:

The Pease Development Authority Board of Directors hereby authorizes the Executive Director to approve the Right of Entry extension request of Bauer Construction Co., LLC for work associated with a project replacing several privately owned seawalls on Harbor Road; all in accordance with the Memorandum of Geno J. Marconi, Director of the Division of Ports and Harbors, dated February 26, 2024; attached hereto.

N:\RESOLVES\2024\DPH - Bauer Construction ROE - Rye Harbor (3-14-24).docx

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PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

To: Pease Development Authority ("PDA") Board of Directors

From: Geno Marconi, Director

Date: February 26, 2024

Subject: Bauer Construction Company, LLC., Extension of Right of Entry, Rye Harbor Marine Facility

The Division of Ports and Harbors (the "Division") received a request from Bauer Construction Co., LLC. ("Bauer") to extend its Right of Entry ("ROE") at the Rye Harbor Marine Facility (the "Premises") to use certain property of the PDA-DPH, as outlined below.

The Division reviewed the request and recommends approval of the request subject to the following terms and conditions, and under the same terms and conditions in the existing Right of Entry:

PREMISES:	Rye Harbor Marine Facility, 1870 Ocean Blvd. Rye, NH
PURPOSE:	Use of a portion of Premises for storage of rock and construction equipment in conjunction with a private project replacing several seawalls on Harbor Rd.
ORIGINAL TERM:	October 1, 2023 through March 31, 2024
EXTENSION TERM:	April 1, 2024, on a month-to-month basis subject to the ongoing approval of PDA-DPH.
FEES:	$1,280.00 per month of usage
INSURANCE:	On or before the effective date of this ROE, Bauer and any agent, contractor, or vendor of Bauer shall provide PDA-DPH with proof of required insurance coverage as outlined in Exhibit A, including Environmental/Pollution Liability Coverage.

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ph 603-436-8500 fax 603-436-2780 www.peasedev.org

EXHIBIT A

TO: ALL CONTRACTORS, SUBCONTRACTORS AND/OR AGENTS

RE: MINIMUM REQUIREMENTS OF CERTIFICATES OF INSURANCE FOR CONTRACTORS/SUBCONTRACTORS WORKING ON PROPERTY OF PEASE DEVELOPMENT AUTHORITY-DIVISION OF PORTS AND HARBORS

All contractors, subcontractors and/or any agents thereof are required to provide proof of insurance to the Pease Development Authority-Division of Ports and Harbors (PDA-DPH) before the commencement of any work on PDA-DPH property. The following are the minimum requirements for insurance coverage:

1. **Commercial General Liability:** Two (2) million dollars commercial general liability coverage per occurrence; and Two (2) million dollars per project aggregate.
2. **Automobile Liability:** One (1) million dollars automobile liability coverage.
3. **Workers Compensation:** Coverage equal to minimum statutory levels as required by New Hampshire State law.
4. **Longshore and Harbor Workers Compensation Act Insurance:** *To the extent applicable* and to limits as required by Federal and State law.
5. **Environmental/Pollution Liability:** As required by activities which give rise to the necessity for such coverage and in such amounts as determined by PDA-DPH from time to time.
6. **Additional Insureds:** Pease Development Authority Division of Ports and Harbors and the State of New Hampshire must be named as additional insureds under all liability coverages.
7. **Certificate Holder:** Pease Development Authority, Division of Ports of Harbors
   555 Market St.
   Portsmouth, NH 03801
8. **Professional Liability:** As required by activities which give rise to the necessity for such coverage and in a minimum amount of One (1) million dollars.
9. **Notice of Cancellation:** A 30 day notice of cancellation (with the exception of a 10 day notice for non-payment of premium) must be provided.
10. **Waiver of Subrogation:** With the exception of workers compensation coverage, a statement that a waiver of subrogation is included with respect to applicable coverage.
11. **Primary Insurance:** A provision that any liability coverage required to be carried shall be primary and noncontributing with respect to any insurance carried by the PDA.

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Levesque:

The Pease Development Authority ("PDA") PDA Board of Directors hereby authorizes the Executive Director to negotiate and enter into a contract with Riverside and Pickering Marine Contractors for replacement of the recreational dock gangway at the Rye Harbor Marine facility in a total amount not to exceed $50,000.00 from the PDA-Division of Ports and Harbors Harbor Management fund; all in accordance with the memorandum of Geno Marconi, Director of DPH, dated March 4, 2024; attached hereto.

Further, in accordance with the provisions of RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement based on the following reasons:

1. The recreational dock gangway at the Rye Harbor Marine Facility was storm damaged beyond repair in January and requires immediate replacement;
2. The gangway is integral to the operations of the Rye Harbor Facility and a delay in replacement will impede the recreational and private interests that use the facility and access the harbor; and
3. Riverside and Pickering Marine is a local marine contractor currently under contract with the Division to conduct repairs at the Portsmouth Commercial Fish Pier.

NOTE: This motion requires 5 affirmative votes.
ROLL CALL vote required.

N:\RESOLVES\2024\DPH - Rye Gangway (3-14-24).docx

PEASE INTERNATIONAL PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

Date: March 4, 2024

To: PDA Board of Directors

From: Geno Marconi, Port Director

Subject: January 13, 2024, Storm Damage, Rye Harbor Gangway Replacement

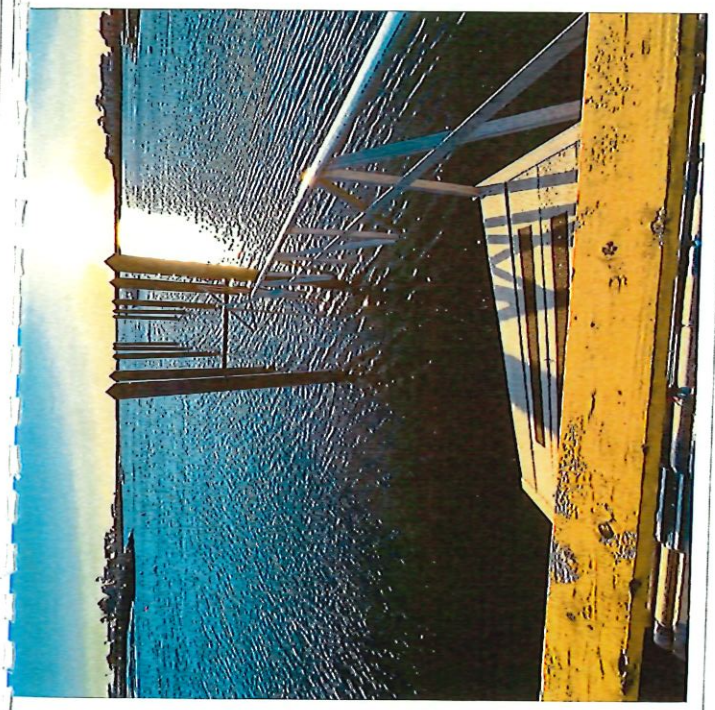
The winter storm of January 13, 2024, destroyed the gangway to the recreational docks at the Rye Harbor Marine Facility. The two (2) attached pictures show what was left of the forty-two (42) foot long gangway. It is unrepairable and requires complete replacement. This gangway provides access to the floating docks where inspected and uninspected vessels load and discharge passengers, and recreational vessels board their vessels. In short, the gangway provides access to the harbor.

The Division contacted Riverside and Pickering Marine requesting exploratory quotes on the replacement with a similar gangway. Riverside and Pickering is a local marine contractor currently under contract with the Division to conduct repairs at the Portsmouth Commercial Fish Pier. A pre-engineered gangway of similar design and size is in the range of $37,000.00. Lead time for delivery of a gangway is undetermined at this time and may vary with manufacturer.

Because this gangway is critical to public safety and the continued use by commercial and recreational boaters and with the season rapidly approaching, the Division requests that the PDA Board of Directors to waive the formal RFP process as this is an emergency repair.

Funds have been allocated in the DPH CIP and will be supported by the Harbor Management Funds. This expense is part of an application and potential funding for reimbursement from FEMA.

Therefore, the Division requests approval to enter into a contract with Riverside and Pickering Marine to replace the gangway at the Rye Harbor Marine Facility for an amount not to exceed $50,000.00.



Pease Development Authority
DIVISION OF PORTS AND HARBORS

MOORING PERMIT APPLICATION ANALYSIS

Action	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
A. Mooring Applications Sent out (January)	1464	1429	1420	1413	1435	1432	1412	1489	1532	1529
B. Completed Applications (Received before the late filing deadline.)	1345	1305	1317	1291	1326	1319	1333	1391	1393	1413
C. Applicants Missing the Late filing Period (10 business days)	113	124	120	122	109	113	79	98	139	116
D. Voluntarily gave up permit (can NOT renew)	32	15	28	25	14	7	1	3	23	27
E. Deceased (Known)	5	1	1	1	2	3	2	0	1	4
F. Shorefront or those in Areas with no waitlist. (Can re-apply at any time)	53	83	63	47	53	45	46	66	58	49
G. Permits Expired March 31 (cannot be renewed) (F minus D,E and F)	29	19	28	49	40	46	30	27	57	36
H. Percentage (A minus G)	2.0%	1.3%	2.0%	3.5%	2.8%	3.2%	3.3%	1.8%	3.7%	2.3%

MOORING WAITLIST ANALYSIS

	2014	2015	2016	2022	2023	2024
1.# OF MOORING SITES REQUESTED ON THE WAITLIST:	915	916	1001	848	857	720
2. # OF INDIVIDUALS ON THE WAITLIST:	395	381	360	371	383	331
3. # OF INDIVIDUALS ON THE WAITLIST THAT HAVE A MOORING:	145	140	132	131	151	125
4. PERCENTAGE OF INDIVIDUALS ON WAITLIST WITH A MOORING:	37%	37%	37%	31%	39%	38%
5. #OF MOORING SITES REQUESTED ON THE WAITLIST;	915	916	1001	848	857	720
6. #OF SITES ON THE WAITLIST BEING REQUESTED BY THE INDIVIDUALS THAT HAVE A MOORING:	341	354	360	371	269	260
PERCENTAGE OF #5 AND #6:	37%	39%	36%	31%	31%	29%

*Note: The waitlist is a moving target.

Please be advised that the 2024 Committee / Meeting schedule has been modified.

The changes are as follows:

1. In March meetings remain the 2nd week of the month,
2. In April, Committee and Board meetings will be held on the 3rd week of the month,
3. Starting in May, Committee / Board meetings will be held on the 2nd week of the month; and
4. In October, Committee / Board meetings will be held on the 3rd week of the month (to coincide with the audit information).

2024 PDA meeting schedule:

PORT committee *

2024 MODIFIED SCHEDULE
BOARD MEETINGS SECOND THURSDAY OF MONTH AND COMMITTEE MEETINGS MONDAY PRECEDING BOARD MEETINGS (COMMENCING IN MAY (EXCEPT OCTOBER - REMAINS THIRD THURSDAY AND TUESDAY PRECEDING BOARD MEETINGS DUE TO PEASAUDIT)

	BOARD		FINANCE		GOLF		AUDIT		PORT		Noise Compatibility	
	Meetings at 8:30 am		Meetings at 9:00 am		Meetings at 8:30 am		Meetings at 8:30 am		Meetings at 8:00 am		Meetings at 8:30 pm	
Month	Day	Date	Day	Date	Day	Date	Day	Date	Day	Date	Day	Date
January	Thurs.	01/11/24							Wed.	01/03/24		
February	None											
March	Thurs.	03/14/24	Mon.	03/11/24	Mon.	03/11/24						
April	Thurs.	04/18/24							Thurs.	3/2/24 04/04/24	Thurs.	04/18/24
May	Thurs.	05/09/24										
June	Thurs.	06/13/24	Mon.	06/10/24	Mon.	6/10/2024						
July	None								Thurs.	07/11/24		
August	Thurs.	08/08/24										
September	Thurs.	09/12/24	Mon.	09/09/24	Mon.	09/09/24						
October	Thurs.	10/17/24					Tues.	10/15/24	Tues.	10/15/24	Thurs.	10/17/24
November	Thurs.	11/14/24										
December Annual	Thurs.	12/12/24	Mon.	12/09/24	Mon.	12/09/24						
NOTE: ALL MEETINGS BEGIN AT 8:30 A.M. UNLESS OTHERWISE POSTED.												
Legend												
Board	Second Thursday of Month - Except October Third Thursday						No Meetings in February and July					
Finance	Quarterly - Monday before Board											
Golf	Quarterly - Monday before Board											
Audit	Semi-Annually Monday before Board (April/Oct)						No April meeting scheduled					
Port	Quarterly - 1st Thursday											
Noise	Semi-Annually - 2nd Thursday (April and September)											
p:\Boardmtg\2024 PDA\2024 Proposed Mtgs - Change from 3rd Thursday to 2nd Thursday												

* Members from PDA Board
Neil Levesque
Karen Conard
Steve Fournier
Ad Hoc Brad Cook

Raeline O'Neil

Subject:	Fwd: DPH GOFFER Project Scoping
Location:	Exec Conf.
Start:	Mon 4/8/2024 1:00 PM
End:	Mon 4/8/2024 2:00 PM
Show Time As:	Tentative
Recurrence:	(none)
Organizer:	Paul Brean

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

---------- Forwarded message ---------
From: **Paul Brean** <P.Brean@peasedev.org>
Date: Tue, Apr 2, 2024 at 11:54 AM
Subject: DPH GOFFER Project Scoping
To: Myles Greenway <M.Greenway@peasedev.org>, Geno Marconi <G.Marconi@peasedev.org>, Toni-Marie Vaughn <tonimarie.vaughn@gmail.com>, Mike Mates <M.Mates@peasedev.org>

I would like to have a scoping meeting on lining up the bid process for the Rye Harbor and Portsmouth Fish Pier GOFFER projects. I understand we do not have a clear understanding of what will be constructed; however we can start to create the bid package that will be required. Funds need to be obligated by the end of the calendar year, so timing on the bid process is critical.

Raeline O'Neil

From: Paul Brean
Sent: Thursday, March 28, 2024 3:12 PM
To: Brenda Therrien
Subject: FW: ARPA

Hi Brenda,

Today, I informed Director Caswell, the PDA Board recently approved the GOFFER/ARPA applications to move forward. Can you please send Tom the fiscal item.

Thanks,

Paul

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Thursday, March 28, 2024 2:18 PM
To: Paul Brean <P.Brean@peasedev.org>
Cc: Bond, Noah - GOFERR <Noah.R.Bond-G@goferr.nh.gov>
Subject: RE: ARPA

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Paul,

Taylor forwarded me your below email. We should have enough ARPA funding available to allow this to move forward at the 4/19 fiscal committee meeting. Can you please just forward the fiscal item to us, so we can make sure all the required ARPA language is present? I think it should be- if memory serves me right, we had reviewed and approved the item back in late January, when it was slated to go to fiscal in February, but just to be sure it would be good for us to have eyes on it again.

Thanks,

Tom

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, March 28, 2024 1:58 PM
To: Caswell, Taylor - GOFERR <Taylor.Caswell-G@goferr.nh.gov>
Subject: RE: ARPA

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Taylor,

Attached is the PDA Board motion, that Chairman Duprey recommended to move the GOFFER applications forward for Portsmouth Fish Pier and Rye Harbor. The motion passed unanimously at our PDA Board Meeting on March 14, 2024. We would like to proceed with placing it before the 4/19 Fiscal Committee meeting.

Best,

Paul Brean

From: Caswell, Taylor - GOFERR <Taylor.Caswell-G@goferr.nh.gov>
Sent: Thursday, March 28, 2024 1:23 PM
To: Paul Brean <P.Brean@peasedev.org>
Subject: ARPA

You don't often get email from taylor.caswell-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Paul

Wanted to check in with you on status of those two requests we discussed a month or so ago. I am managing to maintain the fund reservation for them but it would be helpful to get an update as we continue to try and fund multiple priorities.

Thanks very much. Feel free to give me a call too if that's easier.

TC

Taylor Caswell
Commissioner
Governor's Office for Emergency Relief & Recovery [GOFERR]

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, March 28, 2024 11:47 AM
To: Geno Marconi
Subject: Original request
Attachments: Rye-Portsmouth ARPA Request (01-25-2024).pdf

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 25, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

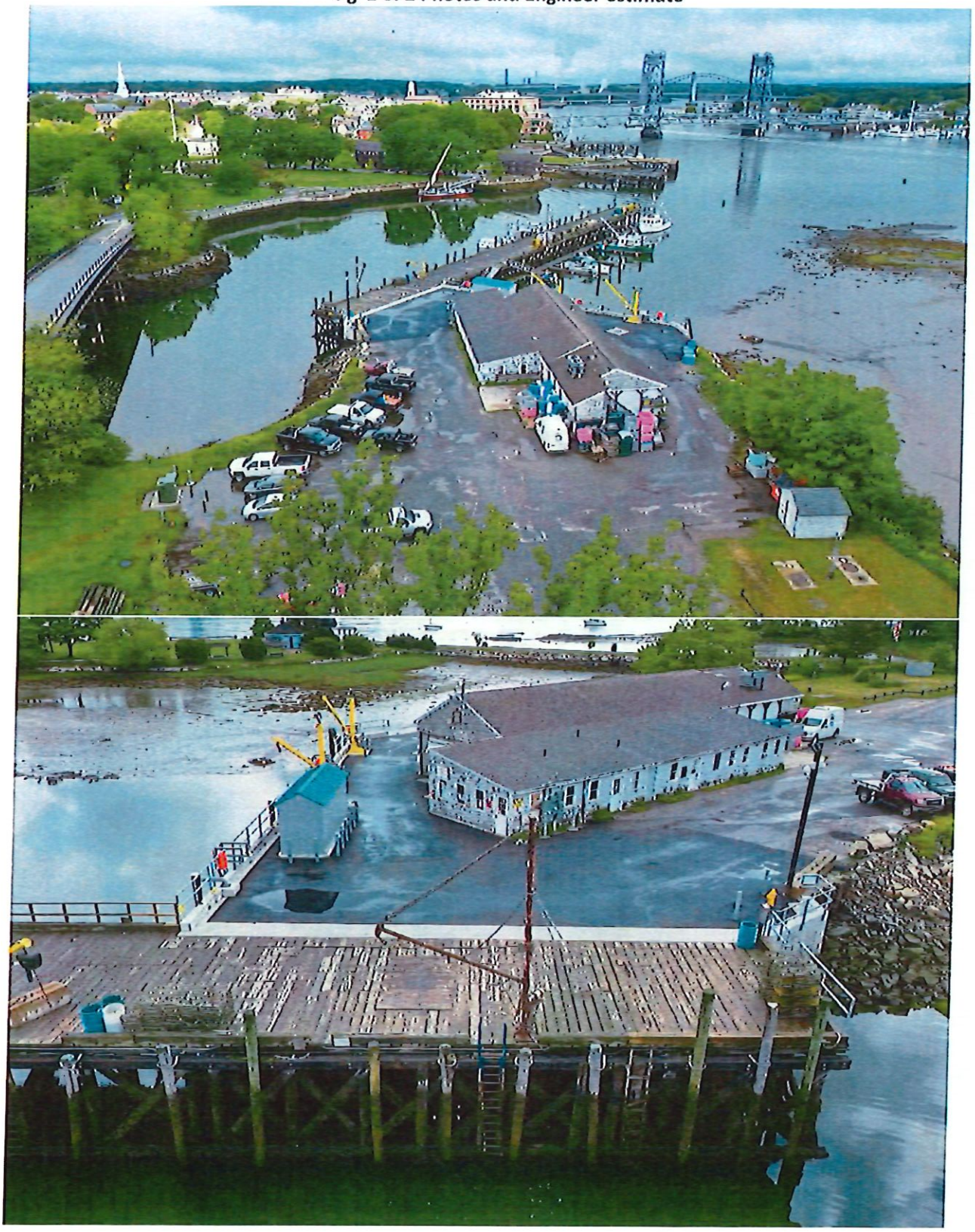
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate

STOP
Picnic Tables
Provided
by
WA Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Poiselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
	Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
						$ 2,755,050	
Contractor Overhead					10.0%	$ 275,505	
Contractor General Conditions					5.0%	$ 137,753	
Contractor Profit					10.0%	$ 316,831	
Bonds					2.0%	$ 14,602	
Construction Contingency					10.0%	$ 275,505	
Contractor bid						$ 3,776,000	
Engineering Studies, Design and Permitting					14.0%	$ 528,640	
Post Construction Award Services					4.0%	$ 151,040	
Supervision Inspection and Overhead					6.0%	$ 226,560	
Escalation to mid-point of construction					4.0%	$ 151,040	
						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Raeline O'Neil

From: Raeline O'Neil
Sent: Thursday, March 28, 2024 11:42 AM
To: Paul Brean
Subject: RE: Please read and advise FW: Fully executed letter for Fiscal 4/19 & G & C 5/1
Attachments: 3-14-2024 ARPA Motion re-Ports. Fish Pier and Rye Harbor.pdf

Paul,

I believe this is what you have requested; however, the motion references ARPA. Please let me know if you need anything further after reviewing the attached information.

Rae

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, March 28, 2024 10:49 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Cc: Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: FW: Please read and advise FW: Fully executed letter for Fiscal 4/19 & G & C 5/1

Rae,

I'm assuming Commissioner Caswell wants confirmation that the PDA Board approved moving forward with the GOFFER Applications for PFP and Rye Harbor. Would you be able to send me an excerpt from the Board Packet, that I can send to Taylor.

Thx,

PB

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, March 28, 2024 10:04 AM
To: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: Please read and advise FW: Fully executed letter for Fiscal 4/19 & G & C 5/1

Paul/Geno,

Please see the 2 emails below from DAS, sent consecutively, and advise on a reply. Unless someone has already spoken to Taylor Caswell.

Thank you,
Brenda

Brenda Therrien

Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, March 27, 2024 2:08 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Fully executed letter for Fiscal 4/19 & G & C 5/1

You don't often get email from stephen.a.mclocklin@das.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

I was just told that Taylor Caswell, Executive Director of GOFERR, is going to reach out to Pease, not sure if that is to Executive Director Brean, Geno, Suzy, I should be able to find out, or I can get best numbers to reach him at and let you know.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, March 27, 2024 1:43 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Fully executed letter for Fiscal 4/19 & G & C 5/1

Hi Brenda,

This item is in our queue for the 4/19 Fiscal Committee meeting (needs State Budget Officer review, but she has seen it and passed it along before).

Did you or someone make sure GOFERR was still okay with PDA-DPH submitting this item?

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, March 21, 2024 8:48 AM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: FW: Fully executed letter for Fiscal 4/19 & G & C 5/1

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning Steve,

Please see below and attached, let me know if you want me to make the copies and send them up to you for the meetings.

Thank you, as always, for your help.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Brenda Therrien
Sent: Thursday, March 21, 2024 8:44 AM
To: Geno Marconi <G.Marconi@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Myles Greenway <m.greenway@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>
Cc: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: Fully executed letter for Fiscal 4/19 & G & C 5/1 RE: April Fiscal Committee Meeting

Good morning,

I received the signed request letter (attached) back from Raeline, so I will send it along to Steve McLocklin and he will be sure to put us on the April 19th Fiscal meeting, and the May 1st G & C meeting agendas.

I will also send out a calendar invite to everyone for the 2 dates.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

MOTION

Director Conard:

The Pease Development Authority ("PDA") Board of Directors hereby approves of and authorizes the Executive Director and Division Director on behalf of the Division of Ports and Harbors to apply for, accept and expend the American Rescue Plan Act (ARPA) Grant(s) for which Portsmouth Fish Pier and Rye Harbor are deemed eligible. This approval includes the authority to execute any and all documents necessary or appropriate to accept the ARPA Grant(s) on an expedited basis and to use said grants for any purpose which the revenues may be lawfully used; all in accordance with the memorandum of Geno Marconi, Director of Ports and Harbors, attached hereto; dated March 4, 2024.

N:\RESOLVES\2024\ARPA Grants (PFP & Rye Harbor) 3-14-2024.docx

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

Date: March 4, 2024

To: Pease Development Authority (PDA) Board of Directors

From: Geno Marconi, Division Director

Re: American Rescue Plan Act, State Fiscal Recovery Funds for Portsmouth Fish Pier and Rye Harbor Marine Facility Projects

Upon approval of the PDA Board of Directors, the Division of Ports and Harbors (the "Division") will submit the request below to the State of NH Fiscal Committee, and Governor and Executive Council.

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

From: Geno Marconi
Sent: Thursday, March 21, 2024 1:16 PM
To: Brenda Therrien
Subject: Accepted: G & C meeting for PDA-DPH PFP & Rye GOFFER Request

Raeline O'Neil

From: Paul Brean
Sent: Thursday, March 21, 2024 12:44 PM
To: Brenda Therrien
Subject: Accepted: G & C meeting for PDA-DPH PFP & Rye GOFFER Request

Raeline O'Neil

Subject:	G & C meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	State House 107 North Maine St. Executive Council Chambers 2nd floor
Start:	Wed 5/1/2024 10:00 AM
End:	Wed 5/1/2024 2:00 PM
Recurrence:	(none)
Meeting Status:	Accepted
Organizer:	Brenda Therrien
Required Attendees:	Paul Brean; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Steve A McLocklin; Melanie Walsh; Suzy Anzalone

Suzy and Myles, I may not be able to make the G&C on 5/1 but I will be in attendance with Myles tomorrow at the legislative meeting.

PB

-----Original Appointment-----
From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, March 21, 2024 9:05 AM
To: Brenda Therrien; Paul Brean; Myles Greenway
Cc: Anthony Blenkinsop; Raeline O'Neil; McLocklin, Stephen A.; Melanie Walsh; Suzy Anzalone
Subject: G & C meeting for PDA-DPH PFP & Rye GOFFER Request
When: Wednesday, May 1, 2024 10:00 AM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: State House 107 North Maine St. Executive Council Chambers 2nd floor

Hello, just sending as a reminder, the G & C is a follow up to the Fiscal meeting. The materials are the same for both the Fiscal and G & C meeting so please hang on to that from tomorrows fiscal meeting. Also, keep an eye on emails for location change, here is the link to the G & C website, https://www.council.nh.gov/meetings, currently, it's listed as being held here:

State House, 107 North Main Street, Executive Council Chambers, Second Floor, Concord, NH. 5/1/2024 10:00 am Regular Meeting:

To listen to the Governor and Executive Council meeting:

1. Call in: 1 (603) 931-4944
2. Phone Conference ID: 594 751 883 #

The Governor and Council meetings are open to the public for observation only.

Raeline O'Neil

Subject:	G & C meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	State House 107 North Maine St. Executive Council Chambers 2nd floor
Start:	Wed 5/1/2024 10:00 AM
End:	Wed 5/1/2024 2:00 PM
Recurrence:	(none)
Meeting Status:	Meeting organizer
Organizer:	Brenda Therrien
Required Attendees:	Paul Brean; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Steve A McLocklin; Melanie Walsh; Suzy Anzalone

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Raeline O'Neil

Subject:	Canceled: G & C meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	State House 107 North Maine St. Executive Council Chambers 2nd floor
Start:	Wed 5/1/2024 10:00 AM
End:	Wed 5/1/2024 2:00 PM
Show Time As:	Free
Recurrence:	(none)
Meeting Status:	Accepted
Organizer:	Brenda Therrien
Required Attendees:	Paul Brean; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Steve A McLocklin; Melanie Walsh; Suzy Anzalone

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Raeline O'Neil

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Location:	State House 107 North Maine St. Executive Council Chambers 2nd floor
Start:	Wed 5/1/2024 10:00 AM
End:	Wed 5/1/2024 2:00 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Tentatively accepted
Organizer:	Brenda Therrien
Required Attendees:	Paul Brean; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Steve A McLocklin; Melanie Walsh; Suzy Anzalone

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Meeting Status:	Accepted
Organizer:	Brenda Therrien
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Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
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PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

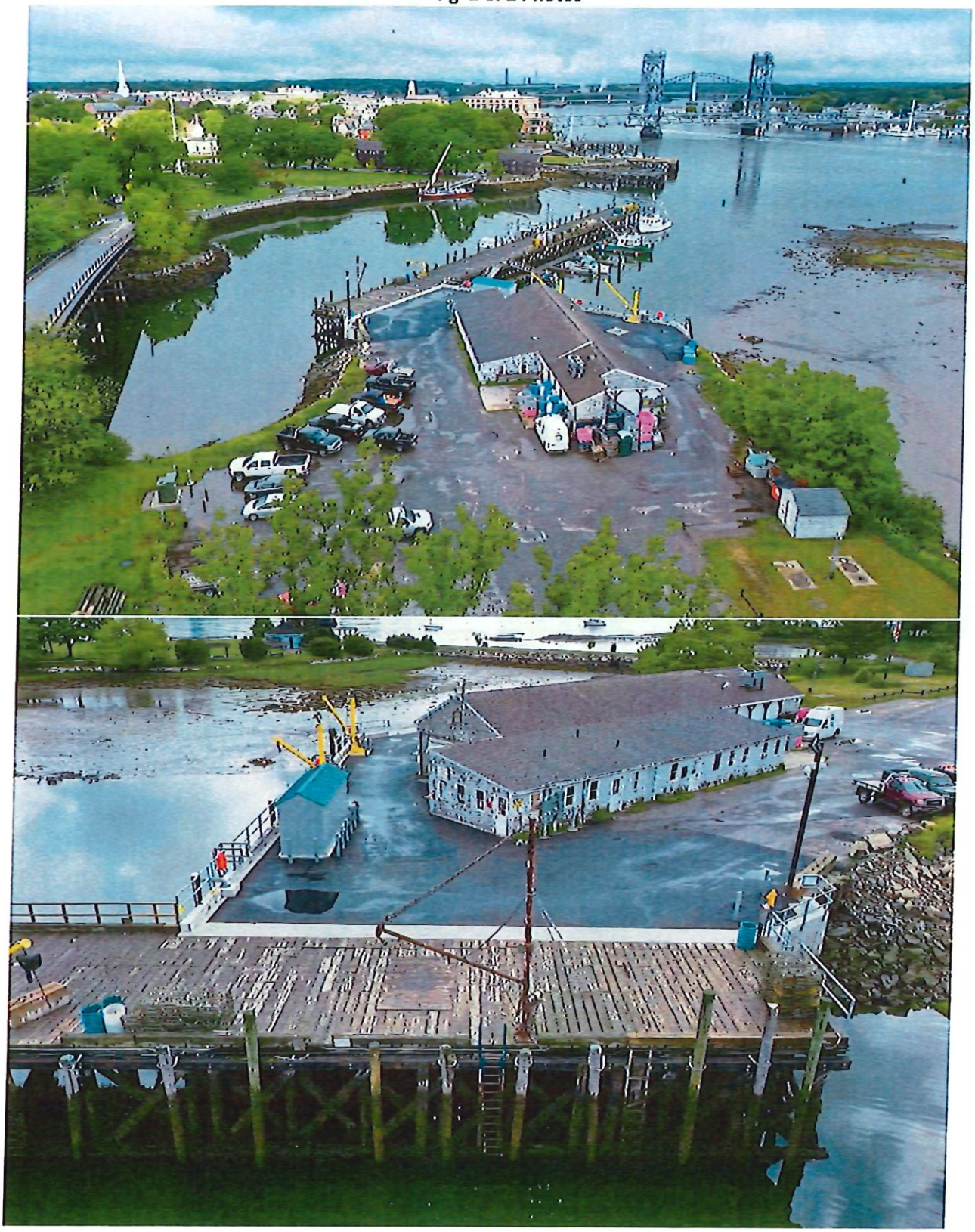
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
NY Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

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Start:	Wed 5/1/2024 10:00 AM
End:	Wed 5/1/2024 2:00 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Declined
Organizer:	Brenda Therrien
Required Attendees:	Paul Brean; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Steve A McLocklin; Melanie Walsh; Suzy Anzalone

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PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

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- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

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TOTAL REVENUE:		$0	$2,000,000	$2,000,000

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EXPLANATION

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Pease Development Authority

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Rye Harbor (1)
Portsmouth Fish Pier (3)

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Picnic Tables
Provided
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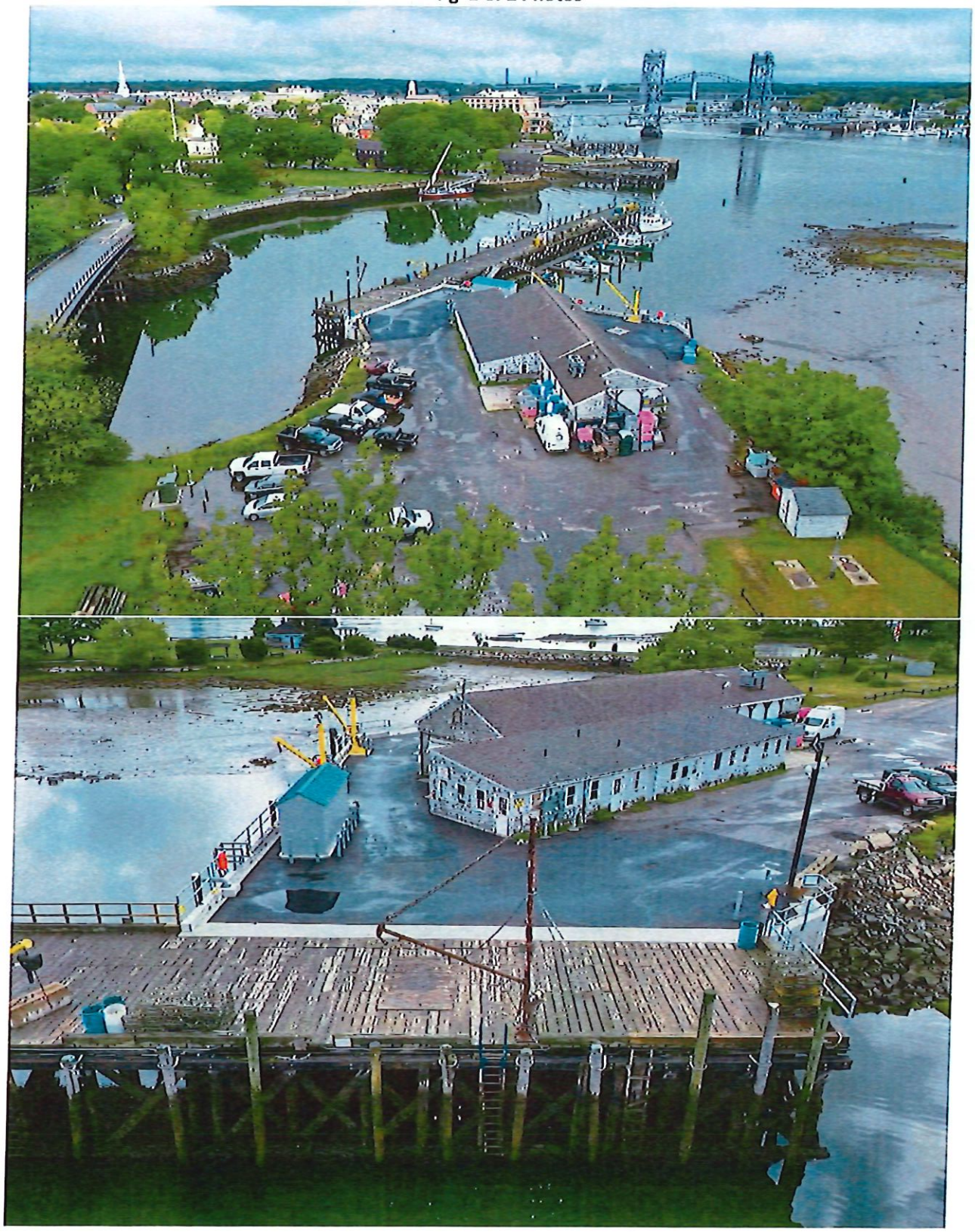
Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

Subject:	Agenda Attached - Fiscal meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	Legislative Office Building; Room 210-211
Start:	Fri 4/19/2024 10:00 AM
End:	Fri 4/19/2024 11:00 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
Required Attendees:	Brenda Therrien; Paul Brean; Suzy Anzalone; Geno Marconi; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Melanie Walsh

Hello, the agenda is attached. Pease is on page 3, under the American Rescue Plan 2021 (Consent items) 3rd one down.

FROM:	Charles M. Arlinghaus Commissioner	**AT (Office):** Administrative Services Budget Office
SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100
TO:	**ALL DEPARTMENT HEADS**	

APRIL 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, April 19, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the **deadline of:**

10:00AM – Thursday, March 28, 2024

Please mark your calendars with these important dates.

Thank you.

Raeline O'Neil

Subject:	Agenda Attached - Fiscal meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	Legislative Office Building; Room 210-211
Start:	Fri 4/19/2024 10:00 AM
End:	Fri 4/19/2024 11:00 AM
Recurrence:	(none)
Meeting Status:	Accepted
Organizer:	Brenda Therrien
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SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100

TO: **ALL DEPARTMENT HEADS**

APRIL 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, April 19, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the **deadline of:**

10:00AM – Thursday, March 28, 2024

Please mark your calendars with these important dates.

Thank you.

Raeline O'Neil

Subject:	Agenda Attached - Fiscal meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	Legislative Office Building; Room 210-211
Start:	Fri 4/19/2024 10:00 AM
End:	Fri 4/19/2024 11:00 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Tentatively accepted
Organizer:	Brenda Therrien
Required Attendees:	Brenda Therrien; Paul Brean; Suzy Anzalone; Geno Marconi; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Melanie Walsh

Hello, the agenda is attached. Pease is on page 3, under the American Rescue Plan 2021 (Consent items) 3rd one down.

FROM:	Charles M. Arlinghaus Commissioner	**AT (Office):** Administrative Services Budget Office
SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100

TO: **ALL DEPARTMENT HEADS**

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PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

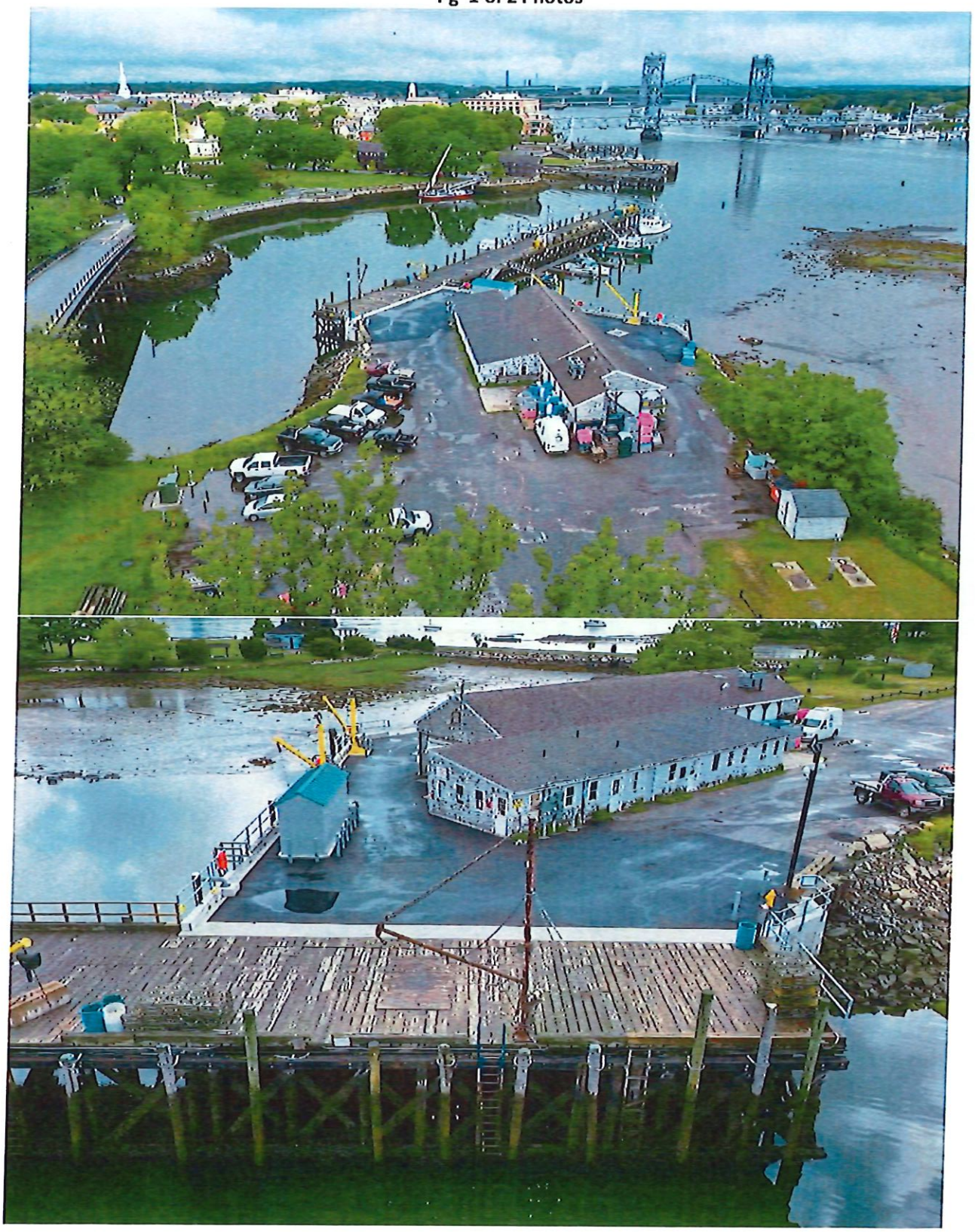
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
WM Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

FISCAL COMMITTEE
AGENDA

Friday, April 19, 2024 in Room 210-211 of the Legislative Office Building

10:00 a.m.

(1) Acceptance of Minutes of the March 15, 2024 meeting

(2) Old Business:

FIS 24-088 Department of Agriculture, Markets and Food – authorization to amend FIS 22-405, approved November 18, 2022, and as extended (FIS 23-166) on May 19, 2023, by adjusting the project scope and by extending the end date from June 30, 2024 to September 30, 2024, with no increase in funding (Tabled March 15, 2024)

NOTE: ALL ITEMS LISTED ON THE AGENDA UNDER CONSENT CALENDAR ARE IN BOLD.

CONSENT CALENDAR

(3) **RSA 9:16-a, II, Transfers Authorized:**

FIS 24-109 Department of Safety – authorization to transfer $1,438,949 in general/highway/ turnpike funds among accounts through June 30, 2024

FIS 24-110 Department of Transportation – authorization to transfer $1,247,000 in federal/other/highway funds between various classes through June 30, 2024

FIS 24-119 Department of Agriculture, Markets and Food – authorization to transfer $6,045 in other funds in and among classes within an accounting unit through June 30, 2024

FIS 24-120 Police Standards and Training Council – authorization to transfer $190,562 in general funds between various accounting units and classes through June 30, 2024

FIS 24-121 Department of Transportation – authorization to transfer $72,000 in federal/ other/general funds and create a new expenditure class code through June 30, 2025

FIS 24-122 Department of Transportation – authorization to transfer $30,000 in turnpike funds between various classes through June 30, 2024

FIS 24-123 State Treasury – authorization to transfer $773,593 in general/federal funds through June 30, 2025

FIS 24-130 Department of Military Affairs and Veterans Services – authorization to transfer $115,000 in general/federal funds through June 30, 2024

FIS 24-131 Department of Military Affairs and Veterans Services – authorization to transfer $181,000 in general funds through June 30, 2024

FIS 24-132 Prescription Drug Affordability Board – authorization to transfer $8,404 in general funds between various class lines and to create new expenditure class codes through June 30, 2025

FIS 24-143 Department of Health and Human Services – authorization to transfer $25,012,500 in federal/general funds through June 30, 2025

(4) **RSA 9:16-c, I, Transfer of Federal Grant Funds:**

FIS 24-111 Department of Education – authorization to transfer $738,920 in federal funds in and among classes through June 30, 2024

(5) **RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over $100,000 from any Non-State Source:**

FIS 24-113 New Hampshire Fish and Game Department – authorization to accept and expend $358,810 in federal funds through June 30, 2024

FIS 24-114 Department of Natural and Cultural Resources – authorization to accept and expend $157,170 in federal funds through June 30, 2025

FIS 24-116 Department of Revenue Administration – authorization to accept and expend $246,290 in other funds through June 30, 2024

FIS 24-117 Department of Safety – authorization to accept and expend $796,347 in federal funds through June 30, 2025

FIS 24-133 Department of Health and Human Services – authorization to accept and expend $253,069 in federal funds through June 30, 2025

FIS 24-134 Department of Health and Human Services – authorization to accept and expend $1,948,154 in federal funds through June 30, 2025

FIS 24-144 Department of Health and Human Services – authorization to accept and expend $2,565,566 in other funds through June 30, 2025

(6) **RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over $100,000 from any Non-State Source, and RSA 124:15 Positions Authorized:**

FIS 24-135 Department of Health and Human Services – authorization through June 30, 2025 to; 1) amend FIS 21-242, approved on August 20, 2021, with subsequent actions on February 18, 2022 (FIS 22-068), July 22, 2022 (FIS 22-252), January 27, 2023 (FIS 23-024), May 19, 2023 (FIS 23-167), and on October 19, 2023 (FIS 23-296), by transferring $60,000 in federal funds and extending the end date from May 31, 2024 to June 30, 2025, and 2) accept and expend $1,917,015 in federal funds, and 3) contingent upon approval of Request #1 and #2, authorization to continue the full-time temporary position #9T3109 effective June 1, 2024 through June 30, 2025

FIS 24-136 Department of Health and Human Services – authorization to; 1) retroactively amend FIS 23-138, approved April 21, 2023, and as amended (FIS 23-268) on September 14, 2023, by extending the end dated from March 30, 2024 to March 30, 2025, and 2) contingent upon approval of Request #1, retroactively extend one (1) temporary full-time position, #9T2927, from April 1, 2024 to March 30, 2025

(7) **RSA 124:15 Positions Authorized:**

FIS 24-137 Deferred Compensation Commission – authorization to; 1) establish a full-time temporary position, #9T3344, 13-1140 Compensation, Benefits, and Job Analysis Specialist-4 through June 30, 2025

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

(8) **RSA 14:30-a, VI Fiscal Committee Approval Required for Acceptance and Expenditure of Funds Over $100,000 from any Non-State Source:**

FIS 24-112 Department of Education – authorization to amend an accept and expend with no change to the original amount, by extending the end date from June 30, 2024 to June 30, 2025 and adjusting appropriations in the amount of $56,359 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) (Originally approved (FIS 22-236) on June 17, 2022, with subsequent action (FIS 22-249) on July 22, 2022, and (FIS 23-166) on May 19, 2023)

FIS 24-115 Pease Development Authority, Division of Ports and Harbors – authorization to accept and expend $2,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through September 30, 2024

FIS 24-124 Governor's Office for Emergency Relief And Recovery – authorization to accept and expend $1,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025

FIS 24-141 Department of Environmental Services – authorization to accept $500,000 in federal additional ARPA funds through June 30, 2025

FIS 24-142 Department of Transportation – authorization to amend FIS 22-370, approved October 14, 2022 with subsequent action taken (FIS 23-166) on May 19, 2023, by moving $741,519 between various classes through June 30, 2025

FIS 24-145 Department of Natural and Cultural Resources – authorization to accept and expend $1,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025

REGULAR CALENDAR

(9) RSA 206-33-b Transfers from Fish and Game Fund:

FIS 24-125 New Hampshire Fish and Game Department – authorization to transfer $31,000 from the New Hampshire Fish and Game Fund Reserve to the Fish and Game FY 2024 Operating Budget through June 30, 2024

(10) Chapter 79:11, Laws of 2023, Department of Corrections; Transfer Authority:

FIS 24-118 Department of Corrections – authorization to transfer $13,197,002 in general funds among accounts through June 30, 2024

(11) Miscellaneous:

FIS 24-147 Office of Legislative Budget Assistant – requests approval of the Fiscal Committee to fill two Auditor vacancies at the LBA Audit Division

(12) Informational Materials:

LBAO Report on Additional Revenues and Federal Coronavirus Funds for the Biennium Ending June 30, 2025 – Fiscal Committee Approvals through March 15, 2024 (RSA 14:30-a, VI)

Joint Legislative Facilities Committee
Legislative Branch
Detail of Balance of Funds Available
Fiscal Year 2024
As of 03/31/2024

FIS 24-126 Department of Natural and Cultural Resources – RSA 216-A:3-m, II., RSA 215-A:3, II-b, and RSA 215-C:2, VIII-b – Quarterly report of transfer of funds between and among the appropriations for; Parks Administration, Cannon Mountain, Cannon Retail and Concession, Service Park Operations, Office of Community Recreation, Land Water Conservation Fund and Trails Administration for the first two Fiscal Year 2024 quarters ending December 31, 2023

FIS 24-127 State Treasury – pursuant to Chapter 132, Laws of 2023 and Executive Order 2023-03, An Order Directing State Entities to Prioritize Investment Returns and Minimize Risk in Fulfillment of Their Fiduciary Duties and report annually, certified by the State Treasurer December 31, 2023

FIS 24-128 State Treasury – RSA 6-B:2, VII. – Quarterly Balance Report of the NH State Treasury for the period ended December 31, 2023

FIS 24-129 Legislative Performance Audit and Oversight Committee – notice of intent to discontinue the performance audit of the Department of State's Division of Archives and Records Management, per the Committee's vote on March 18, 2024

FIS 24-138 Department of Administrative Services – Chapter 79:347, Laws of 2023 (HB2) – General Fund Appropriation Lapse Report for the fiscal year ending June 30, 2024

FIS 24-139 Department of Health and Human Services – Operating Statistics Dashboard SFY24 report through February 29, 2024, with the exception of data for the NH Unemployment Rate, and Mental Health and Substance Use Disorder (SUD) Caseloads, which is through January 31, 2024, and further data for the Developmental Disabilities, Acquired Brain Disorders, and In-Home Supports waitlist through June 30, 2023

FIS 24-140 NH Lottery Commission – RSA 284:21-h, VII – Quarterly report on the status of the incentive employee recognition program for the sale of the four different game segments for the second quarter of FY 2024

FIS 24-146 Governor's Office for Emergency Relief and Recovery – Informational item summarizing unobligated American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Funds (SFRF) made available from previously approved requests in order tor allocate funding to other projects that will be submitted separately to Fiscal Committee for approval at future meetings, dated April 3, 2024

Audits:

State of New Hampshire
Single Audit of Federal Financial Assistance Programs
For The Year Ended June 30, 2023

(13) Date of Next Meeting and Adjournment

Raeline O'Neil

Subject:	Fiscal meeting for PDA-DPH PFP & Rye GOFFER Request
Location:	Admin Services Budget Office, State House Annex, Room 100
Start:	Fri 4/19/2024 10:00 AM
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Recurrence:	(none)
Meeting Status:	Declined
Organizer:	Brenda Therrien
Required Attendees:	Paul Brean; Suzy Anzalone; Captain Geno Marconi AMPE; Myles Greenway
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Steve A McLocklin

Correct Item attached

FROM:	Charles M. Arlinghaus Commissioner	**AT (Office):** Administrative Services Budget Office
SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100

TO: **ALL DEPARTMENT HEADS**

APRIL 2024 FISCAL COMMITTEE MEETING

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March 18, 2024

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TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
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EXPLANATION

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Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

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Picnic Tables
Provided
by
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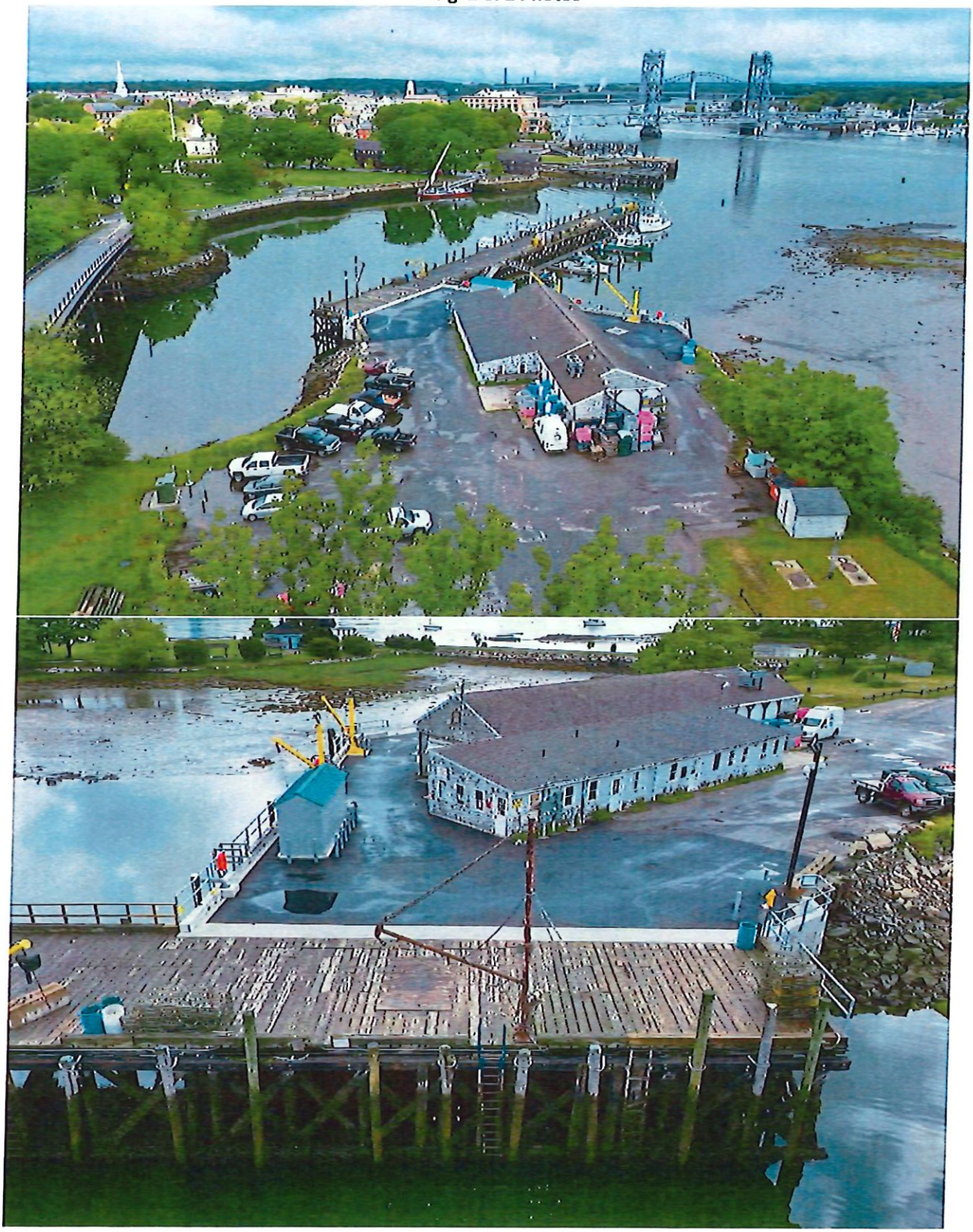
Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos

Raeline O'Neil

From: Myles Greenway
Sent: Tuesday, April 9, 2024 1:21 PM
To: Geno Marconi
Subject: American Rescue Plan Act, State Fiscal Recovery Funds for Rye Harbor Marine Facility Project

Geno,

For an elevated platform supporting 10 separate small retail buildings aboard the Rye Facility, recommend contacting **Appledore Marine Engineering, LLC** to begin the process. In turn, would expect engaging **Oak Point Associates** as the architect, facilitated through Appledore.

Project Initiation and Conceptualization:

- Define the project objectives: Determine the purpose of the elevated platform (e.g., commercial space, recreational area).
- Identify stakeholders: Establish who will be involved in the project (e.g., architects, engineers, contractors).
- Conduct a feasibility study: Evaluate the site and estimate costs of the project.
- Set project timelines and budget: Establish realistic deadlines and allocate resources accordingly.

Site Selection and Assessment:

- Identify potential locations for the elevated platform: Consider factors such as accessibility, visibility, zoning regulations, and environmental impact.
- Conduct a thorough site assessment: Evaluate soil conditions, drainage patterns, topography, and any existing structures or utilities on the site.

Regulatory Compliance and Permitting:

- Research building codes and regulations: Familiarize yourself with local building codes, zoning ordinances, and permit requirements.
- Obtain necessary permits: Submit permit applications for construction, zoning, environmental, and any other relevant permits required by local authorities.

Architectural and Engineering Design:

- Collaborate with professionals to design the elevated platform and individual retail buildings.
- Develop architectural plans: Create detailed drawings and specifications for the platform and each building, ensuring compliance with building codes and design standards.

- Conduct structural analysis: Perform calculations and simulations to ensure the platform can support the weight of the buildings and accommodate anticipated loads including heavy weather.

Construction Planning and Procurement:

- Solicit bids from contractors: Obtain competitive bids from qualified contractors for the construction of the platform and retail buildings.
- Outline the sequence of construction activities, procurement of materials, and subcontractor coordination.

Construction and Quality Control:

- Break ground and commence construction: Begin the construction process according to the approved plans and schedule.
- Implement quality control measures: Conduct regular inspections and tests to ensure construction meets quality standards and adheres to design specifications.
- Address any issues promptly: Respond to unforeseen challenges or changes in the project scope promptly to minimize delays and cost overruns.

Completion:

- Finish construction: Complete all remaining construction work, including finishing touches and landscaping around the elevated platform.
- Obtain final inspections and certificates: Schedule inspections with local authorities to ensure compliance with building codes and regulations.

Please let me know if you want me to add anything else – thank you!

V/r
Myles

Myles Greenway
Commander, USCG (ret)
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, March 21, 2024 8:33 AM
To: Brenda Therrien
Subject: GOFFER FE FW: Documents
Attachments: Fiscal and G C - Rye -Portsmouth ARPA Request dated 3-18-24.pdf

---

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Wednesday, March 20, 2024 2:23 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: Documents

Brenda,

Attached please find three pdfs for your records. I have placed the original of these documents in interoffice for you to pick up at your convenience.

Rae

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

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In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

Rob Amendolara, Project Manager
Lucianos Excavation, Inc.
41 Taunton Green – Suite 102
Taunton, MA 02780

Re: Right of Entry
Hampton Harbor Marine Facility

Dear Mr. Amendolara:

This letter, when fully executed, will grant to Lucianos Excavation, Inc. ("Lucianos") and/or its agents and contractors an extension as of March 2, 2024 through May 17, 2024, of its Right of Entry ("ROE") to utilize a portion of Hampton Harbor Marine Facility for work associated with the Hampton Harbor Jetty Repair project. All other terms and conditions set forth in the ROE dated September 28, 2023, shall remain in full force and effect.

Please indicate, by your signature below, Lucianos' consent and return the same to me with updated evidence of insurance should there have been any changes to the policy or coverages since the ROE was finalized.

Very truly yours,

Paul E. Brean
Executive Director

Agreed and accepted this 18th day of March, 2024.

Lucianos Excavation, Inc.

By:
Print Name: Rob Amendolara Jr.
Its Duly Authorized: Lucianos Excavation, Inc.

P:\Port Authority\ROE\Master ROE\Lucianos\Lucianos Extension Ltr to 5-17-24.docx

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 15, 2024

Greg Bauer
Bauer Construction Co., LLC
516 Woodknoll Drive
North Hampton, NH 03862

Re: Right of Entry
Rye Harbor Marine Facility

Dear Mr. Bauer:

This letter, when fully executed, will grant to Bauer Construction Co., LLC ("Bauer") and/or its agents and contractors an extension as of April 1, 2024, on a month-to-month basis, subject to the ongoing written approval of PDA – DPH, of its Right of Entry ("ROE") to utilize a portion of Rye Harbor Marine Facility located 1870 Ocean Boulevard. All other terms and conditions set forth in the ROE dated October 2, 2023, shall remain in full force and effect.

Please indicate, by your signature below, Bauer's consent and return the same to me with updated evidence of insurance should there have been any changes to the policy or coverages since the ROE was finalized.

Very truly yours,

Paul E. Brean
Executive Director

Agreed and accepted this 15 day of March, 2024.

Bauer Construction Co., LLC

By: _____
Print Name: Gregory Bauer
Its Duly Authorized: Owner

P:\Port Authority\ROE\Master ROE\Bauer\Bauer Extension Ltr.docx

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

March 18, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
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Concord, New Hampshire 03301

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Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

Raeline O'Neil

From: Brenda Therrien
Sent: Monday, March 18, 2024 2:37 PM
To: Raeline O'Neil
Subject: Approved PAC minutes for April Board
Attachments: Approved PAC minutes 2-14-24.pdf

Hi Rae,

The subject item is attached for inclusion in the April Board package.

Brenda

Division of Ports and Harbors Advisory Council
555 Market St.
Portsmouth, NH 03801
Tel 603-436-8500
Fax 603-436-2780

PORT ADVISORY COUNCIL MEETING MINUTES
WEDNESDAY, FEBRUARY 14, 2024 6:00 PM

PRESENT: Brad Cook, Chair
Mike Donahue, Vice-Chair, via TEAMS
Erik Anderson
Jeff Gilbert, Treasurer, via TEAMS (6:12 pm)
Bill McQuillen
Chris Snow
Chris Ward
Geno Marconi, Director, PDA-DPH
Myles Greenway, Assistant Director, PDA-DPH

1. CALL TO ORDER

The meeting was called to order at 6:00 PM.

2. APPROVE MINUTES

Anderson made a motion to approve the January 10, 2024 minutes, McQuillen seconded. A change will be made to correct "Donovan" to "Donahue" with regards to the nomination of Chair. No further discussion, all members were in favor and the motion passed.

3. FINANCE REPORT

The report for FY ending December 31, 2023 was included in the meeting packet. Director noted that the Division's third salt ship for the FY is at the berth and that mooring and pier use permit renewal season started on January 1st so next month's report will show an increase in revenue.

4. PISCATAQUA RIVER VESSEL TRANSIT REPORT

The January 2024 report was included in the meeting packet. Discussion on the origin of salt ships and if the drought conditions in the Panama Canal are impacting schedules. The annual Vessel Traffic & Tonnage composite from 2003 to 2023 and a detail report for 2023 were included in the meeting packet. The "composite report summarizes the cargo type, vessel type (by size) and vessel tonnage profiles. The "detail" report breaks down the categories by month for the 2023 calendar year.

At 6:09 PM the meeting was suspended to allow a presentation by UNH, Updates on the Tidal Turbine Project, the meeting started back up at 6:40 PM, at the conclusion of the presentation.

5. DIRECTOR'S REPORT

Director Marconi reported on, and materials were provided for, the following items from the PDA Board Meeting, January 11, 2024, the two items below are reports only, there were no items for approval in January.

- Appledore Marine Engineering, LLC-Contract extension
- Heidi & Elisabeth Fisheries, Portsmouth Fish Pier, Right of Entry

Additional Director Report Items:

The storms in January were recorded at 6.8" above the storms of '78, it was a 13'6" high tide. There was some impacts at both harbors, some of the shacks were floated off their foundations, boats in Rye on trailers were knocked off, some impacts to the fuel system and the office in Rye was flooded. No impact at the Portsmouth Fish Pier. Damage assessment is still being done and coordinated with HSEM.

The Main Pier project has been completed and final closeout will be done in April/May. The Functional Replacement project will be going back out to bid, once the Army Corp permit is finalized.

6. COMMITTEE REPORTS

- Business Development/FTZ- Waiting on BOEM to finalize the wind lease areas in the Gulf of Maine. BOEM is still active in Mid-Atlantic area.

- Dredging- The maintenance dredging in Newington Dredge has been completed by ACOE. There was about 60,000 cy taken out and disposed of upriver. The discussions for removing the rock in the turning basin are ongoing.

- Fisheries- The groundfish have had good returns this year, mostly pollock. There was a hearing in Concord on HB1029, which was sponsored by Representative Hill. This bill is for lobster regulations and is strongly opposed by Fish & Game and the NH fishing industry. Industry is still following BOEM.

- Government- No report

- Moorings- All mooring permit renewal and waitlist renewal applications are due by March 1st. There are still quite a few renewals that are not in.

- PDA- No PDA Board meeting in February.

- Recreational Piers- Ward thanked Geno for his report, which covered the January storms and the impacts to Rye and Hampton Harbors.

7. NEW BUSINESS

Discussion on the replacement of the building at the Portsmouth Fish Pier. It was reported that the Governor found ARPA funds for that project, and for Rye Harbor iprovements. Upon receiving that information, the Division was asked to submit a request to the NH Fiscal Committee and NH Governor & Executive Council to approve the funding, which the Division did, but then PDA asked the Division to withdraw the requests and to bring to the PDA Board for review & approval first. The item will be on the PDA Board March agenda. There is a working group of industry people who are trying to sort through ideas on how the building can be improved. There was a kick-off meeting at the Fish Pier today for the approved Concept Study with the Appledore Marine, their sub-contractor, and Port Staff. The working group contact information will be shared with Appledore. Further discussion regarding the condition and future of the warehouse/office building at Market St. Terminal. Discussion on the issue of rising sea levels and the impact it may have on future construction projects at Division terminals.

8. OLD BUSINESS-

No old business.

9. PUBLIC COMMENT-

Peter Welch noted that the annual Maritime Day event held at the Coast Guard Station may need to be relocated. Donahue added that the Propeller Club has been out there and is working on a letter to encourage the expediting the assessment of the Station and the rebuilding plan to hopefully get things done before the upcoming boating season.

10. PRESS QUESTIONS –

No Press present.

11. ADJOURNMENT

McQuillen made a motion to adjourn the meeting and the meeting adjourned at 7:30 pm.

Raeline O'Neil

From: Brenda Therrien
Sent: Monday, March 18, 2024 9:35 AM
To: Geno Marconi;Paul Brean;Anthony Blenkinsop
Cc: Raeline O'Neil;Suzy Anzalone
Subject: RE: April Fiscal Committee Meeting
Attachments: Fiscal and G & C - Rye -Portsmouth ARPA Request dated 3-18-24.docx; GC January-June 2024 with Deadlines.pdf; April 2024 Fiscal Meeting Memo.pdf

Good morning,

I have attached the draft request for Fiscal and G & C. Please print on letterhead and scan a copy back to me and I'll get it over to Steve McLocklin for inclusion in the April 19th Fiscal, and the May 1st G & C meetings. Deadline for Fiscal is March 28, deadline for G & C is March 17.

Also, in talking with Steve this morning, he mentioned that his understanding is that ARPA funds need to be committed (signed contract) by the end of September 2024.

Thank you,
Brenda

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Saturday, March 16, 2024 9:12 AM
To: Brenda Therrien <B.Therrien@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: FW: April Fiscal Committee Meeting
Importance: High

This would include the items that the Board approved Thursday

From: DAS: Commissioners Office <Office@das.nh.gov>
Sent: Friday, March 15, 2024 3:16 PM
Subject: April Fiscal Committee Meeting

Some people who received this message don't often get email from office@das.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dawn Howe, Administrative Specialist
Dept. of Administrative Services
Commissioner's Office
25 Capitol Street, Room 100
Concord, NH 03301
603-271-3201

Nominate an outstanding employee! Go to: https://das.nh.gov/comm/das-employee-recognition-program.aspx

STATEMENT OF CONFIDENTIALITY
The information contained in this electronic message and any attachment to this message may contain confidential or privileged information and are intended for the exclusive use of the addressee(s). If you are not the intended recipient, please notify the sender immediately at this e-mail address or by phone at 603-271-3201 and destroy all copies of this electronic message and any attachments.

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

March 18, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
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Concord, New Hampshire 03301

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The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: November 29, 2023

FROM: Charles Arlinghaus
Commissioner

AT (Office):
Administrative Services
Budget Office
State House Annex - Rm. 100

SUBJECT: **G & C Meetings**

TO: **ALL DEPARTMENT HEADS**

GOVERNOR & COUNCIL SCHEDULE

January-June 2024
Governor and Council Meetings and Closing Dates

MEETING		LOCATION	CLOSING DATE	
JANUARY				
Wednesday, 1/10/24	(10:00am)	State House	Tuesday, 12/26/23	(10:00am)
Wednesday, 1/31/24	(10:00am)		Wednesday, 1/17/24	(10:00am)
FEBRUARY				
Wednesday, 2/21/24	(10:00am)	State House	Wednesday, 2/7/24	(10:00am)
MARCH				
Wednesday, 3/13/24	(10:00am)	State House	Wednesday, 2/28/24	(10:00am)
Wednesday, 3/27/24	(10:00am)	State House	Wednesday, 3/13/24	(10:00am)
APRIL				
Wednesday, 4/10/24	(10:00am)	State House	Wednesday, 3/27/24	(10:00am)
MAY				
Wednesday, 5/1/24	(10:00am)	State House	Wednesday, 4/17/24	(10:00am)
Wednesday, 5/15/24	(10:00am)		Wednesday, 5/1/24	(10:00am)
Wednesday, 5/29/24	(10:00am)		Wednesday, 5/15/24	(10:00am)
JUNE				
Wednesday, 6/12/24	(10:00am)	State House	Wednesday, 5/29/24	(10:00am)
Wednesday, 6/26/24	(10:00am)	State House	Wednesday, 6/12/24	(10:00am)

STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: March 15, 2024

FROM:	Charles M. Arlinghaus Commissioner	**AT (Office):** Administrative Services Budget Office
SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100

TO: **ALL DEPARTMENT HEADS**

APRIL 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, April 19, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the deadline of:

10:00AM – Thursday, March 28, 2024

Please mark your calendars with these important dates.

Thank you.

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, March 8, 2024 3:05 PM
To: Brad Cook;Brenda Therrien;Chris Holt;Chris Snow;Chris Ward;Erik Anderson;Geno Marconi;Gjmarconi@Comcast.net;jeffartwork@yahoo.com;Mike Donahue;William McQuillen
Subject: PAC meeting packet 3/13/24
Attachments: 3-13-24 PAC Meeting materials.pdf

Good afternoon everyone,

Please see attached for the packet. We do have a quorum in the house and Mike and Jeff may join remotely. It's a light agenda this month.

Have a good weekend,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE DEVELOPMENT AUTHORITY
DIVISION OF PORTS AND HARBORS ADVISORY COUNCIL
WEDNESDAY, MARCH 13, 2024 @ 6:00 P.M.
MEETING AGENDA

The meeting will be held at the Division office at 555 Market St. Portsmouth NH

1. Call meeting to order
2. Approve minutes- from the February 14, 2024 meeting
3. Finance report-Period End January 31, 2024
4. Piscataqua river vessel transit report – February 2024
5. Director's report
    - **No PDA board meeting in February**
6. New business
7. Committee reports
    - Business Development/FTZ-Donahue
    - Dredging-Holt
    - Fisheries-Anderson
    - Government-McQuillen
    - Moorings-Snow
    - PDA Liaison-Cook
    - Recreational Piers-Ward
8. Old business
9. Public comment
10. Press questions
11. Adjournment

NEXT MEETING APRIL 10, 2024

Division of Ports and Harbors Advisory Council
555 Market St.
Portsmouth, NH 03801
Tel 603-436-8500
Fax 603-436-2780

PORT ADVISORY COUNCIL MEETING MINUTES
WEDNESDAY, FEBRUARY 14, 2024 6:00 PM

DRAFT

PRESENT: Brad Cook, Chair
Mike Donahue, Vice-Chair, via TEAMS
Erik Anderson
Jeff Gilbert, Treasurer, via TEAMS (6:12 pm)
Bill McQuillen
Chris Snow
Chris Ward
Geno Marconi, Director, PDA-DPH
Myles Greenway, Assistant Director, PDA-DPH

1. CALL TO ORDER

The meeting was called to order at 6:00 PM.

2. APPROVE MINUTES

Anderson made a motion to approve the January 10, 2024 minutes, McQuillen seconded. A change will be made to correct "Donovan" to "Donahue" with regards to the nomination of Chair. No further discussion, all members were in favor and the motion passed.

3. FINANCE REPORT

The report for FY ending December 31, 2023 was included in the meeting packet. Director noted that the Division's third salt ship for the FY is at the berth and that mooring and pier use permit renewal season started on January 1st so next month's report will show an increase in revenue.

4. PISCATAQUA RIVER VESSEL TRANSIT REPORT

The January 2024 report was included in the meeting packet. Discussion on the origin of salt ships and if the drought conditions in the Panama Canal are impacting schedules. The annual Vessel Traffic & Tonnage composite from 2003 to 2023 and a detail report for 2023 were included in the meeting packet. The "composite report summarizes the cargo type, vessel type (by size) and vessel tonnage profiles. The "detail" report breaks down the categories by month for the 2023 calendar year.

At 6:09 PM the meeting was suspended to allow a presentation by UNH, Updates on the Tidal Turbine Project, the meeting started back up at 6:40 PM, at the conclusion of the presentation.

5. DIRECTOR'S REPORT

Director Marconi reported on, and materials were provided for, the following items from the PDA Board Meeting, January 11, 2024, the two items below are reports only, there were no items for approval in January.

- Appledore Marine Engineering, LLC-Contract extension
- Heidi & Elisabeth Fisheries, Portsmouth Fish Pier, Right of Entry

Additional Director Report Items:

The storms in January were recorded at 6.8" above the storms of '78, it was a 13'6" high tide. There was some impacts at both harbors, some of the shacks were floated off their foundations, boats in Rye on trailers were knocked off, some impacts to the fuel system and the office in Rye was flooded. No impact at the Portsmouth Fish Pier. Damage assessment is still being done and coordinated with HSEM.

The Main Pier project has been completed and final closeout will be done in April/May. The Functional Replacement project will be going back out to bid, once the Army Corp permit is finalized.

6. COMMITTEE REPORTS

- Business Development/FTZ- Waiting on BOEM to finalize the wind lease areas in the Gulf of Maine. BOEM is still active in Mid-Atlantic area.

- Dredging- The maintenance dredging in Newington Dredge has been completed by ACOE. There was about 60,000 cy taken out and disposed of upriver. The discussions for removing the rock in the turning basin are ongoing.

- Fisheries- The groundfish have had good returns this year, mostly pollock. There was a hearing in Concord on HB1029, which was sponsored by Representative Hill. This bill is for lobster regulations and is strongly opposed by Fish & Game and the NH fishing industry. Industry is still following BOEM.

- Government- No report

- Moorings- All mooring permit renewal and waitlist renewal applications are due by March 1st. There are still quite a few renewals that are not in.

- PDA- No PDA Board meeting in February.

DRAFT

- Recreational Piers- Ward thanked Geno for his report, which covered the January storms and the impacts to Rye and Hampton Harbors.

7. NEW BUSINESS

Discussion on the replacement of the building at the Portsmouth Fish Pier. It was reported that the Governor found ARPA funds for that project, and for Rye Harbor iprovements. Upon receiving that information, the Division was asked to submit a request to the NH Fiscal Committee and NH Governor & Executive Council to approve the funding, which the Division did, but then PDA asked the Division to withdraw the requests and to bring to the PDA Board for review & approval first. The item will be on the PDA Board March agenda. There is a working group of industry people who are trying to sort through ideas on how the building can be improved. There was a kick-off meeting at the Fish Pier today for the approved Concept Study with the Appledore Marine, their sub-contractor, and Port Staff. The working group contact information will be shared with Appledore. Further discussion regarding the condition and future of the warehouse/office building at Market St. Terminal. Discussion on the issue of rising sea levels and the impact it may have on future construction projects at Division terminals.

8. OLD BUSINESS-

No old business.

9. PUBLIC COMMENT-

Peter Welch noted that the annual Maritime Day event held at the Coast Guard Station may need to be relocated. Donahue added that the Propeller Club has been out there and is working on a letter to encourage the expediting the assessment of the Station and the rebuilding plan to hopefully get things done before the upcoming boating season.

10. PRESS QUESTIONS –

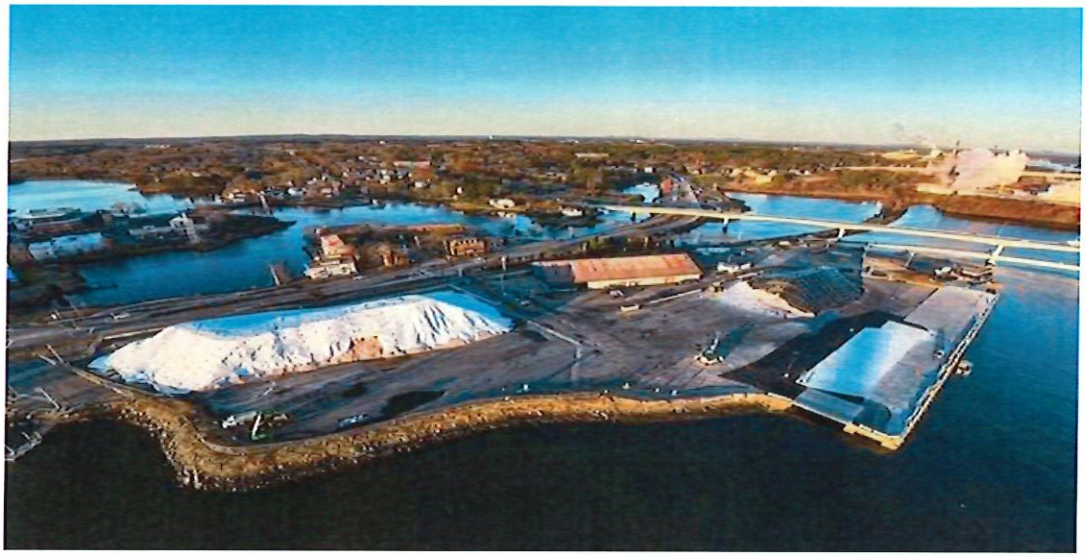
No Press present.

11. ADJOURNMENT

McQuillen made a motion to adjourn the meeting and the meeting adjourned at 7:30 pm.

DRAFT

PORT AUTHORITY OF NEW HAMPSHIRE
FY2024 FINANCIAL REPORT
FOR THE SEVEN MONTH PERIOD ENDING
JANUARY 31, 2024



PORT ADVISORY COUNCIL
MARCH 13, 2024

PEASE
INTERNATIONAL
PEASE DEVELOPMENT AUTHORITY
PORTSMOUTH, NH

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - DIVISION OF PORTS AND HARBORS-UNRESTRICTED
For the Seven Months Ended January 31, 2024

	Actual Jan FY 2024	Budget Jan FY 2024	Variance From Monthly Budget	% Variance	Actual YTD FY 2024	Budget YTD FY 2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	$30,804	$30,886	($83)	(0.3%)	$256,901	$251,914	$4,987	2.0%
CONCESSION REVENUE	0	0	0	-	49,202	6,000	43,202	720.0%
MOORING FEES	37,677	39,584	(1,907)	(4.8%)	263,737	277,084	(13,347)	(4.8%)
PARKING	5	0	5	-	80,014	79,054	960	1.2%
REGISTRATIONS	30,850	18,083	12,767	70.6%	90,973	126,583	(35,610)	(28.1%)
FUEL FLOWAGE	0	0	0	-	13,088	12,112	976	8.1%
WHARFAGE AND DOCKAGE	150,427	51,667	98,760	191.1%	231,704	361,669	(129,965)	(35.9%)
FUEL SALES	13,929	11,552	2,378	20.6%	399,916	625,473	(225,557)	(36.1%)
INTEREST	-	-	-	-	-	-	-	-
OTHER REVENUE	17,755	6,583	11,171	169.7%	94,351	83,667	10,685	12.8%
TOTAL OPERATING REVENUES	**281,446**	**158,356**	**123,091**	**77.7%**	**1,479,886**	**1,823,556**	**(343,670)**	**(18.8%)**
EXPENSES								
0								
WAGES AND FRINGE BENEFITS	133,017	131,255	(1,763)	(1.3%)	931,539	1,026,238	94,699	9.2%
BUILDING AND FACILITIES	7,541	30,385	22,844	75.2%	92,937	152,697	59,759	39.1%
GENERAL AND ADMINISTRATIVE	13,690	10,228	(3,462)	(33.8%)	85,860	84,731	(1,129)	(1.3%)
UTILITIES	9,136	12,823	3,688	28.8%	63,067	94,947	31,880	33.6%
PROFESSIONAL SERVICES	16,951	7,629	(9,322)	(122.2%)	52,931	60,400	7,469	12.4%
MARKETING AND PROMOTION	0	217	217	100.0%	764	1,517	753	49.6%
OTHER OPERATING EXPENSES	9,886	8,925	(961)	(10.8%)	282,382	478,182	195,800	40.9%
TOTAL OPERATING EXPENSES	**190,221**	**201,461**	**11,240**	**5.6%**	**1,509,481**	**1,898,711**	**389,230**	**20.5%**
OPERATING INCOME/(LOSS)	**91,225**	**(43,106)**	**134,331**	**(311.6%)**	**(29,594)**	**(75,155)**	**45,560**	**(60.6%)**
NON-OPERATING (INCOME) EXPENSE	(6,431)	(183)	6,248	(3408.1%)	(46,771)	(1,283)	45,488	(3544.6%)
DEPRECIATION	100,860	82,720	(18,140)	(21.9%)	700,897	573,706	(127,191)	(22.2%)
NET OPERATING INCOME/(LOSS)	**(3,204)**	**(125,643)**	**122,439**	**(97.4%)**	**(683,721)**	**(647,578)**	**(36,143)**	**5.6%**

Year-to-date unrestricted operating revenues for the DPH were $344,000 (18.8%) lower than budget. Fuel sales are under budget by $226,000, offset by lower fuel purchases ($196,000 lower). Wharfage and dockage fees are trending lower as well, but January was a strong month with revenue coming in $99,000 higher than budget.

Operating expenses are trending lower by $389,000 (20.5%) and are attributable to lower fuel purchases, building and facilities expenses, wages and benefits, and utilities expenses.

BUSINESS UNIT ANALYSIS	RYE HARBOR	HAMPTON HARBOR	PORTS. FISH PIER	MARKET ST.	HARBOR MGMT	ADMIN	TOTAL
OPERATING REVENUES	248,437	232,403	160,598	483,738	354,710	0	1,479,886
OPERATING EXPENSES*	179,127	276,767	195,108	287,239	300,540	270,699	1,509,480
*Excluding Depreciation							
OPERATING INCOME	**69,310**	**(44,364)**	**(34,510)**	**196,499**	**54,170**	**(270,699)**	**(29,594)**

DIVISION OF PORTS AND HARBORS-UNRESTRICTED
Statement of Net Position
For the Seven Months Ended January 31, 2024

	2024 Ending	2023 Ending
ASSETS		
Cash and Investments	$1,668,571	$1,616,970
Accounts Receivable - Net	1,015,714	1,102,361
Inventories	44,755	66,391
Prepaids	7,283	8,714
	2,736,322	2,794,435
RESTRICTED ASSETS		
Loans Receivable - NHFL		
NON-CURRENT ASSETS		
Land	376,641	376,641
Construction-in-Process	8,566,682	11,553,163
Other Capital Assets - Net	17,322,058	6,591,929
TOTAL NON-CURRENT ASSETS	26,265,381	18,521,733
TOTAL ASSETS	29,001,704	21,316,168
DEFERRED OUTFLOWS OF RESOURCES		
Pension	282,947	282,604
OPEB	347,561	479,175
LIABILITIES		
ACCOUNTS PAYABLE AND ACCRUED EXPENSES	948,326	927,389
Retainage	452,967	0
Unearned Revenues	213,607	169,366
Long-Term Liabilities		
Net Pension Liability	1,094,497	893,071
Net OPEB Liability	2,884,107	3,192,720
Due in more than 1 Year	20,997	17,346
	5,614,502	5,199,891
RESTRICTED LIABILITIES		
Long-Term Liabilities		
Due within 1 Year	0	0
Due in more than 1 Year	0	0
TOTAL LIABILITIES	5,614,502	5,199,891
DEFERRED INFLOWS OF RESOURCES		
Pension	50,473	281,343
OPEB	250,130	162,948
NET POSITION		
Net Investment in Capital Assets	26,265,381	18,521,733
Restricted For:		
Unrestricted	(2,548,275)	(2,087,968)
TOTAL NET POSITION	23,717,106	16,433,765

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - FOREIGN TRADE ZONE
For the Seven Months Ended January 31, 2024

	Actual Jan FY 2024	Budget Jan FY 2024	Variance From Monthly Budget	% Variance	Actual YTD FY 2024	Budget YTD FY 2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	14,000	12,000	2,000	16.7%
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	-	-	-	-	-	-	-
TOTAL OPERATING REVENUES	**-**	**-**	**-**	**-**	**14,000**	**12,000**	**2,000**	**16.7%**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	104	104	100.0%	1,250	729	(521)	(71.4%)
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	708	708	100.0%	4,343	4,958	616	12.4%
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**-**	**813**	**813**	**100.0%**	**5,593**	**5,688**	**95**	**1.7%**
OPERATING INCOME	**-**	**(813)**	**813**	**(100.0%)**	**8,407**	**6,313**	**2,095**	**33.2%**
NON-OPERATING (INCOME) EXPENSE	(1)	-	-	(97.0%)	(3)	(2)	1	(32.5%)
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**1**	**(812)**	**813**	**(100.1%)**	**8,410**	**6,315**	**2,096**	**33.2%**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - HARBOR DREDGING
For the Seven Months Ended January 31, 2024

	Actual Jan FY 2024	Budget Jan FY 2024	Variance From Monthly Budget	% Variance	Actual YTD FY 2024	Budget YTD FY 2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	14,444	10,000	4,444	44.4%	53,663	70,000	(16,337)	(23.3%)
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	1,050	583	467	80.0%	3,900	4,083	(183)	(4.5%)
TOTAL OPERATING REVENUES	**15,494**	**10,583**	**4,911**	**46.4%**	**57,563**	**74,083**	**(16,520)**	**(22.3%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	5,917	5,917	100.0%	-	41,417	41,417	100.0%
GENERAL AND ADMINISTRATIVE	41	1,000	959	95.9%	207	7,000	6,793	97.0%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**41**	**6,917**	**6,876**	**99.4%**	**207**	**48,417**	**48,210**	**99.6%**
OPERATING INCOME	**15,453**	**3,667**	**11,786**	**321.4%**	**57,356**	**25,667**	**31,689**	**123.5%**
NON-OPERATING (INCOME) EXPENSE	(504)	(35)	469	(1339.2%)	(4,254)	(245)	4,009	(1636.3%)
DEPRECIATION	5,972	5,917	(55)	(0.9%)	42,021	41,417	(604)	(1.5%)
NET OPERATING INCOME	**9,985**	**(2,215)**	**12,200**	**(550.8%)**	**19,589**	**(15,505)**	**35,094**	**(226.3%)**

PEASE DEVELOPMENT AUTHORITY
Statement of Revenues and Expenses - REVOLVING LOAN FUND
For the Seven Months Ended January 31, 2024

	Actual Jan FY 2024	Budget Jan FY 2024	Variance From Monthly Budget	% Variance	Actual YTD FY 2024	Budget YTD FY 2024	Variance From YTD Budget	% Variance
OPERATING REVENUES								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	3,254	3,000	254	8.5%	20,034	21,000	(966)	(4.6%)
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	75	(75)	(100.0%)	448	525	(77)	(14.7%)
TOTAL OPERATING REVENUES	**3,254**	**3,075**	**179**	**5.8%**	**20,482**	**21,525**	**(1,043)**	**(4.8%)**
EXPENSES								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	42	42	100.0%	118	292	174	59.6%
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	1,149	1,250	101	8.1%	9,221	8,750	(471)	(5.4%)
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
TOTAL OPERATING EXPENSES	**1,149**	**1,292**	**143**	**11.1%**	**9,338**	**9,042**	**(297)**	**(3.3%)**
OPERATING INCOME	**2,105**	**1,783**	**322**	**18.1%**	**11,143**	**12,483**	**(1,340)**	**(10.7%)**
NON-OPERATING (INCOME) EXPENSE	(21)	-	21	-	(123)	-	123	-
DEPRECIATION	-	-	-	-	-	-	-	-
NET OPERATING INCOME	**2,127**	**1,783**	**343**	**19.2%**	**11,266**	**12,483**	**(1,217)**	**(9.7%)**

REVOLVING LOAN FUND ($ 000's)	BALANCE AT 01-31-2024	BALANCE AT 06-30-2023
CASH BALANCES		
GENERAL FUNDS	165	194
SEQUESTERED FUNDS	-	-
	165	194
LOANS OUTSTANDING (21)		
CURRENT	129	117
LONG TERM	984	954
	1,113	1,071
TOTAL CAPITAL BASE	1,278	1,265
CAPTIAL UTILIZATION RATE -% *	87.1%	84.7%

**EXCLUDES SEQUESTERED FUNDS*

SUMMARY OF CONSTRUCTION WORK IN PROCESS
AS OF JANUARY 31, 2024

($000's)

PROJECT NAME	BALANCE AT 06-30-23	CURRENT YEAR EXPENDITURES	TRANSFER TO PLANT IN SERVICE	NET CURRENT YEAR CHANGE	BALANCE AT 1/31/2024
DIVISION OF PORTS AND HARBORS (DPH)					
MAIN PIER (BUILD GRANT)	2,653	5,549	-	5,549	8,202
FUNCTIONAL REPLACEMENT - BARGE DOCK	-	75	-	75	75
HAMPTON DOCK REPLACEMENT (ARPA)	131	-	-	-	131
PFP BRACING & DECKING (ARPA)	123	15	-	15	138
RYE GATE HOUSE	-	21	-	21	21
PFP HOIST	-	5	(5)	-	-
RYE FUEL DISPENSER	13	80	-	80	93
	2,920	**5,745**	**(5)**	**5,740**	**8,660**

VESSEL TRANSIT LOG FOR THE PORTS OF PORTSMOUTH AND NEWINGTON NEW HAMPSHIRE

Employer:	Portsmouth Pilots, Inc.	Date: From	FEBRUARY 01, 2024	TO	FEBRUARY 29, 2024

Name of Pilot IN	Name of Pilot OUT	Name of Vessel and Towing Tug	Homeport	Cargo	Date In LT/DK	Tide	Weather	Date Out LT/DK	Tide	Weather	DWT Capacity Tonnage	HP Assist Tug	Dock	Length	Beam	Draft	Actual Load / Disch Tonnage
RH	RH	NOR' EASTER	MARSH. ISL.	OIL	2/3 DK	H	CLEAR	2/4 LT	L	CLEAR	37,456	1-3000 1-3400	IRVING	605	90	36	12,000 D
VT	VT	PALANCA CADIZ	MARSH. ISL.	ASPHALT	2/6 LT	H	CLEAR	2/7 DK	L	CLEAR	14,911	1-3000 1-3400	SAL	435	76	29	14,911 D
CH	RH	GREAT EASTERN	MARSH. ISL.	OIL	2/6 DK	H	CLEAR	2/7 DK	H	CLEAR	37,515	1-3000 1-3400	IRVING	600	90	36	24,000 D
RH	CH	IVS GLENEAGLE	MARSH. ISL.	GYPSUM	2/7 LT	H	CLEAR	2/13 LT	H	WINDY	58,071	1-3400 1-4000	SRR	624	106	35	44,000 D
X	RH	GLOBAL SENTINAL	USA	CABLE	X	X	X	2/9 LT	H	CLOUDY	8,264	1-3000	SUBCOM	498	90	23	4,000 L
RH	VT	DAMIA DESGAGNES	CANADA	ASPHALT	2/10 LT	H	CLEAR	2/11 DK	L	CLEAR	14,719	1-3400 1-3000	SAL	443	77	28	14,719
RH	CH	ALBERTITO	MARSH. ISL.	SALT	2/12 LT	H	CLEAR	2/17 LT	L	O'CAST	61,301	1-3400 1-3000	NHSP	656	106	35	42,000 D
RH	CH	GREAT EASTERN	MARSH. ISL.	OIL	2/13 DK	H	OVERCAST	2/13 DK	L	WINDY	37,515	1-3400 1-3000	IRVING OIL	600	90	35	15,000 D
CH	X	DEPENDABLE	MARSH. ISL.	CABLE	2/13 LT	L	SNOW/WINDY	X	X	X	7,800	1-3400 1-3000	SUBCOM	470	70	24	5,000 L
VT	VT	RCM 252/ SUSAN ROSE	USA	OIL	2/14 LT	H	WINDY	2/15 LT	L	WINDY	7,998	1-3400	SRR	428	70	20	6,000 D
VT	VT	DS-56/CHOPTANK	USA	OIL	2/18 DK	L	CLEAR	2/18 DK	H	CLEAR	8,560	1-3400	SRR	450	62	20	8,560 D
RH	VT	BISCAY	DENMARK	TALLOW	2/20 LT		CLEAR	2/22 LT	H	CLEAR	11,161	1-3400 1-3000	SRR	425	67	24	3,000 L
CH	RH	NEW ENGLAND	MARSH. ISL.	OIL	2/21 DK	H	CLEAR	2/23 DK	H	RAIN	37,515	1-3400 1-3000	IRVING	600	90	36	20,000 D
CH	VT	PALANCA CADIZ	MARSH. ISL.	ASPHALT	2/22 DK	L	CLEAR	2/23 DK	L	CLEAR	14,911	1-3400 1-3000	SAL	435	76	29	14,911 D
VT	VT	RCM 260/ JUSTINE MCALLISTER	USA	OIL	2/25 LT	L	CLEAR	2/25 DK	H	CLEAR	9,814	1-3400	SRR	430	70	16	7,000 D
RH	CH	SEASUCCESS	VALLETA	PROPANE	2/25 LT	H	CLEAR	2/27 LT	L	CLEAR	28,482	1-6000 2-3400	SEA-3	595	94	32	21,000 D
RH	*	ALGOMA INTEGRITY	BAHAMAS	SALT	2/28 LT	H	CLEAR				47,761	1-3400 1-3000	SRR	647	106	35	40,000 D
CH	*	NY SUNRISE	MANILA	SALT	2/29 LT	H	WINDY				40,281	1-3400 1-3000	GSM	591	99	35	38,000 D

"I certify that the statements and information in the enclosed report relative to those passages or shiftings at berth for which I am designated as the pilot are to the best of my knowledge and belief true, accurate and complete. I am aware that my appointment as a pilot may be withdrawn or suspended by the Pease Development Authority for submitting false statements and information or omitting required statements and information."

* Ship still in Port as of 3/5/2024

Christopher Holt
Captain

Richard Holt Jr.
Captain

Vincent Taccetta
Captain

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, March 7, 2024 10:00 AM
To: Raeline O'Neil
Subject: RE: MTB-ARPA funding, Rye Harbor and PFP

Yes, thank you, sorry for the confusion

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Tuesday, March 5, 2024 11:36 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: MTB-ARPA funding, Rye Harbor and PFP

Brenda,

Just looking for confirmation as the pdf memo you provided me included colored photos, but the packet delivered by Tracy did not have any photos attached. I have made the copies from what you previously provided, but wanted to confirm that the photos should be attached to the memo to the Board.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, March 4, 2024 4:09 PM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: MTB-ARPA funding, Rye Harbor and PFP

Hi Rae,
Please see attached for the signed memo.

Thank you,
Brenda

PEASE
INTERNATIONAL
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

Date: March 4, 2024

To: Pease Development Authority (PDA) Board of Directors

From: Geno Marconi, Division Director

Re: American Rescue Plan Act, State Fiscal Recovery Funds for Portsmouth Fish Pier and Rye Harbor Marine Facility Projects

Upon approval of the PDA Board of Directors, the Division of Ports and Harbors (the "Division") will submit the request below to the State of NH Fiscal Committee, and Governor and Executive Council.

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier costs of engineering study, design, permitting, and construction for a replacement building; and
- Rye Harbor costs of concept development, engineering, design, bidding, permitting, and construction of a structure to better accommodate retail operations.

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting, and construction phases for a replacement building, based upon completion of the concept study. Aerial photos are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings have become an important part of the economic fabric of the facility and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine an appropriate method to construct a structure to allow retail space at Rye Harbor to be better protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

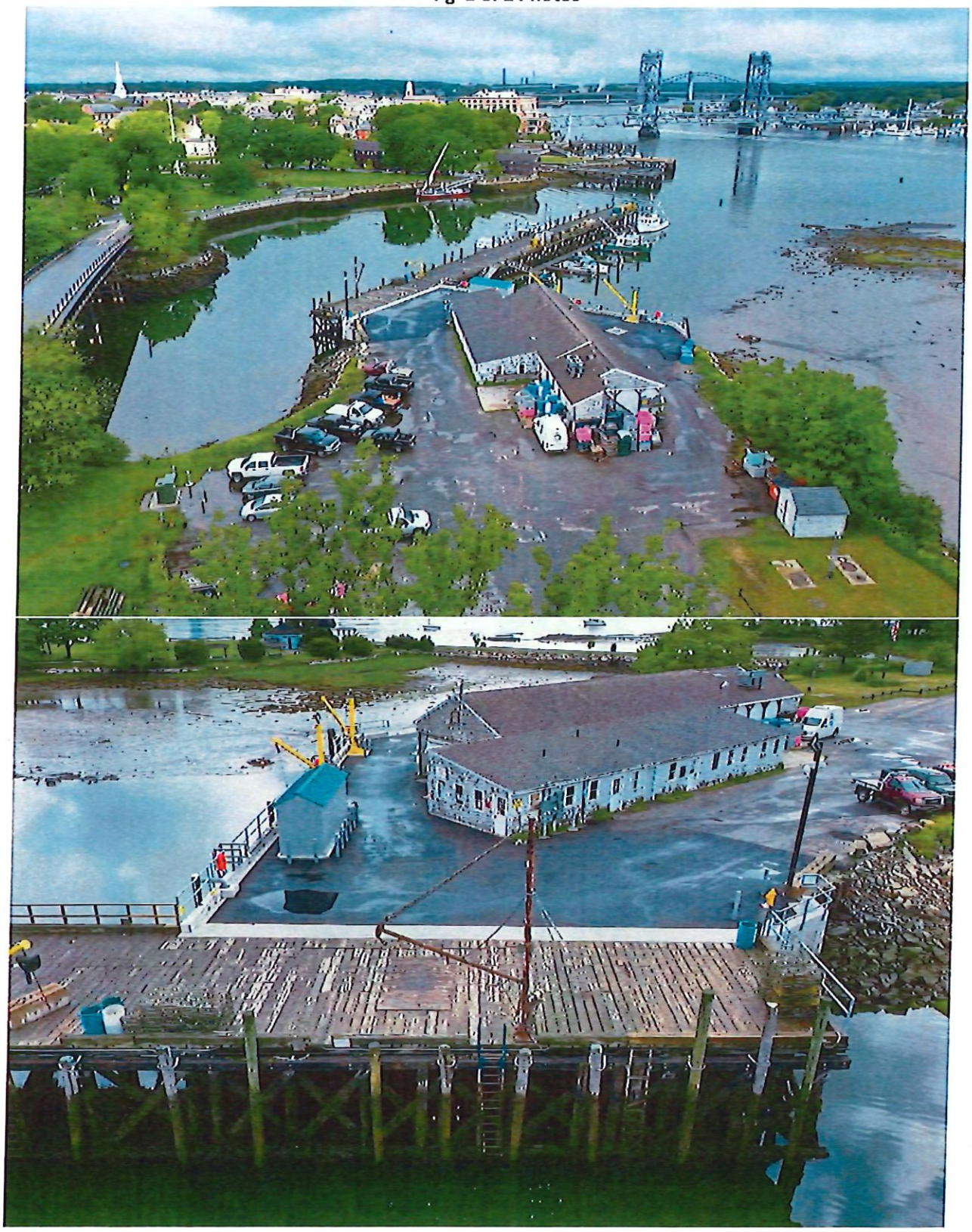
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

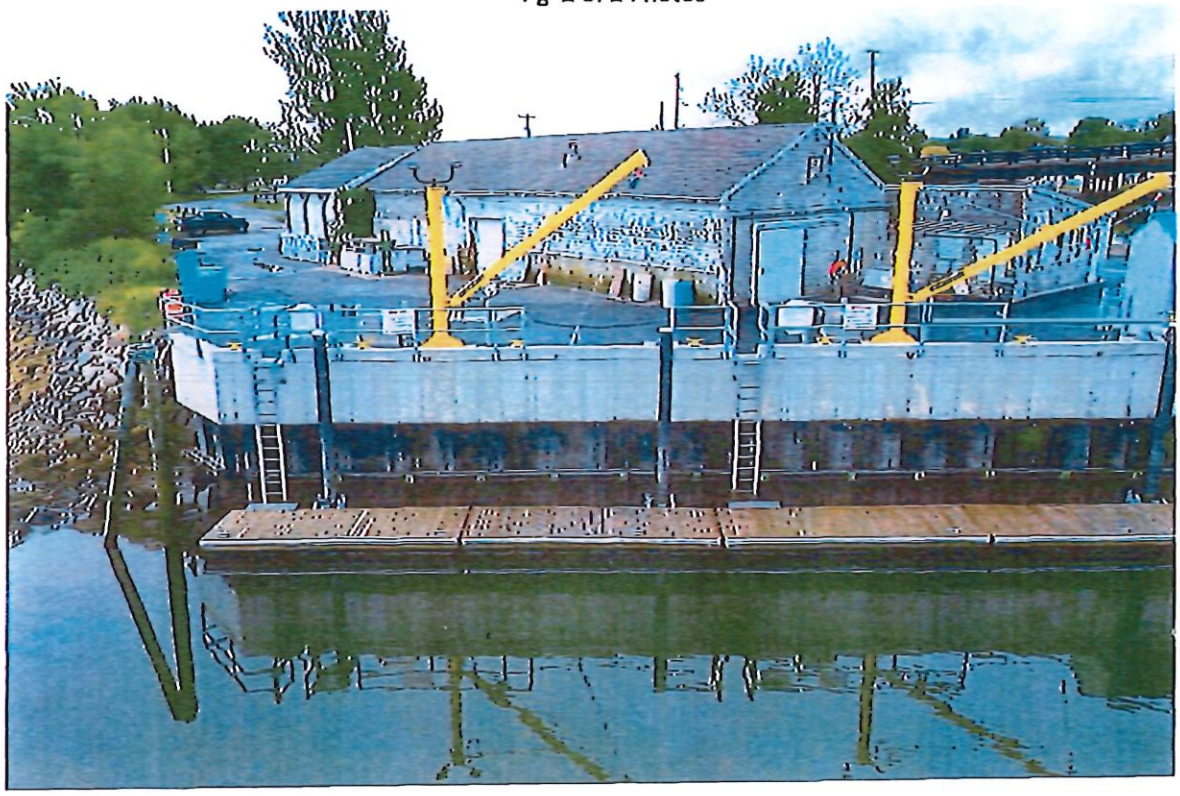
Attachments: Photos
Rye Harbor (1)
Portsmouth Fish Pier (3)

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos



Raeline O'Neil

From: Paul Brean
Sent: Tuesday, February 27, 2024 4:15 PM
To: Suzy Anzalone
Subject: RE: DPH capital expense budget presentation to Board

Suzy, this looks good. We have to identify tangible buildings/projects in the $1 MIL at Rye and PFP. The Chair and GOFFER have made it very clear the funding has to result in a constructed facility. So let's sit tomorrow and change the wording in the grant-funded project descriptions

PB

From: Suzy Anzalone <S.Anzalone@peasedev.org>
Sent: Tuesday, February 27, 2024 3:51 PM
To: Paul Brean <P.Brean@peasedev.org>
Subject: FW: DPH capital expense budget presentation to Board

Hi Paul, FYI this is what I put together for the DPH capital budget to be presented to the Board

Susanne Anzalone, CPA
Director of Finance
Pease Development Authority
55 International Drive
Portsmouth, NH 03801
s.anzalone@peasedev.org
(603) 766-9195

From: Suzy Anzalone
Sent: Tuesday, February 27, 2024 3:49 PM
To: Myles Greenway <m.greenway@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>
Subject: DPH capital expense budget presentation to Board

Hi Myles and Geno, I put together some slides similar to what the PDA does for their capital budget presentation to the Board. Let me know if you have any edits, comments, etc.
Thanks
Suzy

Susanne Anzalone, CPA
Director of Finance
Pease Development Authority
55 International Drive
Portsmouth, NH 03801
s.anzalone@peasedev.org
(603) 766-9195

Raeline O'Neil

From: Raeline O'Neil
Sent: Monday, February 26, 2024 11:10 AM
To: Brenda Therrien
Subject: RE: Port board agenda items

Brenda,

This is what I have.

Division of Ports and Harbors:

A. Reports:

1. Port Advisory Council Meeting Minutes of December 13, 2023 *
2. Port Advisory Council Meeting Minutes of January 10, 2024 *
3. Commercial Mooring Transfer – Campolini to Gauron of Steaker Charters, LLC *
4. Commercial Mooring Transfer – Carbonneau to Lantagne *
5. Commercial Mooring Transfer – Felch to Moge *
6. Commercial Mooring Transfer – Gauron to Campolini *
7. Commercial Mooring Transfer – Tontine Fishing, Inc. to Krajewski *
8. Commercial Mooring Transfer – Kirland to Kirkland *
9. Commercial Mooring Transfer – Lang to Lang *
10. USACE Navigation O&M And Civil Works Project Updates NH *
11. **Post Storm Report regarding Rye Harbor and Hampton Harbor Facilities ***
12. **Capital Budget Projections * (Suzy)**
13. **Main Terminal – 555 Market Street – Replacement of Truck Scale ***

B. Approval:

1. **Star Island Corporation Right of Entry for Parcel A-2 and Burge Wharf * (HOLD)**
2. **Cornell University - Shoals Marine Lab - Right of Entry * (HOLD)**
3. Commercial Mooring Transfer – McCune to Huff of Rye Harbor Green Crab Co, LLC * ()
4. Hampton Harbor Marina – Addendum #4 to Special Use Permit to Facilitate the 2023 Hampton Beach Jetty Repair * ()
5. Luciano's Excavation, Inc. – Extension to Right of Entry – Hampton Harbor Jetty Repair Project * ()
6. **Acceptance of the GOFFER Application for Portsmouth Fish Pier * ()**
7. **Acceptance of the GOFFER Application for Rye Harbor *()**
8. **Bauer Construction Co., LLC – Extension of Right of Entry – Rye Harbor * ()**

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, February 26, 2024 10:56 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: Port board agenda items

Hi Rae,

Would you please send me an updated copy of the Port agenda items for March?

Thanks,
Brenda

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, February 23, 2024 9:18 AM
To: Geno Marconi
Subject: RE: March Board Items
Attachments: MTB Rye_Portsmouth_ARPA_Request_.docx; Rye_Portsmouth_ARPA_Request_01_22_2024_sam.docx

Here is what I have so far. I added the construction wording to the board memo. I also attached the original GOFERR request. A million isn't going to be enough for everything...

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Friday, February 23, 2024 8:24 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: March Board Items

Can you send it to me as for some reason I cannot getinto documents from home!!!! Microsoft 365 and security!!!

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, February 23, 2024 7:58 AM
To: Geno Marconi <G.Marconi@peasedev.org>
Subject: RE: March Board Items

I'll work on updating the language for the board memo. I'm assuming Rye language will stay the same?

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Thursday, February 22, 2024 2:55 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: FW: March Board Items

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, February 22, 2024 1:51 PM
To: Geno Marconi <G.Marconi@peasedev.org>
Subject: RE: March Board Items

When we met a couple weeks ago, I identified we need to remove the Appledore Quote for large scale design and change the wording on both projects to "design, engineer and **construct**."

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Thursday, February 22, 2024 12:36 PM
To: Paul Brean <P.Brean@peasedev.org>
Subject: RE: March Board Items

I'm not sure what to submit? Do I just submit the original language or has the Chairman have his own ideas?

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, February 22, 2024 11:40 AM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Cc: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: FW: March Board Items

Geno,

We will also need the Fish Pier and Rye GOFFER Applications in the March Board Packet.

PB

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Wednesday, February 21, 2024 5:08 PM
To: Paul Brean <P.Brean@peasedev.org>
Subject: Re: March Board Items

Busy couple days but back in office tomorrow

Get Outlook for iOS

From: Paul Brean <P.Brean@peasedev.org>
Sent: Wednesday, February 21, 2024 5:05:19 PM
To: Raeline O'Neil <R.O'Neil@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Scott DeVito <S.DeVito@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Chasen Congreves <C.Congreves@peasedev.org>; Andrew Pomeroy <A.Pomeroy@peasedev.org>; Mike Mates <M.Mates@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; Tanya Coppeta <T.Coppeta@peasedev.org>; Greg Siegenthaler <G.Siegenthaler@peasedev.org>; Jared Sheehan <J.Sheehan@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Melanie Walsh <M.Walsh@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>; Christine Gibb <C.Gibb@peasedev.org>; KC Conley <K.Conley@peasedev.org>; Ed Pottberg <E.Pottberg@peasedev.org>; Sandra McDonough <S.McDonough@peasedev.org>; John Meehan <J.Meehan@peasedev.org>
Subject: RE: March Board Items

All,

As discussed in recent meetings, the March Board Agenda is extensive, and the material will require detailed review prior to entering it into the packet. Please, prioritize your calendars to complete any outstanding Board Memo's **asap**. I understand several bids are closing or have recently closed and several of you are working to finalize memos, thank you. For items that are not close to being finalized please pull the items now and notify Raeline you will not be moving forward with the item for the March Agenda.

Raeline, I can report the following items are being **pulled**;

4. Miscellaneous Signage Machine Equipment (target April Board) KC
12. Irving Oil Diesel (target April Board) KC
13. Dennis K, Burke (target April Board) KC
15. Security Utility Vehicle (target April/May Board) KC

17. Vehicle Parking Upgrades to Lots A&B (target April Board/Airport Committee?) CC

I believe all other agenda items are near completion. Geno, Myles and Suzy please let me know if you need any assistance in finalizing the DPH Capital Budget.

If anyone needs assistance or would value a discussion, we can prioritize a group call on Thursday 2/22. Please let me know.

Paul

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Wednesday, February 21, 2024 4:28 PM
To: Anthony Blenkinsop <A.Blenkinsop@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; Scott DeVito <S.DeVito@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Chasen Congreves <C.Congreves@peasedev.org>; Andrew Pomeroy <A.Pomeroy@peasedev.org>; Mike Mates <M.Mates@peasedev.org>; Suzy Anzalone <S.Anzalone@peasedev.org>; Tanya Coppeta <T.Coppeta@peasedev.org>; Greg Siegenthaler <G.Siegenthaler@peasedev.org>; Jared Sheehan <J.Sheehan@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Melanie Walsh <M.Walsh@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>; Christine Gibb <C.Gibb@peasedev.org>; KC Conley <K.Conley@peasedev.org>; Ed Pottberg <E.Pottberg@peasedev.org>; Sandra McDonough <S.McDonough@peasedev.org>; John Meehan <J.Meehan@peasedev.org>
Subject: March Board Items

Good afternoon,

This is to remind you to provide any outstanding items for the March Board packet as soon as possible and no later than Friday, March 1st. At this time, the March agenda is very extensive and has many items outstanding. It would be appreciated if there are any items currently on the March agenda as placeholders that will not have materials prepared in time, to advise whether they should be moved, if possible, to the April agenda.

Thank you in advance for providing all outstanding materials at your earliest possible convenience.

Raeline A. O'Neil, Executive Administrative Assistant
Pease Development Authority
55 International Drive
Portsmouth, NH 03801
(603) 766-9291

Date: February 23, 2024

To: Pease Development Authority (PDA) Board of Directors

From: Geno Marconi, Division Director

Re: American Rescue Plan Act, State Fiscal Recovery Funds for Portmouth Fish Pier and Rye Harbor Marine Facility Projects

Upon approval of the PDA Board of Directors, the Division of Ports and Harbors (the "Division") will submit the request below to the State of NH Fiscal Committee, and Governor and Executive Council.

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of engineering study, design, permitting, and construction for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.
Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, permitting and construction phases for a replacement building, based upon completion of the concept study.. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

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In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 18, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
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This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

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In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

Raeline O'Neil

From: Geno Marconi
Sent: Wednesday, February 7, 2024 6:18 PM
To: Geno Marconi (gjmarconi@comcast.net)
Subject: FW: ARPA Requests
Attachments: Captain Geno Marconi AMPE.vcf; Rye-Portsmouth ARPA Request (01-25-2024).pdf

From: Geno Marconi
Sent: Wednesday, February 7, 2024 3:26 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Myles Greenway <m.greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: ARPA Requests

Mr. McLocklin,
By direction of the Chairman of the Pease Development Authority Board of Directors, the Executive Director of the Pease Development Authority, Paul Brean and the Director of the Division of Pors and Harbors, Geno Marconi, have been instructed to withdraw the two (2) ARPA funding requests (copy attached) submitted to the Joint Fiscal Committee and the Governor and Executive Council.
As always, Thank you for your assistance with these matters.
Geno Marconi

Captain Geno Marconi AMPE
New Hampshire Port Authority
Director

(603) 436-8500 Work
(603) 365-0503 Mobile
g.marconi@peasedev.org
555 Market Street
Portsmouth, NH 03801

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 25, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

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- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

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SOURCE OF FUNDS				
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EXPLANATION

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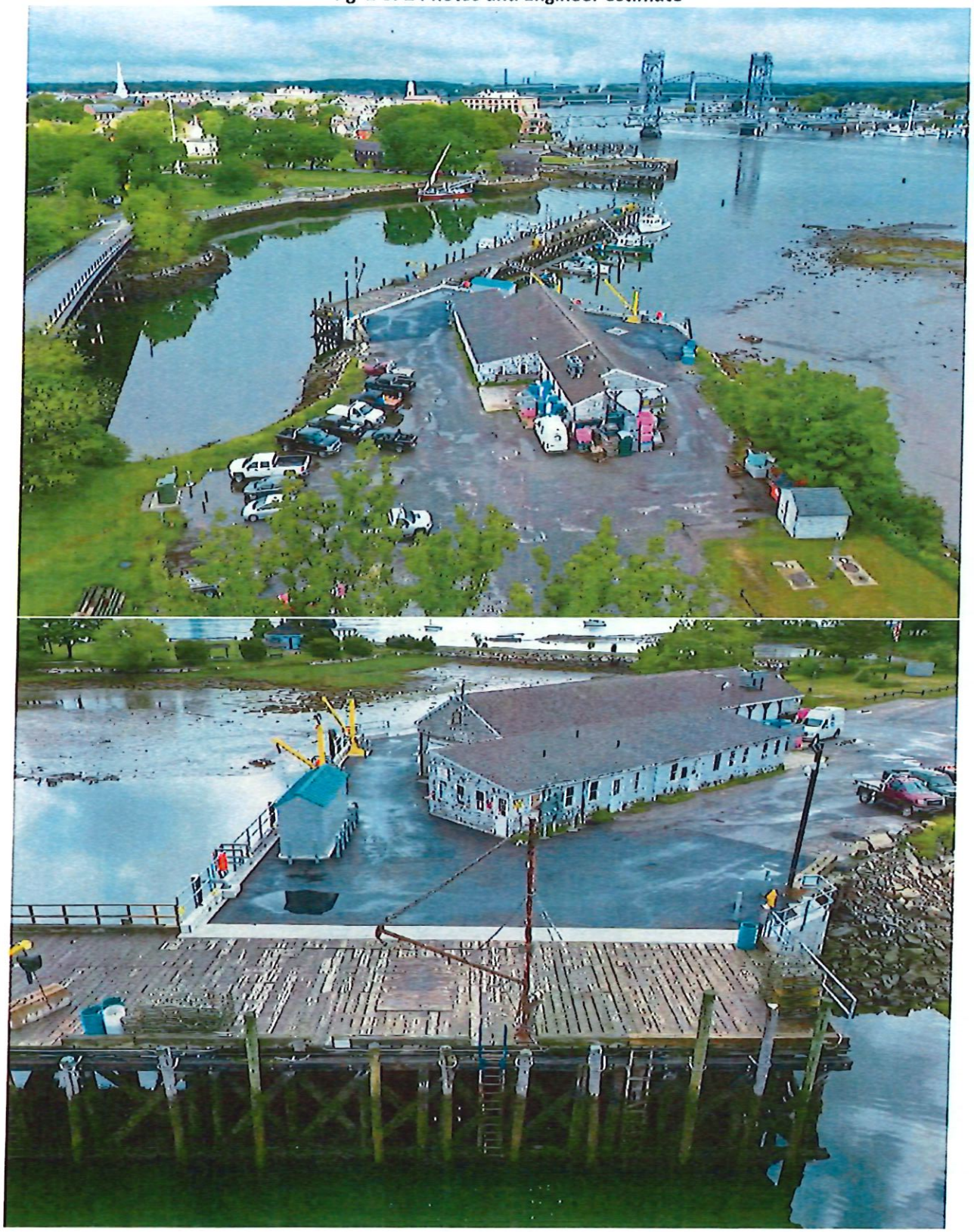
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate

STOP
Picnic Tables
Provided
by
Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Poiselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
	Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,803
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
						$ 2,755,050	
Contractor Overhead					10.0%	$ 275,505	
Contractor General Conditions					5.0%	$ 137,753	
Contractor Profit					10.0%	$ 316,831	
Bonds					2.0%	$ 14,602	
Construction Contingency					10.0%	$ 275,505	
Contractor bid						$ 3,776,000	
Engineering Studies, Design and Permitting					14.0%	$ 528,640	
Post Construction Award Services					4.0%	$ 151,040	
Supervision Inspection and Overhead					6.0%	$ 226,560	
Escalation to mid-point of construction					4.0%	$ 151,040	
						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, February 7, 2024 2:58 PM
To: Geno Marconi
Subject: ARPA Request, Rye and PFP
Attachments: Rye-Portsmouth ARPA Request (01-25-2024).pdf

PEASE
INTERNATIONAL
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55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
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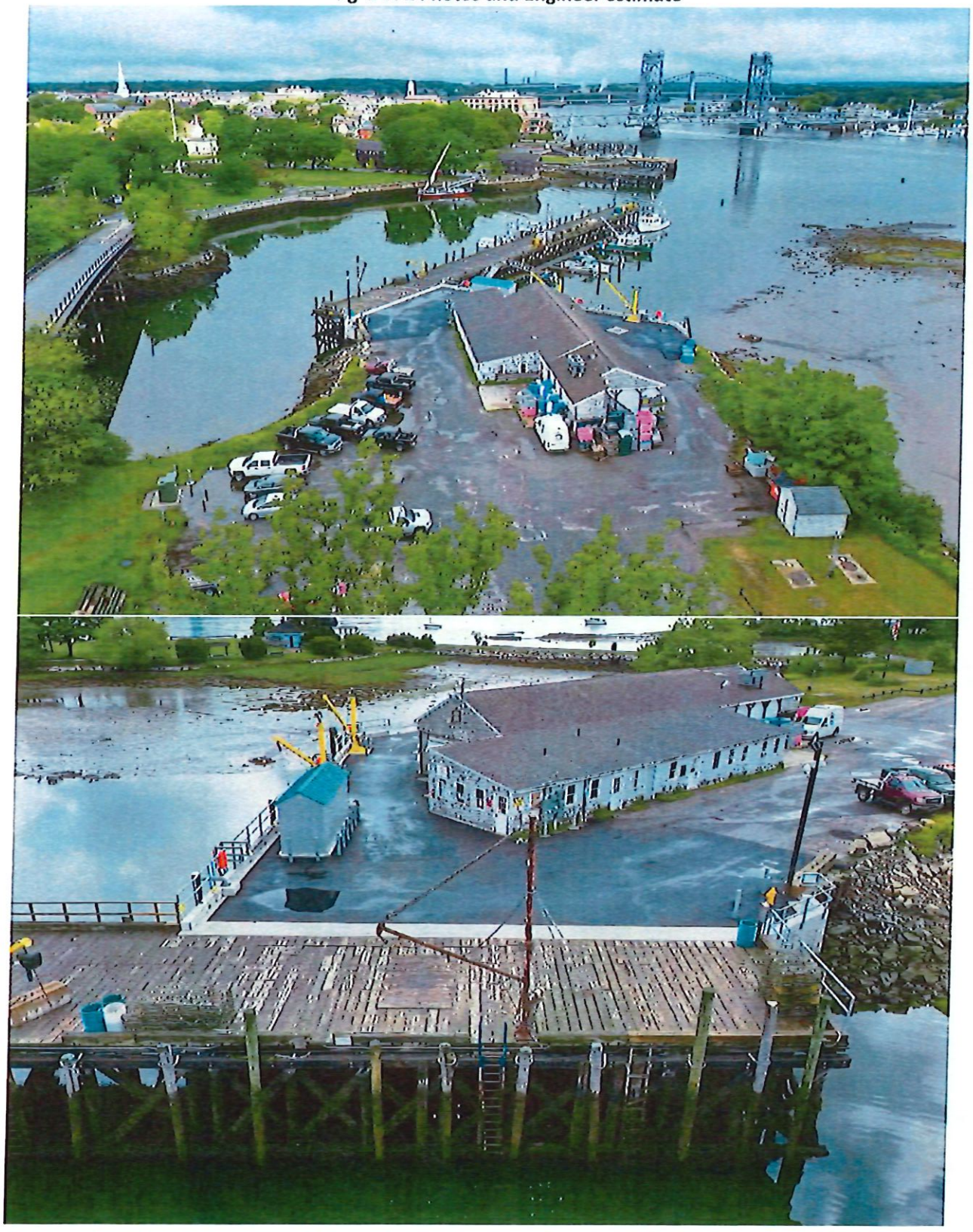
Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Polselli
Reviewed by:

BASE BID - Direct Costs

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1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
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	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
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Contractor Overhead					10.0%	$ 275,505	
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						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Raeline O'Neil

Subject:	Governor & Council ARPA funding, Rye & PFP building
Location:	State House-Concord NH
Start:	Wed 2/21/2024 10:00 AM
End:	Wed 2/21/2024 12:00 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
Required Attendees:	Captain Geno Marconi AMPE; Myles Greenway; Paul Brean
Optional Attendees:	Anthony Blenkinsop; Raeline O'Neil; Suzy Anzalone

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Subject item attached .

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 25, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

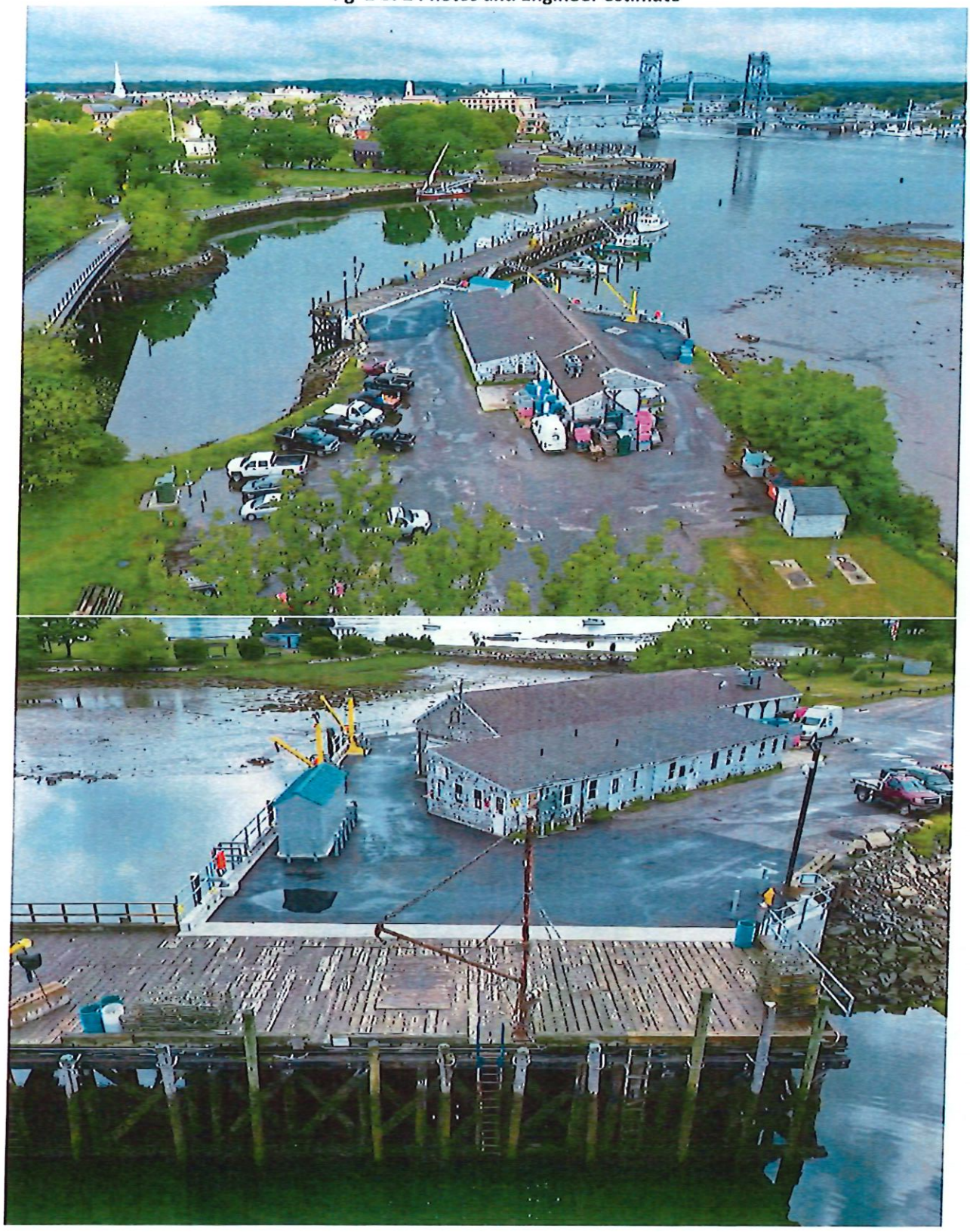
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
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AME Project Number:
Design Status: Concept
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Estimated by: C. Polselli
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Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Raeline O'Neil

Subject:	Fiscal Committee-ARPA requests, PFP & Rye Harbor
Location:	LBA Concord NH Rooms 210-211
Start:	Fri 2/16/2024 10:00 AM
End:	Fri 2/16/2024 10:30 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
Required Attendees:	Geno Marconi; Myles Greenway; Paul Brean
Optional Attendees:	Suzy Anzalone; Anthony Blenkinsop; Raeline O'Neil

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STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: January 19, 2024

FROM:	Charles M. Arlinghaus Commissioner	**AT (Office):** Administrative Services Budget Office
SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100

TO: **ALL DEPARTMENT HEADS**

FEBRUARY 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, February 16, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the **deadline of:**

10:00AM – Thursday, January 25, 2024

Please mark your calendars with these important dates.

Thank you.

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 25, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

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SOURCE OF FUNDS				
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Pease Development Authority

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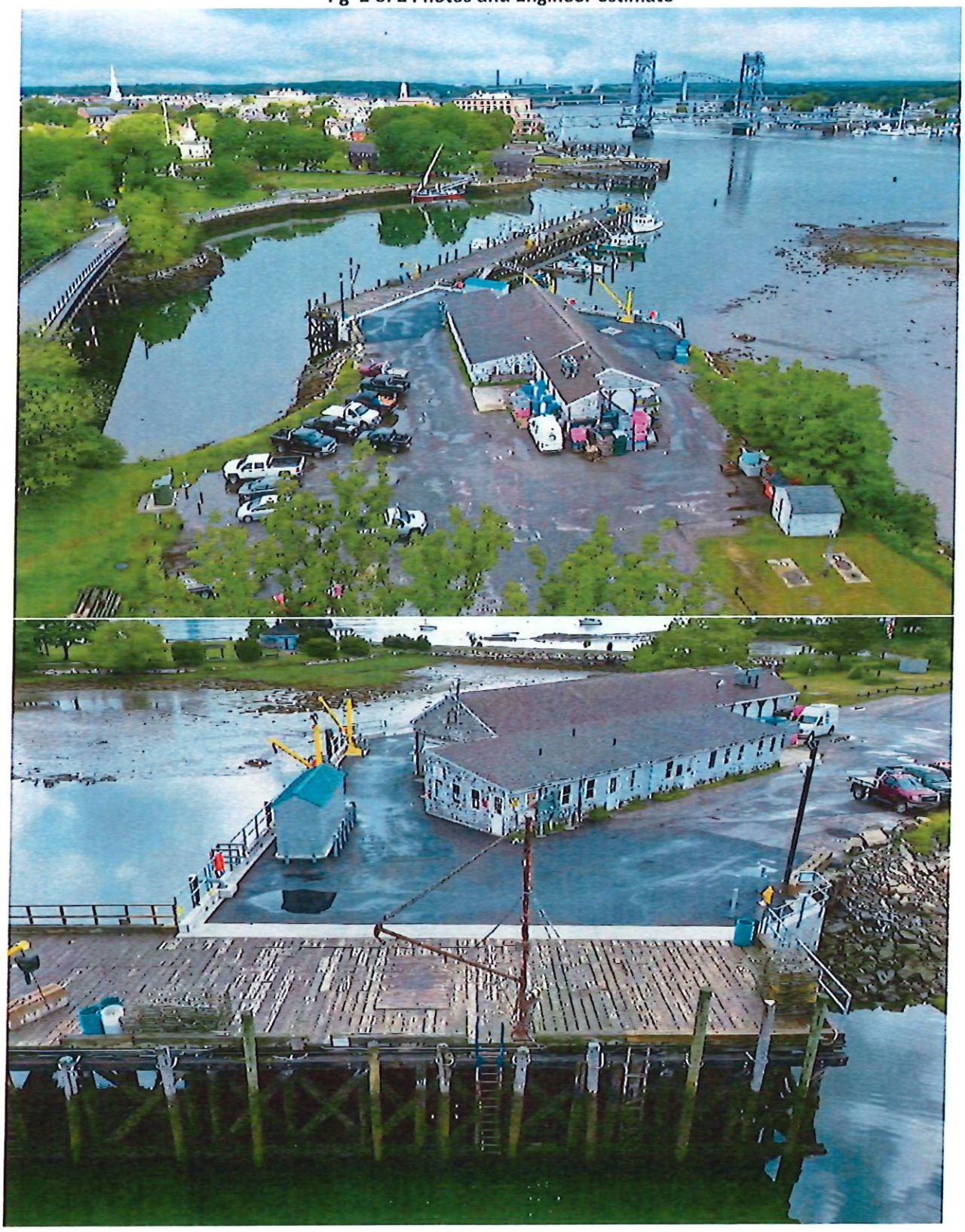

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Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, January 25, 2024 11:29 AM
To: Suzy Anzalone
Cc: Geno Marconi
Subject: ARPA request RE: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor
Attachments: Rye-Portsmouth ARPA Request (01-25-2024).pdf

Hi Suzy,

I noticed you weren't copied on these emails from the beginning...my plan was to send you the same once the final version was in place, which is attached here. I literally just received it from Raeline.

The Fiscal meeting is scheduled for 2/16 and G & C is the 21st.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: Suzy Anzalone <S.Anzalone@peasedev.org>
Sent: Thursday, January 25, 2024 11:23 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: FW: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

Hi Brenda, Paul forwarded this to me. Going forward, could you please cc me on any type of funding requests so that I have a heads up as to what is going on?
Thanks
Suzy

Susanne Anzalone, CPA
Director of Finance
Pease Development Authority
55 International Drive
Portsmouth, NH 03801
s.anzalone@peasedev.org
(603) 766-9195

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, January 25, 2024 11:19 AM
To: Suzy Anzalone <S.Anzalone@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>

Subject: FW: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

FYI, we'll have to stay on top of the timeline for the PFP and Rye GOFERR Projects.

PB

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, January 24, 2024 3:38 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

Some people who received this message don't often get email from stephen.a.mclocklin@das.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

The State wants to maximize expenditure of ARPA funds GOFERR has passed to other agencies. For this $2mil request, ideally as much of these funds as possible would be spent, obligated, or a convincing plan in place showing GOFERR that remaining funds will be obligated by 12/31/2024.

If the funds can't be spent by 9/30/24, they have to be encumbered/obligated (we would have to have a contract or contracts with vendors for this work) by 12/31/24, and once funds were committed, we would have until 12/31/2026 to complete the work before the ARPA funds could no longer be used/spent. Please keep GOFERR updated on your progress/plans, and a few months in advance of 9/30/24 (at the Aug or Sep Fiscal meeting) we will amend and extend this item.

For the CARES Act funds (earlier/original COVID 19 relief funds), so as not to lose any funds, GOFERR clawed back CARES Act $ that an agency appeared unable to obligate or spend, and re-directed those reclaimed funds to other projects that could be obligated/completed.

Please see attached, I just accepted all the changes/comments GOFERR made.

Please call if you have any questions, it might be more helpful.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 24, 2024 2:46 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

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Please see below and attached and let me know next steps. Would this mean we have until the end of Sept to "obligate" the funds or "expend" the funds?

Thank you,
Brenda

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Wednesday, January 24, 2024 2:30 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

You don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

Please see the attached; good to go on our end. You'll note that the authorization is only until September 30, 2024. This is for a similar reason that older ARPA items are only authorized through June 30, 2024. Since all the funds have to be fully obligated by 12/31/24 and if we don't do so, the state loses those funds, it provides a date by which we (GOFERR and the agency) can assess the progress to date and whether it can truly be obligated by year end. If so, we can work together to put in request for authorization beyond 9/30/24.

Let me know if you have any additional questions,

Tom

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, January 22, 2024 2:27 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway

<M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon,

As requested kindly find attached the combined request, and associated attachments. Quick thanks to Steve for helping us get this together 😊 .

Please let us know what else we can do to help.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Monday, January 22, 2024 1:00 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

You don't often get email from lisa.m.cota-robles-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

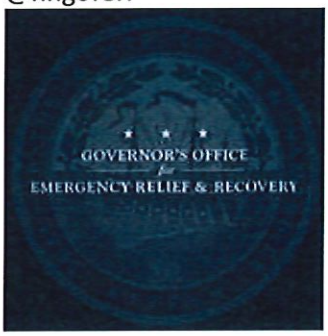
Hi Brenda:

I tried calling, but rather than leaving a rambling voicemail, I thought sending an email would be better.

We are looking to advance the Portsmouth and Rye projects together as one single Fiscal item, rather than separately. Can you please combine them into a single item and return the draft to us for review, by EOB today if at all possible?

Please let me know if this presents any challenges or concerns for you – we'll do our best to answer any questions!

Thank you,
Lisa
Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, January 19, 2024 4:13 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: For review & comment--Pease requests for funding-Rye Harbor

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Good afternoon Tom,

Please see attached for the subject item. PDA plans to submit this for the 2/16 Fiscal Committee meeting, and the 2/21 G & C meeting.

Looking forward to hearing comments and/or suggested changes.

Thank you, on behalf of Paul and Geno,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801

P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 25, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

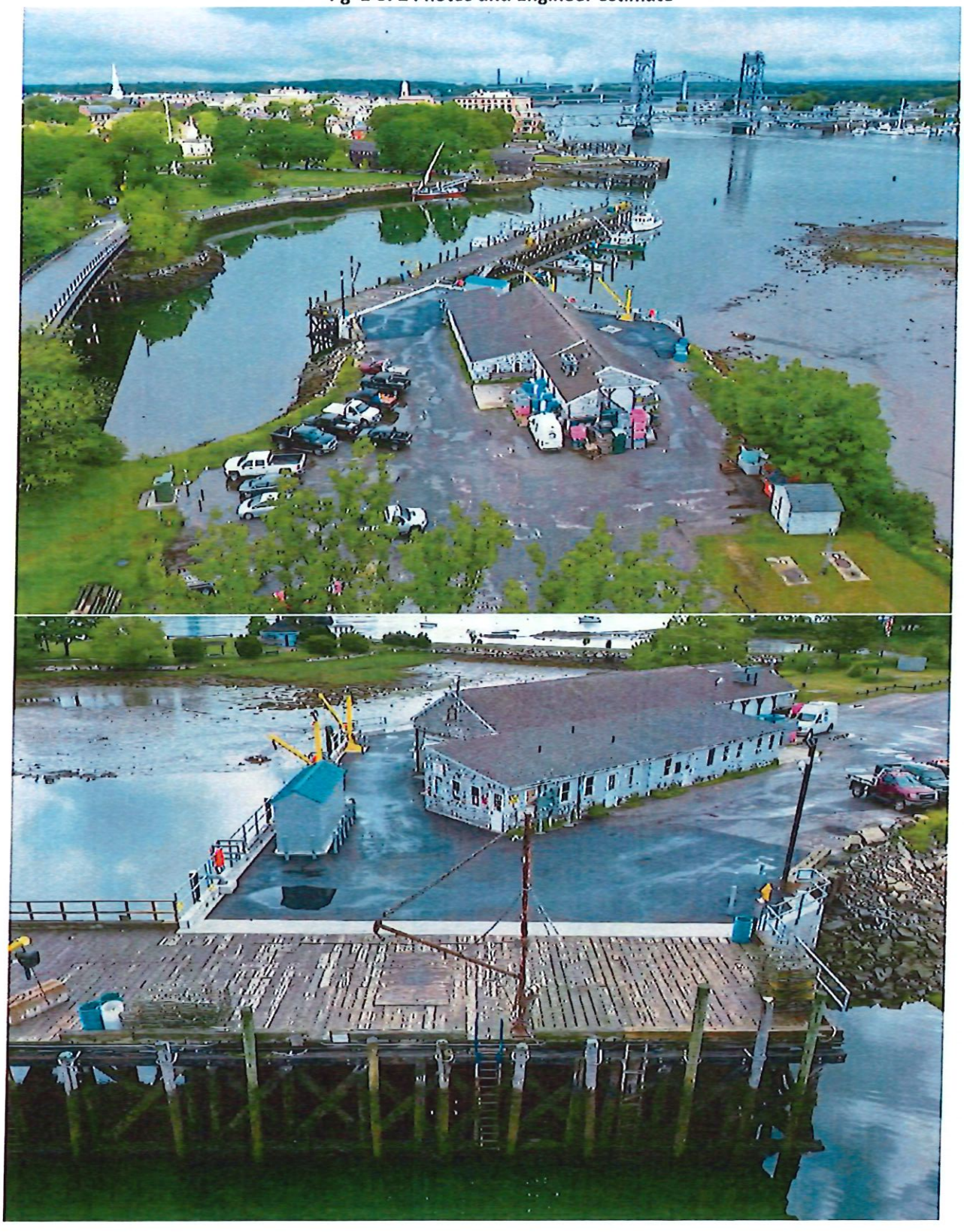
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Polselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description		Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House	Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
		Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
		Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
		Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City		1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
								$ -
							$ -	$ -
							$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)						0.0%	$ -	
							$ 2,755,050	
Contractor Overhead						10.0%	$ 275,505	
Contractor General Conditions						5.0%	$ 137,753	
Contractor Profit						10.0%	$ 316,831	
Bonds						2.0%	$ 14,602	
Construction Contingency						10.0%	$ 275,505	
Contractor bid							$ 3,776,000	
Engineering Studies, Design and Permitting						14.0%	$ 528,640	
Post Construction Award Services						4.0%	$ 151,040	
Supervision Inspection and Overhead						6.0%	$ 226,560	
Escalation to mid-point of construction						4.0%	$ 151,040	
							$ 906,240	
Estimated Budget Amount (Rounded Up)							$ 4,683,000	

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, January 25, 2024 11:23 AM
To: Raeline O'Neil
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Thank you Rae,

I agree the other photo was better, and the stamp is blurry, but Geno wants it on there 😊

I'll get this over to my contact at DAS and keep an eye out for the original being sent by interoffice.

Appreciate your time!

Brenda

> **From:** Raeline O'Neil <R.O'Neil@peasedev.org>
> **Sent:** Thursday, January 25, 2024 11:04 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>
> **Subject:** RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
>
> Brenda,
>
> I reprinted the photo and shrunk to page, so it shows up (not great, but it is there). Here is the updated pdf all as one packet.
>
> Let me know if you need anything further.
>
> Rae
>
> > **From:** Brenda Therrien <B.Therrien@peasedev.org>
> > **Sent:** Thursday, January 25, 2024 10:57 AM
> > **To:** Raeline O'Neil <R.O'Neil@peasedev.org>
> > **Subject:** RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
> >
> > Thanks Raeline,
> >
> > It looks like the date stamp disappeared from the Rye photo, do you mind if I replace it with the attached photo?
> >
> > Brenda
> >
> > > **From:** Raeline O'Neil <R.O'Neil@peasedev.org>
> > > **Sent:** Thursday, January 25, 2024 10:52 AM

To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Brenda,

Here is the letter, executed by Paul, for you to forward to your contact at the State for filing.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 10:48 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Ok thank you Rae

> **From:** Raeline O'Neil <R.O'Neil@peasedev.org>
> **Sent:** Thursday, January 25, 2024 9:45 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>
> **Subject:** RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
>
> Brenda,
>
> Anthony has signed off and it is in Paul's office for signature. Once he signs the same I will pdf it back to you.
>
> Rae
>
> **From:** Brenda Therrien <B.Therrien@peasedev.org>
> **Sent:** Thursday, January 25, 2024 9:26 AM
> **To:** Raeline O'Neil <R.O'Neil@peasedev.org>
> **Subject:** RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
>
> Sure, that would be fine, thanks for all of your help!
>
> > **From:** Raeline O'Neil <R.O'Neil@peasedev.org>
> > **Sent:** Thursday, January 25, 2024 9:21 AM
> > **To:** Brenda Therrien <B.Therrien@peasedev.org>
> > **Subject:** RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
> >
> > Okay, that was what I was thinking.
> >
> > Can I change the date of the letter to today's date?

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 9:16 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

I would say after the word Projects below

03-13-013-130510-26XX0000 ARPA
PORTSMOUTH / RYE PROJECTS

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Thursday, January 25, 2024 9:10 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Brenda,

There should be a reference of the footnote somewhere on the table that is attached to the language. Where should that be placed.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 9:03 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: FW: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Hi Rae, please see below from Steve. We can adjust the text size/margins so that it all fits on the first page.

Thanks for the question.

Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Thursday, January 25, 2024 8:59 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

EXTERNAL: Do not open attachments or click on links unless you recognize and

Hi Brenda, the other footnote below the table showing how the funding is to be allocated on your new acct-unit needs to stay there.

I did the (1) below Executive Director Brean's signature to indicate there was only the one (1) cost PFP cost estimate. We can get rid of it, there will be PDA folks there at Fiscal and G&C meetings to speak to these items.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 8:48 AM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Foot note FW: To be put on PDA letterhead and for Paul's signature- Pease requests for ARPA funding-Rye Harbor & PFP building
Importance: High

EXTERNAL: Do not open attachments or click on links unless you recognize and trust t

Hi Steve,

PDA has a question regarding the footnote on page 1. Is that where it is supposed to go or should it go somewhere else? She is saying it looks like the footnote is referenced on the signature page, under the attachment section highlighted below (1). The pdf attachment is what they changed it to, let me know if that works, thank you.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate

(1)

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 24, 2024 4:04 PM
To: Raeline O'Neil <R.O'Neil@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Importance: High

Raeline & Anthony,

The attached letter has been reviewed by the folks at GOFERR and is ready for Paul's signature. It does need to be printed on PDA letterhead. The original, with the associated attachments, needs to make its way to Concord ASAP, so please let us know when it's ready and someone will come by to pick it up.

Thank you, and let us know if any questions come up.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, January 24, 2024 3:38 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>

Subject: RE: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

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Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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Subject: RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

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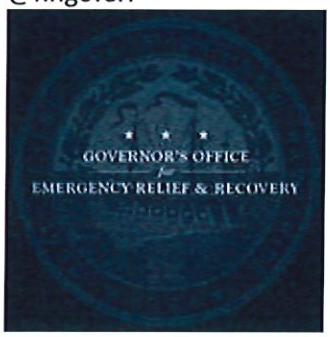
Thank you,
Lisa
Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, January 19, 2024 4:13 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
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Thank you, on behalf of Paul and Geno,

Brenda

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Administrative Assistant
Division of Ports and Harbors
555 Market St.

Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Suzy Anzalone
Sent: Thursday, January 25, 2024 11:23 AM
To: Brenda Therrien
Subject: FW: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor
Attachments: Rye_Portsmouth_ARPA_Request_01_22_2024_sam.docx

Hi Brenda, Paul forwarded this to me. Going forward, could you please cc me on any type of funding requests so that I have a heads up as to what is going on?
Thanks
Suzy

Susanne Anzalone, CPA
Director of Finance
Pease Development Authority
55 International Drive
Portsmouth, NH 03801
s.anzalone@peasedev.org
(603) 766-9195

From: Paul Brean <P.Brean@peasedev.org>
Sent: Thursday, January 25, 2024 11:19 AM
To: Suzy Anzalone <S.Anzalone@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: FW: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

FYI, we'll have to stay on top of the timeline for the PFP and Rye GOFERR Projects.

PB

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Sent: Wednesday, January 24, 2024 3:38 PM
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https://goferr.nh.gov
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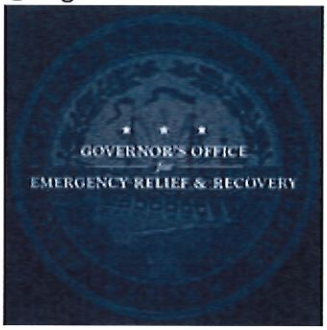

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The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 18, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct

interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

Raeline O'Neil

From: Raeline O'Neil
Sent: Thursday, January 25, 2024 11:04 AM
To: Brenda Therrien
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Attachments: Rye-Portsmouth ARPA Request (01-25-2024).pdf

Brenda,

I reprinted the photo and shrunk to page, so it shows up (not great, but it is there). Here is the updated pdf all as one packet.

Let me know if you need anything further.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 10:57 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Thanks Raeline,

It looks like the date stamp disappeared from the Rye photo, do you mind if I replace it with the attached photo?

Brenda

> **From:** Raeline O'Neil <R.O'Neil@peasedev.org>
> **Sent:** Thursday, January 25, 2024 10:52 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>
> **Subject:** RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
>
> Brenda,
>
> Here is the letter, executed by Paul, for you to forward to your contact at the State for filing.
>
> Rae
>
> **From:** Brenda Therrien <B.Therrien@peasedev.org>
> **Sent:** Thursday, January 25, 2024 10:48 AM
> **To:** Raeline O'Neil <R.O'Neil@peasedev.org>
> **Subject:** RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Ok thank you Rae

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Thursday, January 25, 2024 9:45 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Brenda,

Anthony has signed off and it is in Paul's office for signature. Once he signs the same I will pdf it back to you.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 9:26 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
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Sure, that would be fine, thanks for all of your help!

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Thursday, January 25, 2024 9:21 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
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Okay, that was what I was thinking.

Can I change the date of the letter to today's date?

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 9:16 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

I would say after the word Projects below

03-13-013-130510-26XX0000 ARPA
PORTSMOUTH / RYE PROJECTS

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Thursday, January 25, 2024 9:10 AM
To: Brenda Therrien <B.Therrien@peasedev.org>

Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Brenda,

There should be a reference of the footnote somewhere on the table that is attached to the language. Where should that be placed.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 9:03 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: FW: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Hi Rae, please see below from Steve. We can adjust the text size/margins so that it all fits on the first page.

Thanks for the question.

Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Thursday, January 25, 2024 8:59 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

EXTERNAL: Do not open attachments or click on links unless you recognize and trust tl

Hi Brenda, the other footnote below the table showing how the funding is to be allocated on your new acct-unit needs to stay there.
I did the (1) below Executive Director Brean's signature to indicate there was only the one (1) cost PFP cost estimate. We can get rid of it, there will be PDA folks there at Fiscal and G&C meetings to speak to these items.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please nc
sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
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Subject: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Importance: High

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Hi Steve,

PDA has a question regarding the footnote on page 1. Is that where it is supposed to go or should it go somewhere else? She is saying it looks like the footnote is referenced on the signature page, under the attachment section highlighted below (1). The pdf attachment is what they changed it to, let me know if that works, thank you.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 24, 2024 4:04 PM
To: Raeline O'Neil <R.O'Neil@peasedev.org>; Anthony Blenkinsop

<A.Blenkinsop@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Importance: High

Raeline & Anthony,

The attached letter has been reviewed by the folks at GOFERR and is ready for Paul's signature. It does need to be printed on PDA letterhead. The original, with the associated attachments, needs to make its way to Concord ASAP, so please let us know when it's ready and someone will come by to pick it up.

Thank you, and let us know if any questions come up.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, January 24, 2024 3:38 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

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Hi Brenda,

The State wants to maximize expenditure of ARPA funds GOFERR has passed to other agencies. For this $2mil request, ideally as much of these funds as possible would be spent, obligated, or a convincing plan in place showing GOFERR that remaining funds will be obligated by 12/31/2024.

If the funds can't be spent by 9/30/24, they have to be encumbered/obligated (we would have to have a contract or contracts with vendors for this work) by 12/31/24, and once funds were committed, we would have until 12/31/2026 to complete the work before the ARPA funds could no longer be used/spent. Please keep GOFERR updated on your progress/plans, and a few months in advance of 9/30/24 (at the Aug or Sep Fiscal meeting) we will amend and extend this item.

For the CARES Act funds (earlier/original COVID 19 relief funds), so as not to lose any funds, GOFERR clawed back CARES Act $ that an agency appeared unable to obligate or spend, and re-directed those reclaimed funds to other projects that could be obligated/completed.

Please see attached, I just accepted all the changes/comments GOFERR made.

Please call if you have any questions, it might be more helpful.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 24, 2024 2:46 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the send

Please see below and attached and let me know next steps. Would this mean we have until the end of Sept to "obligate" the funds or "expend" the funds?

Thank you,
Brenda

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Wednesday, January 24, 2024 2:30 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

You don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust tl

Hi Brenda,

Please see the attached; good to go on our end. You'll note that the authorization is only until September 30, 2024. This is for a similar reason that older ARPA items are only authorized through June 30, 2024. Since all the funds have to be fully obligated by 12/31/24 and if we don't do so, the state loses those funds, it provides a date by which we (GOFERR and the agency) can assess the progress to date and whether it can truly be obligated by year end. If so, we can work together to put in request for authorization beyond 9/30/24.

Let me know if you have any additional questions,

Tom

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, January 22, 2024 2:27 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the send

Good afternoon,

As requested kindly find attached the combined request, and associated attachments. Quick thanks to Steve for helping us get this together 😊 .

Please let us know what else we can do to help.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Monday, January 22, 2024 1:00 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

You don't often get email from lisa.m.cota-robles-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and

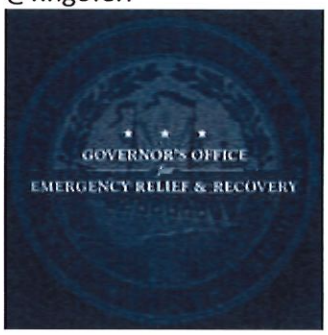
Hi Brenda:

I tried calling, but rather than leaving a rambling voicemail, I thought sending an email would be better.

We are looking to advance the Portsmouth and Rye projects together as one single Fiscal item, rather than separately. Can you please combine them into a single item and return the draft to us for review, by EOB today if at all possible?

Please let me know if this presents any challenges or concerns for you – we'll do our best to answer any questions!

Thank you,
Lisa
Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, January 19, 2024 4:13 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the send

Good afternoon Tom,

Please see attached for the subject item. PDA plans to submit this for the 2/16 Fiscal Committee meeting, and the 2/21 G & C meeting.

Looking forward to hearing comments and/or suggested changes.

Thank you, on behalf of Paul and Geno,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 25, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

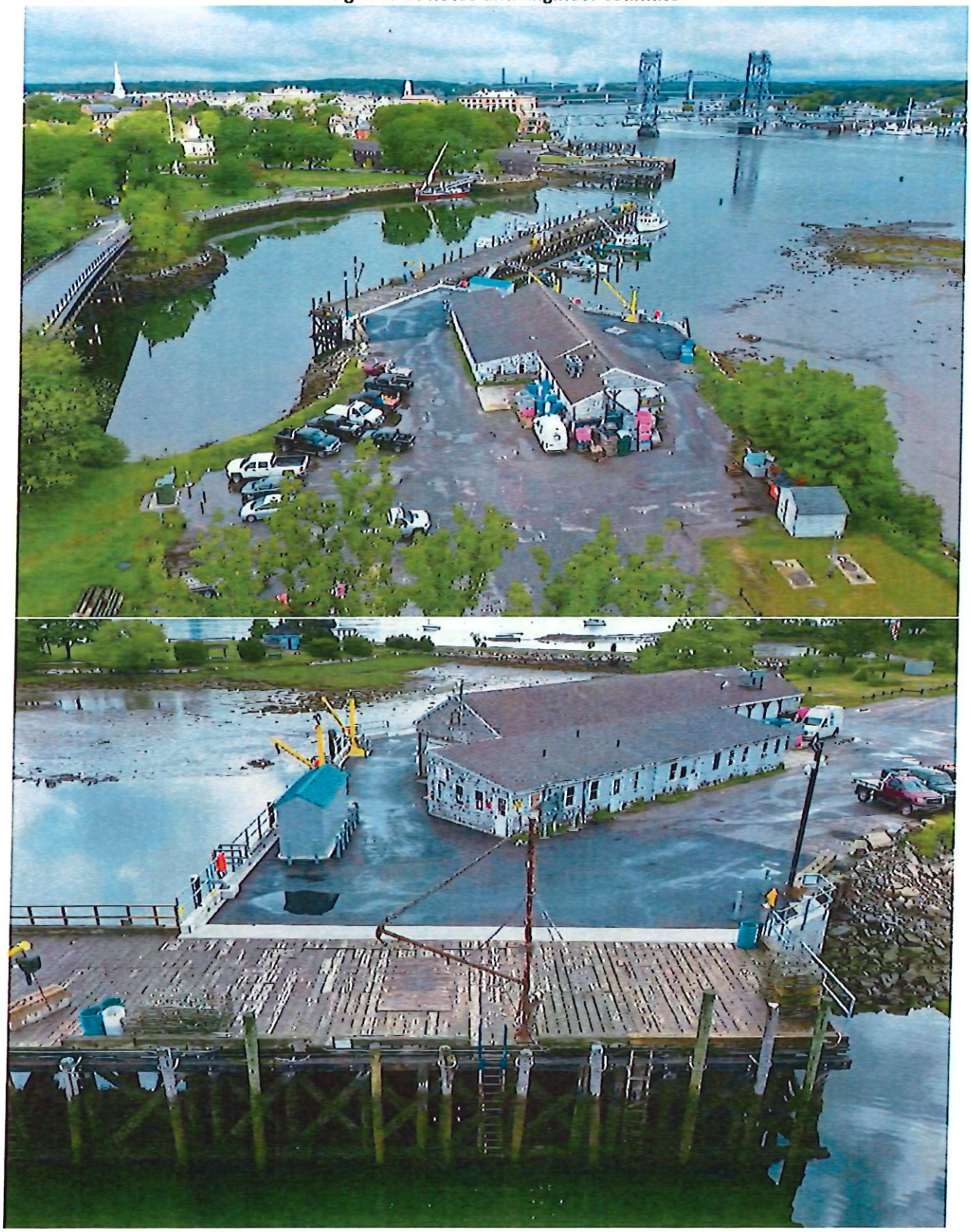
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AML Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Poiselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
	Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,803
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
						$ 2,755,050	
Contractor Overhead					10.0%	$ 275,505	
Contractor General Conditions					5.0%	$ 137,753	
Contractor Profit					10.0%	$ 316,831	
Bonds					2.0%	$ 14,602	
Construction Contingency					10.0%	$ 275,505	
Contractor bid						$ 3,776,000	
Engineering Studies, Design and Permitting					14.0%	$ 528,640	
Post Construction Award Services					4.0%	$ 151,040	
Supervision Inspection and Overhead					6.0%	$ 226,560	
Escalation to mid-point of construction					4.0%	$ 151,040	
						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, January 25, 2024 9:51 AM
To: Raeline O'Neil
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Yes please, good catch. Want me to fix that?

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Thursday, January 25, 2024 9:48 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Brenda,

Just a thought, the photos for PFP reference "Pg 1 of 2 Photos and Engineer estimate" at the top, should page with 2 photos be "Pg 1 of 2" and phot and estimate be "Pg 2 of 2"?

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 9:26 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Sure, that would be fine, thanks for all of your help!

From: Raeline O'Neil <R.O'Neil@peasedev.org>
Sent: Thursday, January 25, 2024 9:21 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

Okay, that was what I was thinking.

Can I change the date of the letter to today's date?

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Sent: Thursday, January 25, 2024 9:16 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
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Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

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To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: FW: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

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Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Thursday, January 25, 2024 8:59 AM
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Subject: RE: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building

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Hi Brenda, the other footnote below the table showing how the funding is to be allocated on your new acct-unit needs to stay there.
I did the (1) below Executive Director Brean's signature to indicate there was only the one (1) cost PFP cost estimate. We can get rid of it, there will be PDA folks there at Fiscal and G&C meetings to speak to these items.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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Sent: Thursday, January 25, 2024 8:48 AM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Foot note FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Importance: High

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Hi Steve,

PDA has a question regarding the footnote on page 1. Is that where it is supposed to go or should it go somewhere else? She is saying it looks like the footnote is referenced on the signature page, under the attachment section highlighted below (1). The pdf attachment is what they changed it to, let me know if that works, thank you.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
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F: 603-436-2780
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Sent: Wednesday, January 24, 2024 4:04 PM
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Importance: High

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Admin Asst., NH Port Authority

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State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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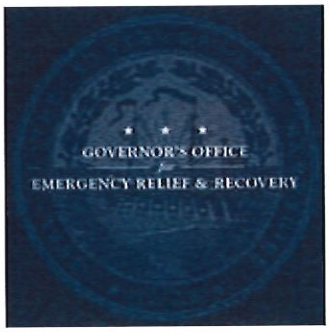
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



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Raeline O'Neil

From: Anthony Blenkinsop
Sent: Thursday, January 25, 2024 9:26 AM
To: Raeline O'Neil
Subject: FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Attachments: Rye_Portsmouth_ARPA_Request_01_22_2024_sam.docx; Rye Harbor storm surge, Jan 13, 2024 snap shot.jpg; PFP_GC_FiscalCommittee_Request_pics & AME Estimate.docx

Rae,

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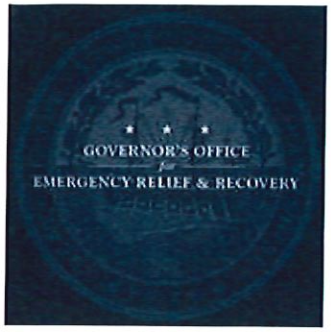

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The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 18, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct

interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

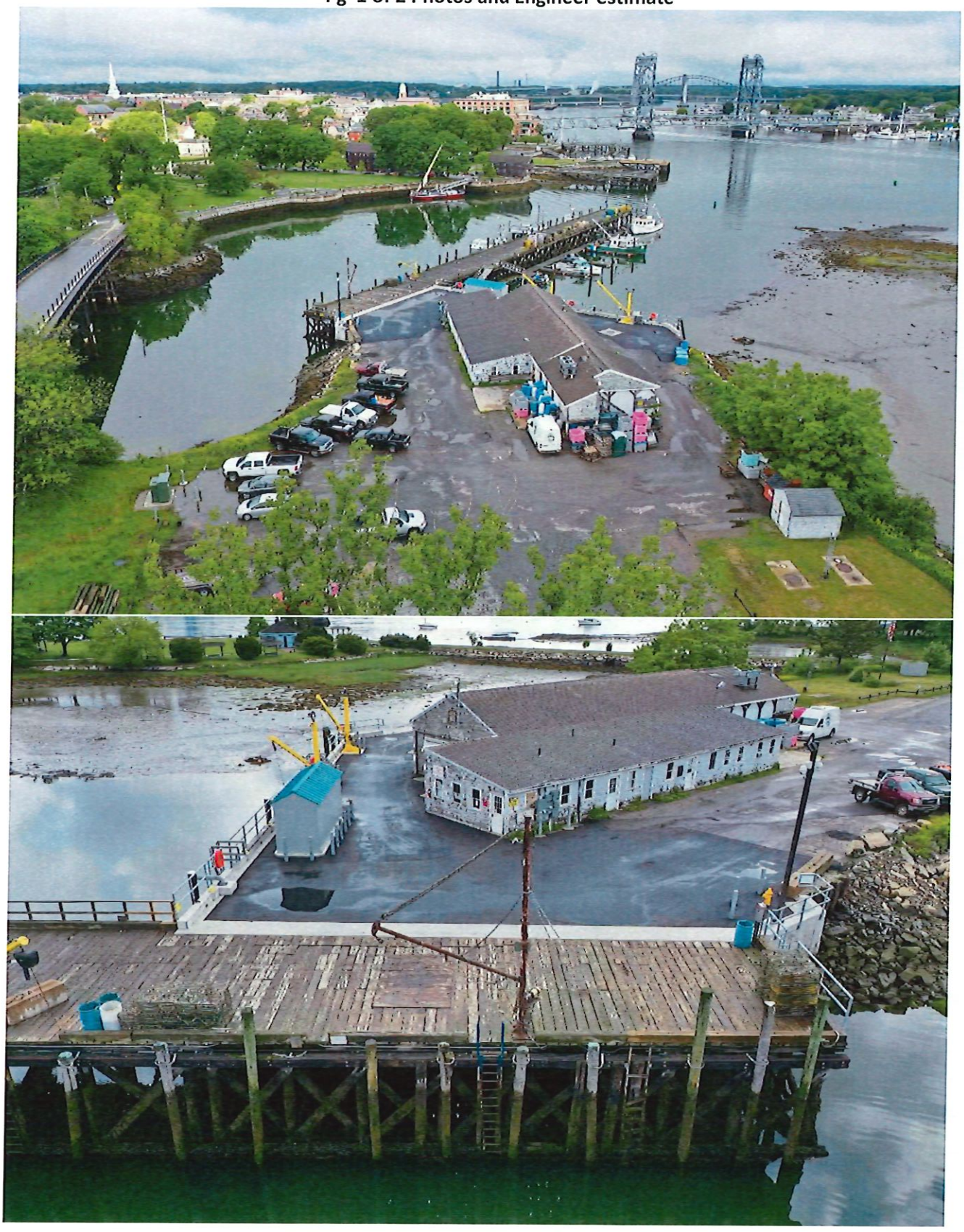
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

STOP

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Polselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description		Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House	Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
		Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
		Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
		Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City		1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
								$ -
							$ -	$ -
							$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)						0.0%	$ -	
							$ 2,755,050	
Contractor Overhead						10.0%	$ 275,505	
Contractor General Conditions						5.0%	$ 137,753	
Contractor Profit						10.0%	$ 316,831	
Bonds						2.0%	$ 14,602	
Construction Contingency						10.0%	$ 275,505	
Contractor bid							$ 3,776,000	
Engineering Studies, Design and Permitting						14.0%	$ 528,640	
Post Construction Award Services						4.0%	$ 151,040	
Supervision Inspection and Overhead						6.0%	$ 226,560	
Escalation to mid-point of construction						4.0%	$ 151,040	
							$ 906,240	
Estimated Budget Amount (Rounded Up)							$ 4,683,000	

Raeline O'Neil

From: Raeline O'Neil
Sent: Thursday, January 25, 2024 8:47 AM
To: Brenda Therrien
Subject: RE: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Attachments: Rye_Portsmouth_ARPA_Request_01_22_2024.pdf

Brenda,

Here is the letter for consideration showing the footnote referenced at the end of the document and the attachments for review.

Rae

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 25, 2024 8:00 AM
To: Raeline O'Neil <R.O'Neil@peasedev.org>
Subject: FW: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Importance: High

Hi Rae,

Our associate in Concord said we can just scan him the signed request, no original needed so once it's ready if you could just scan it to us that would be fine.

Thanks,

Brenda

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 24, 2024 4:04 PM
To: Raeline O'Neil <R.O'Neil@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: To be put on PDA letterhead and for Paul's signature-Pease requests for ARPA funding-Rye Harbor & PFP building
Importance: High

Raeline & Anthony,

The attached letter has been reviewed by the folks at GOFERR and is ready for Paul's signature. It does need to be printed on PDA letterhead. The original, with the associated attachments, needs to make its way to Concord ASAP, so please let us know when it's ready and someone will come by to pick it up.

Thank you, and let us know if any questions come up.

Thank you,
Brenda

Brenda Therrien
Direct dial: ext. 9221
Admin Asst., NH Port Authority

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, January 24, 2024 3:38 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

The State wants to maximize expenditure of ARPA funds GOFERR has passed to other agencies. For this $2mil request, ideally as much of these funds as possible would be spent, obligated, or a convincing plan in place showing GOFERR that remaining funds will be obligated by 12/31/2024.

If the funds can't be spent by 9/30/24, they have to be encumbered/obligated (we would have to have a contract or contracts with vendors for this work) by 12/31/24, and once funds were committed, we would have until 12/31/2026 to complete the work before the ARPA funds could no longer be used/spent. Please keep GOFERR updated on your progress/plans, and a few months in advance of 9/30/24 (at the Aug or Sep Fiscal meeting) we will amend and extend this item.

For the CARES Act funds (earlier/original COVID 19 relief funds), so as not to lose any funds, GOFERR clawed back CARES Act $ that an agency appeared unable to obligate or spend, and re-directed those reclaimed funds to other projects that could be obligated/completed.

Please see attached, I just accepted all the changes/comments GOFERR made.

Please call if you have any questions, it might be more helpful.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov

PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 24, 2024 2:46 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please see below and attached and let me know next steps. Would this mean we have until the end of Sept to "obligate" the funds or "expend" the funds?

Thank you,
Brenda

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Wednesday, January 24, 2024 2:30 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

You don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

Please see the attached; good to go on our end. You'll note that the authorization is only until September 30, 2024. This is for a similar reason that older ARPA items are only authorized through June 30, 2024. Since all the funds have to be fully obligated by 12/31/24 and if we don't do so, the state loses those funds, it provides a date by which we (GOFERR and the agency) can assess the progress to date and whether it can truly be obligated by year end. If so, we can work together to put in request for authorization beyond 9/30/24.

Let me know if you have any additional questions,

Tom

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, January 22, 2024 2:27 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR

<Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon,

As requested kindly find attached the combined request, and associated attachments. Quick thanks to Steve for helping us get this together 😊 .

Please let us know what else we can do to help.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Monday, January 22, 2024 1:00 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

You don't often get email from lisa.m.cota-robles-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

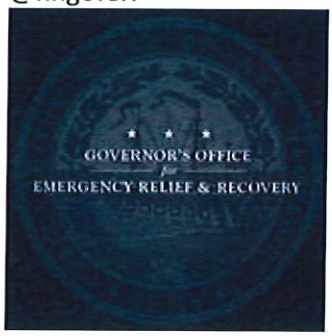
Hi Brenda:

I tried calling, but rather than leaving a rambling voicemail, I thought sending an email would be better.

We are looking to advance the Portsmouth and Rye projects together as one single Fiscal item, rather than separately. Can you please combine them into a single item and return the draft to us for review, by EOB today if at all possible?

Please let me know if this presents any challenges or concerns for you – we'll do our best to answer any questions!

Thank you,
Lisa
Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, January 19, 2024 4:13 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon Tom,

Please see attached for the subject item. PDA plans to submit this for the 2/16 Fiscal Committee meeting, and the 2/21 G & C meeting.

Looking forward to hearing comments and/or suggested changes.

Thank you, on behalf of Paul and Geno,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.

Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive, Portsmouth NH 03801

January 25, 2024

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate[1]

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

STOP

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Poiselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
	Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000

Municipal Taxes (on material and equipment)	0.0%	$ -
		$ 2,755,050
Contractor Overhead	10.0%	$ 275,505
Contractor General Conditions	5.0%	$ 137,753
Contractor Profit	10.0%	$ 316,831
Bonds	2.0%	$ 14,602
Construction Contingency	10.0%	$ 275,505
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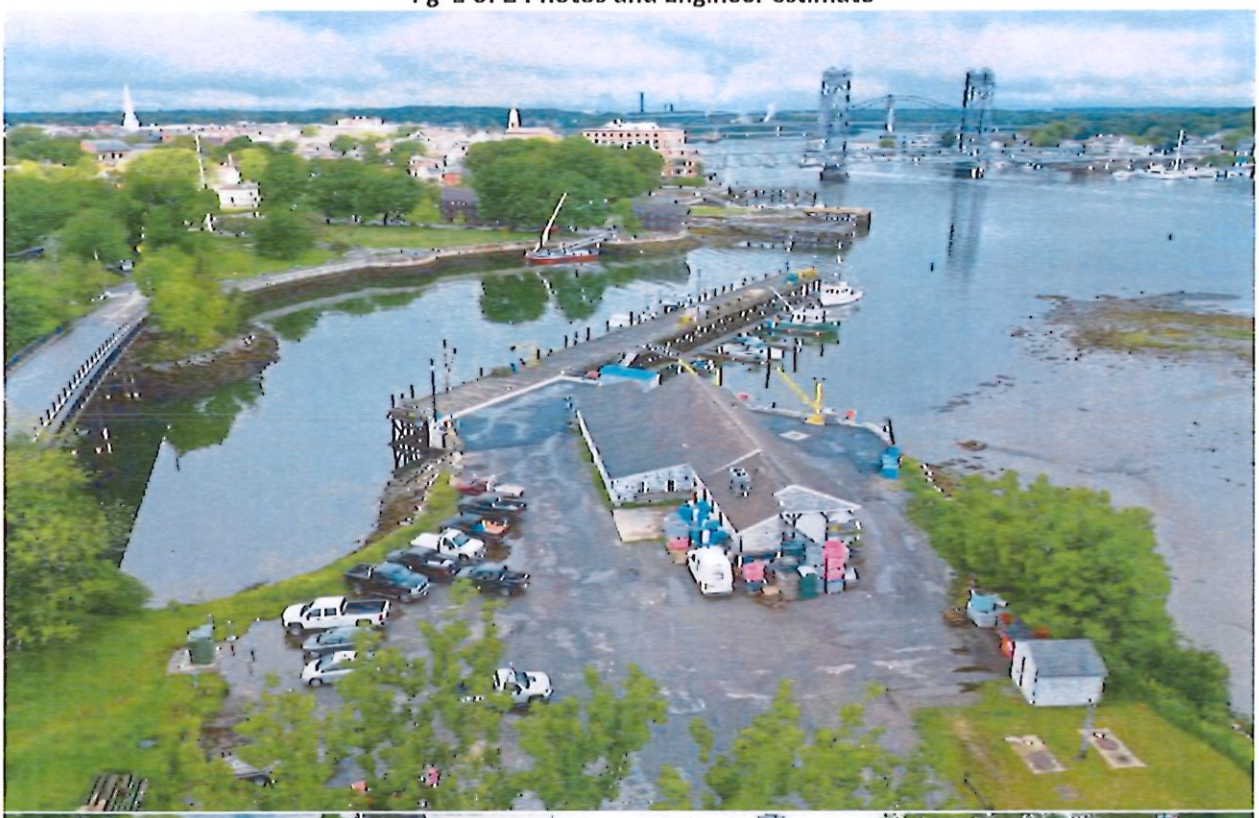
Engineering Studies, Design and Permitting	14.0%	$ 528,640
Post Construction Award Services	4.0%	$ 151,040
Supervision Inspection and Overhead	6.0%	$ 226,560
Escalation to mid-point of construction	4.0%	$ 151,040
		$ 906,240
Estimated Budget Amount (Rounded Up)		$ 4,603,000

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 18, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

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The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

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Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct

interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

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Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

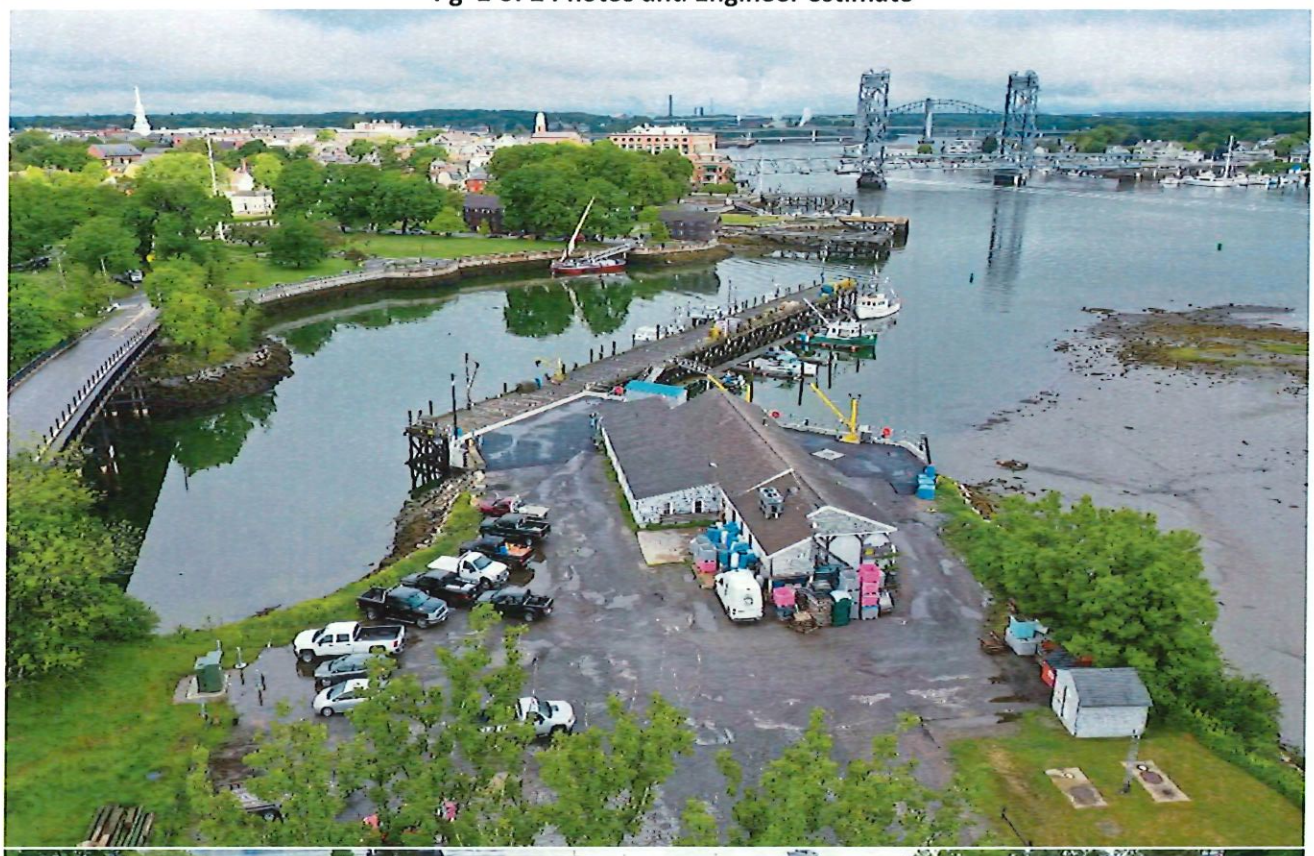
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

STOP

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate

Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Polselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
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	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
						$ 2,755,050	
Contractor Overhead					10.0%	$ 275,505	
Contractor General Conditions					5.0%	$ 137,753	
Contractor Profit					10.0%	$ 316,831	
Bonds					2.0%	$ 14,602	
Construction Contingency					10.0%	$ 275,505	
Contractor bid						$ 3,776,000	
Engineering Studies, Design and Permitting					14.0%	$ 528,640	
Post Construction Award Services					4.0%	$ 151,040	
Supervision Inspection and Overhead					6.0%	$ 226,560	
Escalation to mid-point of construction					4.0%	$ 151,040	
						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Raeline O'Neil

From: Brenda Therrien
Sent: Wednesday, January 24, 2024 3:58 PM
To: McLocklin, Stephen A.;Geno Marconi;Myles Greenway;Paul Brean
Subject: RE: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

Thank you Steve,

Geno asked me to send this over for Paul's signature and get the whole packet (with original letter and attachments) over to you.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Wednesday, January 24, 2024 3:38 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

The State wants to maximize expenditure of ARPA funds GOFERR has passed to other agencies. For this $2mil request, ideally as much of these funds as possible would be spent, obligated, or a convincing plan in place showing GOFERR that remaining funds will be obligated by 12/31/2024.

If the funds can't be spent by 9/30/24, they have to be encumbered/obligated (we would have to have a contract or contracts with vendors for this work) by 12/31/24, and once funds were committed, we would have until 12/31/2026 to complete the work before the ARPA funds could no longer be used/spent. Please keep GOFERR updated on your progress/plans, and a few months in advance of 9/30/24 (at the Aug or Sep Fiscal meeting) we will amend and extend this item.

For the CARES Act funds (earlier/original COVID 19 relief funds), so as not to lose any funds, GOFERR clawed back CARES Act $ that an agency appeared unable to obligate or spend, and re-directed those reclaimed funds to other projects that could be obligated/completed.

Please see attached, I just accepted all the changes/comments GOFERR made.

Please call if you have any questions, it might be more helpful.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 24, 2024 2:46 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; Paul Brean <P.Brean@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Obligated vs Expended -Next Steps- FW: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please see below and attached and let me know next steps. Would this mean we have until the end of Sept to "obligate" the funds or "expend" the funds?

Thank you,
Brenda

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Wednesday, January 24, 2024 2:30 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

You don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

Please see the attached; good to go on our end. You'll note that the authorization is only until September 30, 2024. This is for a similar reason that older ARPA items are only authorized through June 30, 2024. Since all the funds have to be fully obligated by 12/31/24 and if we don't do so, the state loses those funds, it provides a date by which we (GOFERR and the agency) can assess the progress to date and whether it can truly be obligated by year end. If so, we can work together to put in request for authorization beyond 9/30/24.

Let me know if you have any additional questions,

Tom

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, January 22, 2024 2:27 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: Combined request RE: For review & comment--Pease requests for funding-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good afternoon,

As requested kindly find attached the combined request, and associated attachments. Quick thanks to Steve for helping us get this together 😊 .

Please let us know what else we can do to help.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Monday, January 22, 2024 1:00 PM

To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

You don't often get email from lisa.m.cota-robles-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

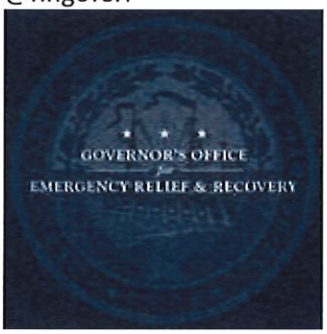
Hi Brenda:

I tried calling, but rather than leaving a rambling voicemail, I thought sending an email would be better.

We are looking to advance the Portsmouth and Rye projects together as one single Fiscal item, rather than separately. Can you please combine them into a single item and return the draft to us for review, by EOB today if at all possible?

Please let me know if this presents any challenges or concerns for you – we'll do our best to answer any questions!

Thank you,
Lisa
Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, January 19, 2024 4:13 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: For review & comment--Pease requests for funding-Rye Harbor

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Good afternoon Tom,

Please see attached for the subject item. PDA plans to submit this for the 2/16 Fiscal Committee meeting, and the 2/21 G & C meeting.

Looking forward to hearing comments and/or suggested changes.

Thank you, on behalf of Paul and Geno,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 18, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through ~~June 30, 2025~~September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000[1] ARPA PORTSMOUTH / RYE PROJECTS		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000

[1] All direct program costs will be accounted for using activity 00FRF602GS1301x and 00FRF602GS1301x, and all administrative and indirect costs will be accounted for using activity 00FRF602GS1301x. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-oOwned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above--water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and lay-out of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based on the concept report, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

Commented [CG1]: Do you mean to say "upon receipt of" or "upon completion of" the concept report?

The Rye Harbor Marine Facility ("Rye Harbor") is State-oOwned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) Sstate owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned

buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

Attachments: Photos
Portsmouth Fish Pier Costs Estimate (1)

Raeline O'Neil

From: Brenda Therrien
Sent: Monday, January 22, 2024 1:41 PM
To: Paul Brean
Cc: Geno Marconi;Myles Greenway
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor

Hi Paul,

Steve McLocklin is currently working on combining the 2 requests for us. Was there something in particular you wanted to discuss about this?

Thanks,

Brenda

From: Paul Brean <P.Brean@peasedev.org>
Sent: Monday, January 22, 2024 1:38 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor

Brenda,

Geno, Myles and I have a 2pm today. Potentially we can jump on a quick call prior to the start of that meeting?
Gary Mamigonian
PB

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Monday, January 22, 2024 1:27 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor

Hi Lisa,

We'll work on this and get back to you within an hour or so.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors

555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Monday, January 22, 2024 1:00 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: For review & comment--Pease requests for funding-Rye Harbor
Importance: High

You don't often get email from lisa.m.cota-robles-g@goferr.nh.gov. Learn why this is important

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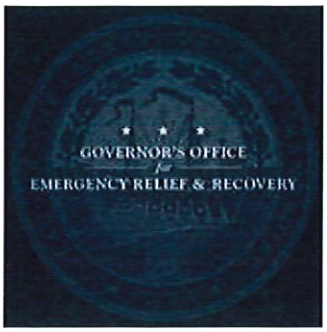
Hi Brenda:

I tried calling, but rather than leaving a rambling voicemail, I thought sending an email would be better.

We are looking to advance the Portsmouth and Rye projects together as one single Fiscal item, rather than separately. Can you please combine them into a single item and return the draft to us for review, by EOB today if at all possible?

Please let me know if this presents any challenges or concerns for you – we'll do our best to answer any questions!

Thank you,
Lisa
Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, January 19, 2024 4:13 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Paul Brean <P.Brean@peasedev.org>; Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>; McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: For review & comment--Pease requests for funding-Rye Harbor

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Good afternoon Tom,

Please see attached for the subject item. PDA plans to submit this for the 2/16 Fiscal Committee meeting, and the 2/21 G & C meeting.

Looking forward to hearing comments and/or suggested changes.

Thank you, on behalf of Paul and Geno,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

Subject:	Fiscal Committee-ARPA requests, PFP & Rye Harbor
Location:	LBA Concord NH Rooms 210-211
Start:	Fri 2/16/2024 10:00 AM
End:	Fri 2/16/2024 10:30 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
Required Attendees:	Geno Marconi; Myles Greenway; Paul Brean
Optional Attendees:	Suzy Anzalone; Anthony Blenkinsop; Raeline O'Neil

Please save the date, the item is attached here.

STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: January 19, 2024

FROM: Charles M. Arlinghaus
Commissioner

AT (Office):
Administrative Services
Budget Office
State House Annex - Rm. 100

SUBJECT: **Fiscal Committee Meeting**

TO: **ALL DEPARTMENT HEADS**

FEBRUARY 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, February 16, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the **deadline of:**

10:00AM – Thursday, January 25, 2024

Please mark your calendars with these important dates.

Thank you.

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, January 19, 2024 3:58 PM
To: McLocklin, Stephen A.;Geno Marconi
Cc: Myles Greenway
Subject: RE: For review and comment- Fiscal a& GC request-Rye Harbor

Thanks everyone,

I'll get it over to the folks at GOFERR.

Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Friday, January 19, 2024 1:59 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: For review and comment- Fiscal a& GC request-Rye Harbor

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Thanks for that Geno, include that in this Fis/G&C item.

So that happened probably during both storms last week? The stop sign on the left, if the water is above the bottom of the sign, that has to be 4 to 6 feet of water there?

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Friday, January 19, 2024 1:43 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>; Brenda Therrien <B.Therrien@peasedev.org>
Cc: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: For review and comment- Fiscal a& GC request-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Brenda
Here is a picture from last Saturday around high tide.

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Friday, January 19, 2024 1:27 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: For review and comment- Fiscal a& GC request-Rye Harbor

Some people who received this message don't often get email from stephen.a.mclocklin@das.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

Please see attached. Fiscal Committee Chairman Weyler has asked to be addressed as Ken, so I made that change to the (Portsmouth and) Rye item, added the table, table footnote, listed the expense classed affected, added some other things GOFERR will want, and the line about not asking for General Funds...

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Friday, January 19, 2024 12:22 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: For review and comment- Fiscal a& GC request-Rye Harbor

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Steve,

Attached is what we have for Rye Harbor so far, just like the Portsmouth Fish Pier item we'll go to Fiscal on 2/19 and G & C on the 21st.

Thanks, as always, for your time. There are pictures mentioned as an attachment. We'll get those to you ASAP.

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

STOP

Raeline O'Neil

From: Geno Marconi
Sent: Friday, January 19, 2024 2:21 PM
To: Paul Brean;Anthony Blenkinsop
Subject: Rye Photo
Attachments: Rye Jan 24 snap shot 3.jpg

We will attach this to the ARPA request

STOP

Raeline O'Neil

Subject:	Fiscal Committee-ARPA requests, PFP & Rye Harbor
Location:	LBA Concord NH Rooms 210-211
Start:	Fri 2/16/2024 10:00 AM
End:	Fri 2/16/2024 10:30 AM
Recurrence:	(none)
Meeting Status:	Accepted
Organizer:	Brenda Therrien
Required Attendees:	Geno Marconi; Myles Greenway; Paul Brean
Optional Attendees:	Suzy Anzalone; Anthony Blenkinsop; Raeline O'Neil

Please save the date, the item is attached here.

Raeline O'Neil

Subject:	Fiscal Committee-ARPA requests, PFP & Rye Harbor
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Start:	Fri 2/16/2024 10:00 AM
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Meeting Status:	Meeting organizer
Organizer:	Brenda Therrien
Required Attendees:	Geno Marconi; Myles Greenway; Paul Brean
Optional Attendees:	Suzy Anzalone; Anthony Blenkinsop; Raeline O'Neil

Please save the date, the item is attached here.

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Location:	LBA Concord NH Rooms 210-211
Start:	Fri 2/16/2024 10:00 AM
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Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Brenda Therrien
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Please save the date, the item is attached here.

STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: January 19, 2024

FROM:	Charles M. Arlinghaus Commissioner	**AT (Office):** Administrative Services Budget Office
SUBJECT:	**Fiscal Committee Meeting**	State House Annex - Rm. 100

TO: **ALL DEPARTMENT HEADS**

FEBRUARY 2024 FISCAL COMMITTEE MEETING

The next Fiscal Committee Meeting is scheduled for **Friday, February 16, 2024, at 10:00am** at the LOB, Room 210-211. Please have your items to your Administrative Services Business Supervisor completed and correct **before** the **deadline of:**

10:00AM – Thursday, January 25, 2024

Please mark your calendars with these important dates.

Thank you.

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

55 International Drive, Portsmouth NH 03801

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

January 25, 2024

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $2,000,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with the projects listed below, effective upon Fiscal Committee and Governor and Council approval through September 30, 2024. 100% Federal Funds.

- Portsmouth Fish Pier engineering costs of study, design, and permitting for a replacement building
- Rye Harbor costs of concept development, engineering, design, bidding, and permitting

This is an allowable use of ARPA SFRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2024 as follows:

03-13-013-130510-26XX0000 ARPA PORTSMOUTH / RYE PROJECTS[1]		FY2024	FY2024	FY2024
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	500800	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,994	$1,994
103 – Contracts for Op Svcs	502664	$0	$1,993,006	$1,993,006
TOTAL EXPENSES:		**$0**	**$2,000,000**	**$2,000,000**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$2,000,000	$2,000,000
TOTAL REVENUE:		**$0**	**$2,000,000**	**$2,000,000**

[1] All direct program costs for Portsmouth Fish Pier will be accounted for using activity 00FRF602GS1302A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1302Z. All direct program costs for Rye Harbor Development will be accounted for using activity 00FRF602PH1301A and all administrative and indirect costs will be accounted for using activity 00FRF602PH1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

The Portsmouth Commercial Fish Pier (Fish Pier) is an approximately 4,000 square foot State-owned facility located on the Piscataqua River, 1 Peirce Island Road, Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above-water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and layout of a replacement building. The concept study report is due April 2024.

This authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based upon completion of the concept study, as the Division seeks construction funding. Aerial photos and an engineering estimate are attached for reference.

The Rye Harbor Marine Facility ("Rye Harbor") is State-owned and located at 1870 Ocean Blvd, Rye, NH. The property was constructed in 1960 with materials (sand and rock) excavated by a U.S. Army Corps of Engineers dredging project which also created the entrance channel and anchorages at Rye Harbor as it exists today. The Commercial Pier and Associated Facilities at Rye Harbor are one (1) of the two (2) State-owned facilities (also Hampton) on the seacoast of New Hampshire that provides access to the sea for recreational boating, passenger vessels, and commercial fishing vessels. Additionally, the facility offers retail sale of diesel and gasoline fuel to fishing vessels, the general boating public, maritime law enforcement, and first responders.

The proposed area of investigation is approximately four (4) acres of land that is minimally above the Mean High-Water Datum (MHW) and floods with up to four (4) feet of additional tidal rise during times of astronomical tide events (Full Moon) and even higher when astronomical events occur with coastal storm surge.

On the property there are ten (10) small buildings independently owned by commercial pier use permit holders and/or seasonal businesses. The commercial pier-use permit holders utilize the buildings under a Right of Entry as an accessory to their associated commercial pier use. Use of the buildings include storage and sale of bait and tackle, charter boat passenger ticket sales, and sale of live lobster and seafood landed at Rye Harbor. Two of the ten buildings support a seasonal business that operate under a Right of Entry and Concession Agreement to sell restaurant style prepared menu items. In addition to the privately owned buildings, the Division owns three (3) buildings, two (2) of which are a permanent office and a permanent storage structure, for a total of thirteen (13) small structures at the facility.

Over decades the buildings have evolved from storage buildings to places where retail business is conducted. The buildings are now the economic fabric of the port and allow the general public direct interaction with maritime businesses. All these structures are affected to some degree by tidal conditions and are consistently flooded during tidal surges and storm activity (as an example, please see attached photo taken January 13, 2024). Additionally, during the transition from storage space to retail use, there has been no consistency in improving accessibility, utilities, or fire protection.

This proposed project would determine and construct a method to allow retail space at Rye Harbor to be protected from tidal surge, improve public accessibility, and give the Division the ability to safely manage retail property at Rye Harbor.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services for engineering studies, design, permitting, and bid & construction oversight.

In accepting ARPA SFRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

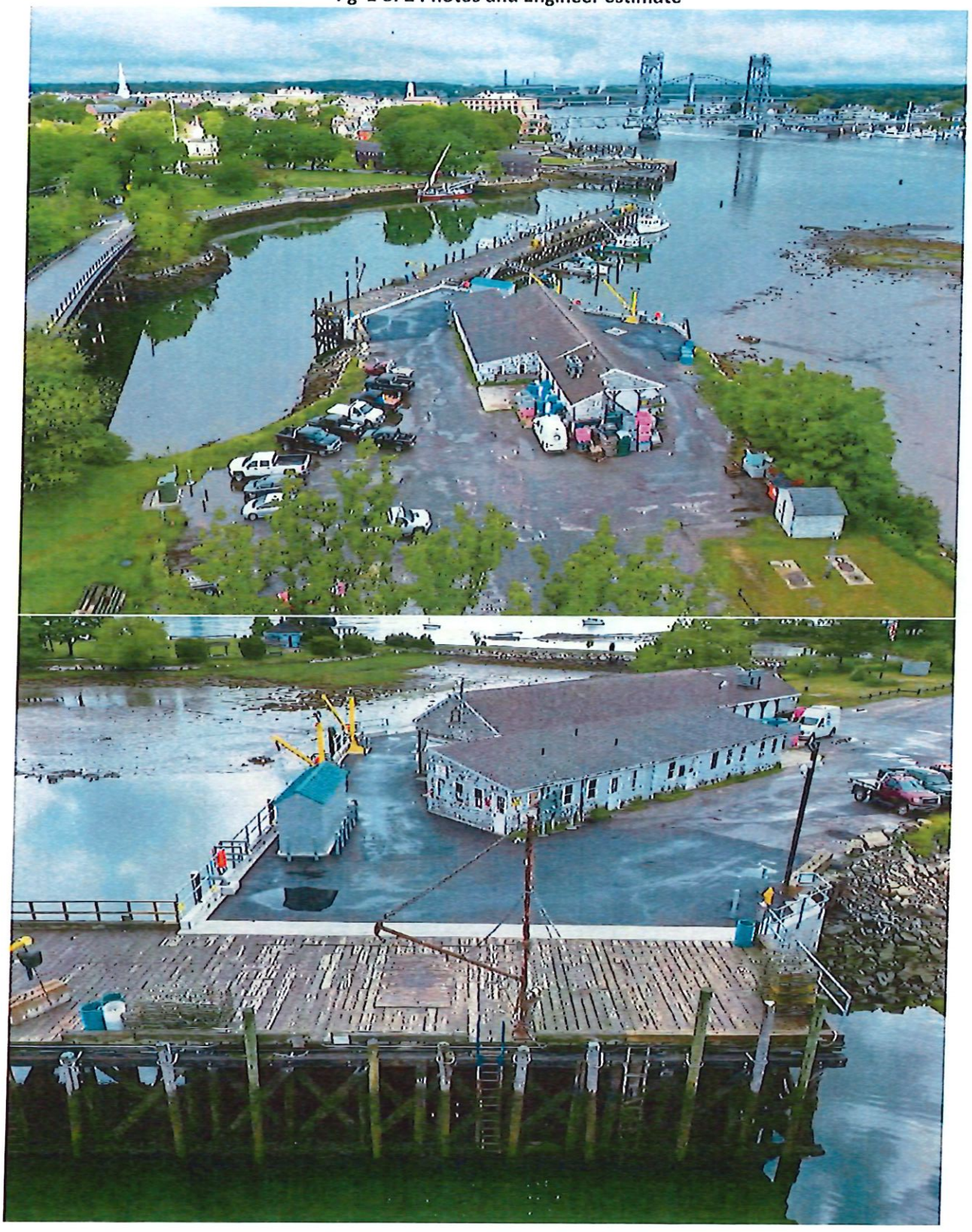
Respectfully submitted,

Paul E. Brean, Executive Director
Pease Development Authority

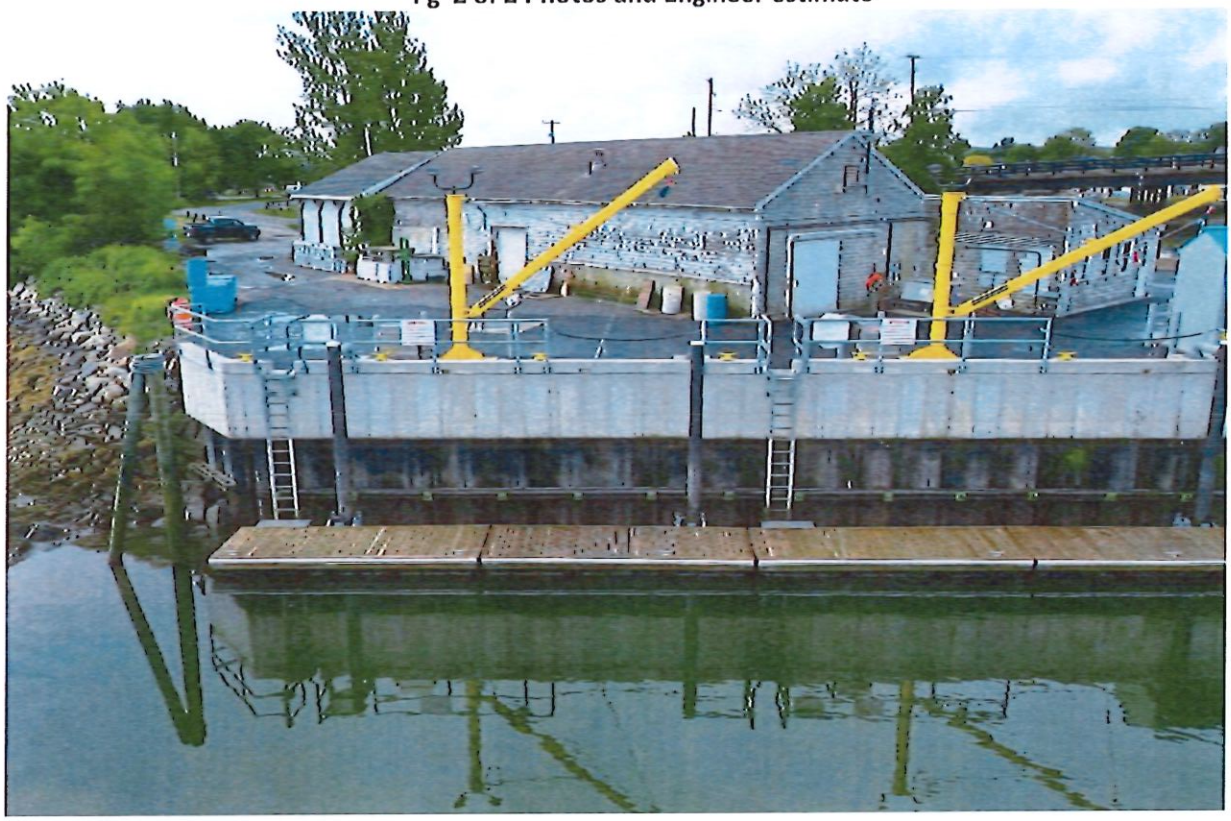
Attachments: Photos
Portsmouth Fish Pier Costs Estimate

STOP
Picnic Tables
Provided
by
NH Port
Authority

Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 1 of 2 Photos and Engineer estimate



Portsmouth Fish Pier Building-Request for ARPA Funds
Pg 2 of 2 Photos and Engineer estimate



Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Poiselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
	Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
	Electrical	1	$ 460,350	$ 403,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
						$ 2,755,050	
Contractor Overhead					10.0%	$ 275,505	
Contractor General Conditions					5.0%	$ 137,753	
Contractor Profit					10.0%	$ 316,831	
Bonds					2.0%	$ 14,602	
Construction Contingency					10.0%	$ 275,505	
Contractor bid						$ 3,776,000	
Engineering Studies, Design and Permitting					14.0%	$ 528,640	
Post Construction Award Services					4.0%	$ 151,040	
Supervision Inspection and Overhead					6.0%	$ 226,560	
Escalation to mid-point of construction					4.0%	$ 151,040	
						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Raeline O'Neil

From: Geno Marconi
Sent: Friday, January 19, 2024 1:11 PM
To: Brenda Therrien
Subject: Accepted: Fiscal Committee-ARPA requests, PFP & Rye Harbor

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, January 19, 2024 11:26 AM
To: Geno Marconi
Subject: From Steve FW: updated request For review-PFP Request-ARPA funds RE: February Fiscal Committee Meeting deadline

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Friday, January 19, 2024 11:25 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: updated request For review-PFP Request-ARPA funds RE: February Fiscal Committee Meeting deadline

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

I'm watching Fiscal now, I'll let you know if there is a Feb meeting / and/or the date of the next meeting.

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Thursday, January 18, 2024 10:43 AM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: updated request For review-PFP Request-ARPA funds RE: February Fiscal Committee Meeting deadline

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Hi Steve,

Please see attached for the updated request, I changed the heading and addressed it to Ken Weyler and the Governor and Exec Council. Please disregard the email I had sent over to you on Tuesday.

Hoping to get this item on the next Fiscal Committee agenda, and G & C, but the memo also needs to be reviewed by the GOFERR group before submitting.

Thank you, as always, for your help.

Brenda

Brenda Therrien
Administrative Assistant
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555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 4:31 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
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Thank you Steve,

We appreciate the help. Attached is what we have started for the Fish Pier project. Also attached is an email from Tom Broderick that discusses the topic. For Rye, it's not a "bait cooler project" he's confused. Either way, we will get the Rye item over for your review as well.

Thanks again,

Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Tuesday, January 16, 2024 3:50 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: February Fiscal Committee Meeting deadline

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Thanks Brenda,

Let me know what I can do, I can help w/the draft or of review of the draft, anything you need.

How did market street and all the PDA ports/piers/properties make out with the last two storms that caused all kinds of coastal flooding?

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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 3:40 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: February Fiscal Committee Meeting deadline

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Perfect, thank you Steve,

We will start working on finalizing the items ASAP, so we can meet the potential deadline of 1/24.

I'm sure we will be in touch again soon!

Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Tuesday, January 16, 2024 3:27 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: February Fiscal Committee Meeting deadline

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Hi Brenda,

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It remains to be seen, and it will be different because there are NH school vacations in February, but the meeting is typically the third Friday of the month, so I would guess the meeting will be Friday, February 16th, 2024. If it is 2/16, items would be due to us by 10am, Wednesday, January

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Sent: Tuesday, January 16, 2024 2:59 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: February Fiscal Committee Meeting deadline

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Good afternoon Steve,

Would you be able to let me know when the February fiscal committee meetings will take place? And also what the deadlines are?

Just so you know, we will have 2 requests, both for ARPA funding, one for the Design, permitting etc. for the Portsmouth Fish Pier building (when/if that comes to fruition), and another for Rye Harbor projects. I'll be sharing our draft requests with you before they go to Tom Broderick, and he would like to see them about 3 days before the fiscal committee deadline.

I can't seem to find the dates on the website.

Thank you,

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Raeline O'Neil

From: Brenda Therrien
Sent: Friday, January 19, 2024 10:18 AM
To: Geno Marconi
Subject: FW: February Fiscal Committee Meeting deadline

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Tuesday, January 16, 2024 3:27 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
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Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, January 18, 2024 10:57 AM
To: Geno Marconi
Subject: RE: updated request For review-PFP Request-ARPA funds RE: February Fiscal Committee Meeting deadline

$1 million each?

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Thursday, January 18, 2024 10:53 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: updated request For review-PFP Request-ARPA funds RE: February Fiscal Committee Meeting deadline

Just thinking that PDA and the Governor agreed to $1 million for both the fish pir and the rye thing. That's 17% higher so we would need to include that as a contingency

From: Brenda Therrien <B.Therrien@peasedev.org>
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To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
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Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduc dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please nc sender immediately and delete the message from your system.

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 2:59 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: February Fiscal Committee Meeting deadline

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the send

Good afternoon Steve,

Would you be able to let me know when the February fiscal committee meetings will take place? And also what the deadlines are?

Just so you know, we will have 2 requests, both for ARPA funding, one for the Design, permitting etc. for the Portsmouth Fish Pier building (when/if that comes to fruition), and another for Rye Harbor projects. I'll be sharing our draft requests with you before they go to Tom Broderick, and he would like to see them about 3 days before the fiscal committee deadline.

I can't seem to find the dates on the website.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Raeline O'Neil

From: Brenda Therrien
Sent: Thursday, January 18, 2024 10:20 AM
To: Geno Marconi
Subject: FW: For review-PFP Request-ARPA funds RE: February Fiscal Committee Meeting deadline
Attachments: Request for funding PFP building, design permitting, bid, and construction services.docx; FW: Pease requests for funding

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 4:31 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Cc: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: For review-PFP Request-ARPA funds RE: February Fiscal Committee Meeting deadline

Thank you Steve,

We appreciate the help. Attached is what we have started for the Fish Pier project. Also attached is an email from Tom Broderick that discusses the topic. For Rye, it's not a "bait cooler project" he's confused. Either way, we will get the Rye item over for your review as well.

Thanks again,

Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Tuesday, January 16, 2024 3:50 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: February Fiscal Committee Meeting deadline

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thanks Brenda,

Let me know what I can do, I can help w/the draft or of review of the draft, anything you need.

How did market street and all the PDA ports/piers/properties make out with the last two storms that caused all kinds of coastal flooding?

Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin

State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

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From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 3:40 PM
To: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Subject: RE: February Fiscal Committee Meeting deadline

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Perfect, thank you Steve,

We will start working on finalizing the items ASAP, so we can meet the potential deadline of 1/24.

I'm sure we will be in touch again soon!

Brenda

From: McLocklin, Stephen A. <Stephen.A.McLocklin@das.nh.gov>
Sent: Tuesday, January 16, 2024 3:27 PM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: February Fiscal Committee Meeting deadline

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Brenda,

Fiscal Committee will decide on a February meeting at the January meeting, this Friday, 1/19/2024. It is the last item they address at the public meeting/session.

It remains to be seen, and it will be different because there are NH school vacations in February, but the meeting is typically the third Friday of the month, so I would guess the meeting will be Friday, February 16th, 2024. If it is 2/16, items would be due to us by 10am, Wednesday, January 24, 2024. As long as we have shared drafts and are working on an acceptable item, we don't have to have a 'finalized' item till probably end of day Monday, 1/29.

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Steve McLocklin

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Good afternoon Steve,

Would you be able to let me know when the February fiscal committee meetings will take place? And also what the deadlines are?

Just so you know, we will have 2 requests, both for ARPA funding, one for the Design, permitting etc. for the Portsmouth Fish Pier building (when/if that comes to fruition), and another for Rye Harbor projects. I'll be sharing our draft requests with you before they go to Tom Broderick, and he would like to see them about 3 days before the fiscal committee deadline.

I can't seem to find the dates on the website.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

Date: January 5, 2024

To: Governor's Office For Relief and Recovery

From: Geno Marconi, Division Director

Subject: Portsmouth Commercial Fish Pier Building Replacement

REQUESTED ACTION:

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $850,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with design, engineering, permitting, bidding, and constructions services for the replacement of an approximately 4,000 square foot building located at the State-Owned Portsmouth Commercial Fish Pier, at 1 Peirce Island Road, Portsmouth, NH.

An estimate of the costs* is listed here:

• Engineering Studies, Design and Permitting	$528,640
• Bid and Construction Oversight Services	$300,000
TOTAL REQUEST	**$828,640**

*costs are based on the estimate from August 2022, attached, with an estimated increase for inflation

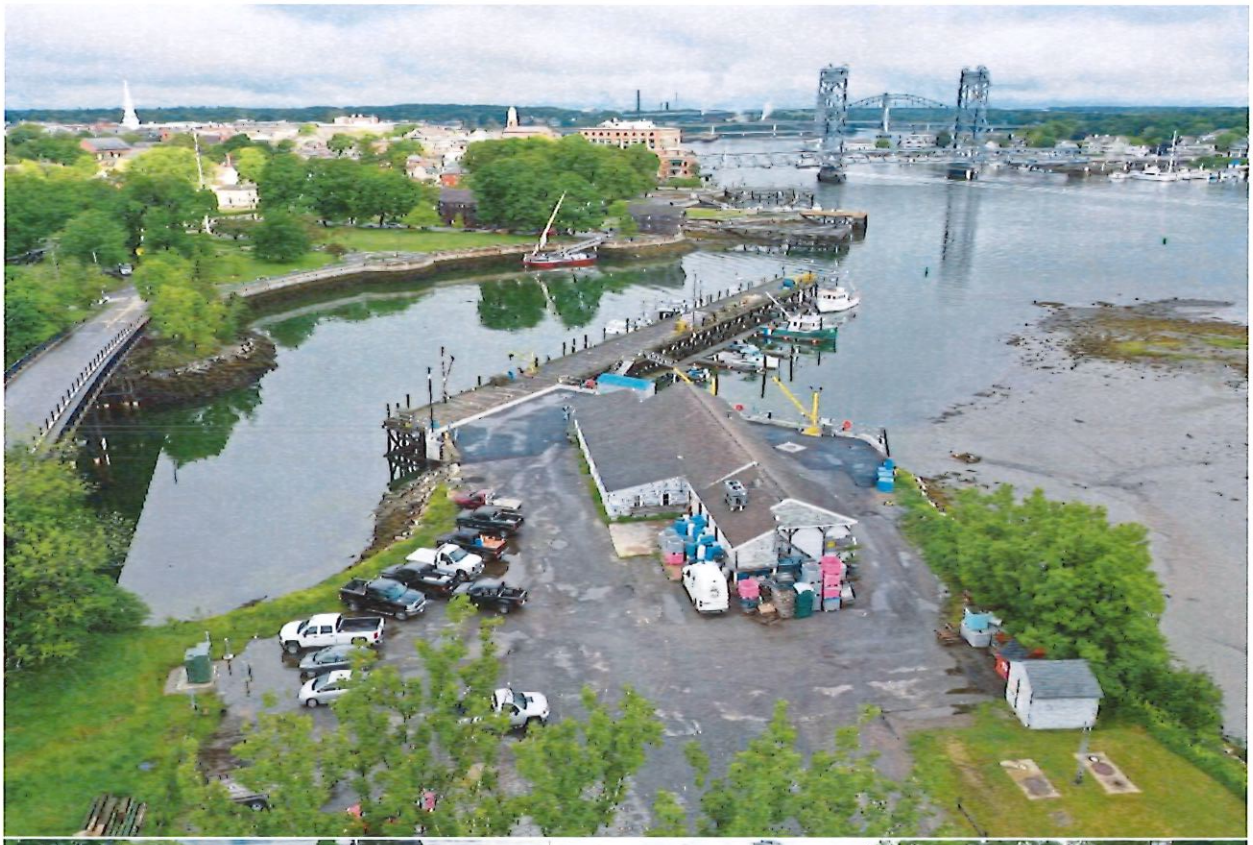
EXPLANATION:

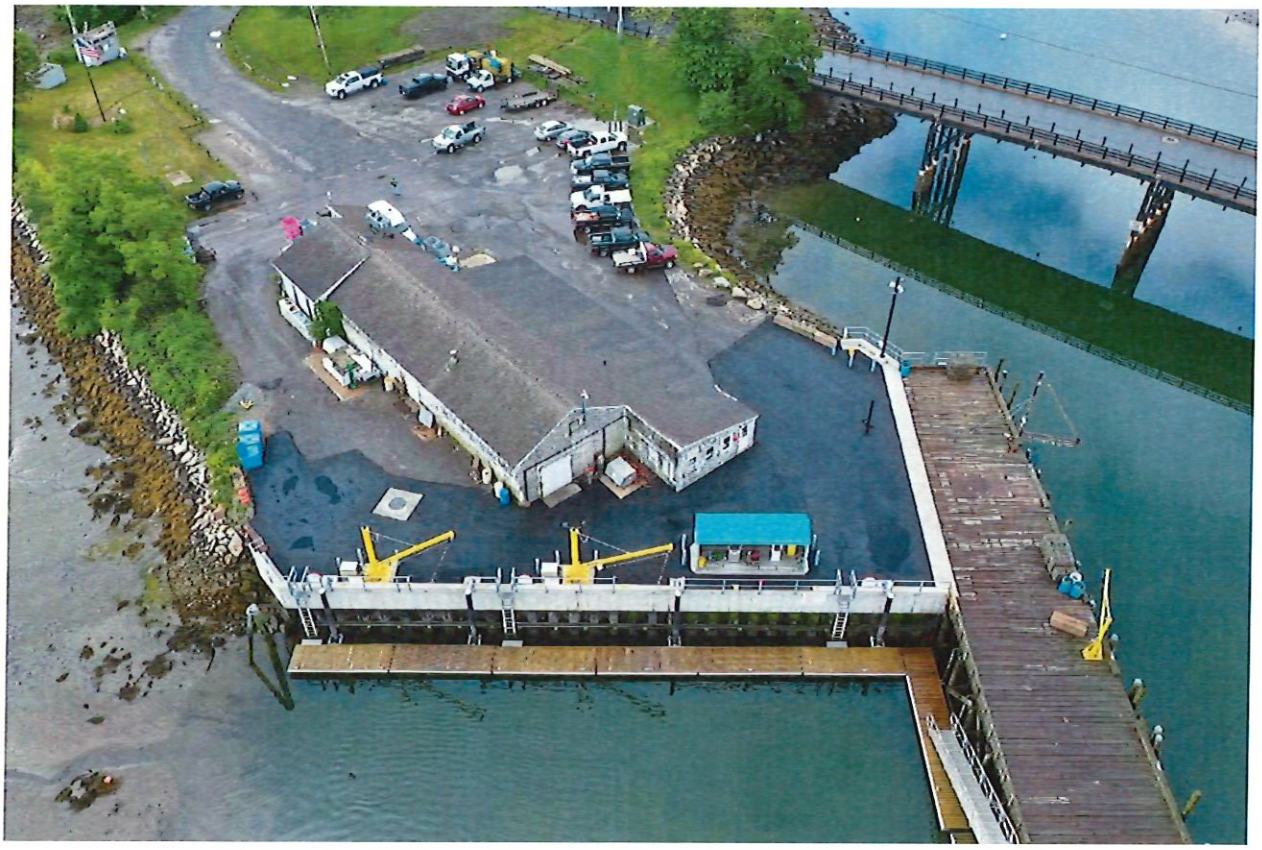
The Portsmouth Commercial Fish Pier (Fish Pier) is a State-Owned facility located on the Piscataqua River in Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and lay-out of a replacement building. The concept study report is due April 2024.

The authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based on the concept report, as the Division seeks construction funding.

Attachments: Photos of current building (4)
Cost Estimate (1)





Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Polselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
	Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
						$ 2,755,050	
Contractor Overhead					10.0%	$ 275,505	
Contractor General Conditions					5.0%	$ 137,753	
Contractor Profit					10.0%	$ 316,831	
Bonds					2.0%	$ 14,602	
Construction Contingency					10.0%	$ 275,505	
Contractor bid						$ 3,776,000	
Engineering Studies, Design and Permitting					14.0%	$ 528,640	
Post Construction Award Services					4.0%	$ 151,040	
Supervision Inspection and Overhead					6.0%	$ 226,560	
Escalation to mid-point of construction					4.0%	$ 151,040	
						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Page 1 of 1

Raeline O'Neil

From: Paul Brean
Sent: Tuesday, January 16, 2024 8:29 AM
To: Geno Marconi;Myles Greenway
Cc: Brenda Therrien;Raeline O'Neil;Anthony Blenkinsop
Subject: FW: Pease requests for funding
Attachments: FIS_21-351.pdf

Geno and Myles,

I was contacted by Thomas Broderick regarding the two projects identified for GOFERR Funding, let's discuss at today's meeting.

PB

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Friday, January 12, 2024 4:08 PM
To: Paul Brean <P.Brean@peasedev.org>
Cc: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: Pease requests for funding

You don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Paul,

Thanks again for taking my call. As discussed, GOFERR is moving forward with Pease's two requests for funding – the Portsmouth Fishing Pier and the Rye Bait House. We are hoping to get these items on the February fiscal committee agenda. My understanding is that Pease can and has submitted fiscal items (I know Pease is a quasi-governmental agency, so checking on that). You had asked if I could send over a sample – please see the attached prior item for Pease, from late 2021.

I had let you know that since these will be funded with ARPA dollars, GOFERR needs to review the fiscal items before they are submitted, to make sure they have the required ARPA language and the information GOFERR needs to properly report on these funds. We ask that you send us the items at least 3 business days in advance of the fiscal deadline, to ensure that we have enough time for our review. When you send in the items, please send to both my and Lisa Cota-Robles, who is cc:ed on this email.

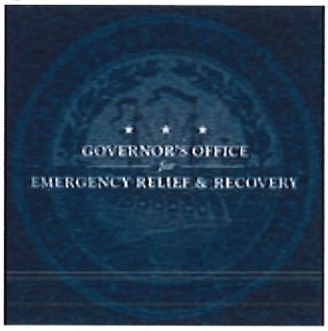
If you have any other questions, please don't hesitate to reach out! My contact information is below.

Best,

Tom

Tom Broderick

Deputy Director
Governor's Office For Emergency Relief & Recovery [GOFERR]
E: Thomas.R.Broderick-G@goferr.nh.gov
O: (603) 271-7962
M: (603) 573-5573
GOFERR.NH.GOV
@NHGOFERR



dam

FIS 21 351

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

November 8, 2021

The Honorable Karen Umberger, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority, Division of Ports and Harbors (Port Authority) to accept and expend $1,450,064 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to cover a portion of the project to rehabilitate the Main Wharf at the Market Street Marine Terminal (Terminal) in Portsmouth and related wetlands mitigation, effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. **100% Federal Funds.**

If future federal legislation authorizes funding to the State for which this would be an eligible use, such as funding for infrastructure projects, the requested SFRF funds will be replaced by those newly available funds.

This is an allowable use of ARP FRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2022 as follows:

03-13-013-130510-24XX0000[1] ARP PDA MAIN WHARF PROJECTS		FY2022	FY2022	FY2022
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	501587	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,449	$1,449
103 – Contracts for Op Svcs	502664	$0	$1,443,615	$1,443,615
TOTAL EXPENSES		**$0**	**$1,450,064**	**$1,450,064**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$1,450,064	$1,450,064
TOTAL REVENUE		**$0**	**$1,450,064**	**$1,450,064**

[1] All direct program costs will be accounted for using activity 00FRF602GS1301A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

MAIN WHARF REHABILITATION AND MODIFICATION

On July 19, 2018 the Port Authority submitted a BUILD[2] Grant application to the U.S. Department of Transportation (USDOT) Maritime Administration (MARAD) for the Rehabilitation and Modification of the Main Wharf at the Market Street Marine Terminal (Terminal) in Portsmouth. The Terminal is the only, State-Owned, deep water ship facility in State tidal waters. The Port Authority was awarded a grant, in the amount of $12,508,089.00, ($7,504,854.00 federal/$5,003,235.00 State) on December 06, 2018. The total grant included design, engineering, permitting, construction management and construction.

The final grant agreement was executed on March 17, 2020 and preliminary design began on June 19, 2020. Final design was approved and the project bid was advertised on September 10, 2021. A public bid opening was held on October 14, 2021, with an apparent low bid of $11,726,450.00. However, only $10,782,835.00 was the available balance for construction, leaving a short fall of $943,615.00.

Securing the additional amount of $943,615.00 is necessary to issue the Notice of Award to the contractor and proceed with this rehabilitation of the only State-Owned deep water ship wharf. Bid documents require the Notice of Award be given no later than sixty (60) days from the bid opening (December 13, 2021).

WETLANDS MITIGATION

The New Hampshire Department of Environmental Services (NHDES) Wetlands Permit requires a mitigation component for the BUILD Project. The Port Authority is also engaged in two (2) other construction projects at the terminal that will be requiring mitigation:

- Functional Replacement Project, with NH Department of Transportation, associated with the Sarah Mildred Long Bridge Replacement and,
- Sixty foot (60) South Extension of the Main Ship Wharf (application to USDOT under the Port Infrastructure Development Program (PIDP)

Each of the three aforementioned projects require separate NHDES Wetlands Permits and each require mitigation, all of which are outside of the funding sources of all three (3) projects. However, NHDES has indicated that all three (3) mitigation components may be combined into one project of a size that meets regulatory requirements. A project has been in discussion with NHDES to complete approximately six hundred (600) lineal feet of shoreline restoration in the Cutts Cove area, adjacent to the terminal. The initial restoration project was constructed by the University of New Hampshire (UNH) and this proposed mitigation would complete the restoration. The cost estimate of the combined mitigation for the three (3) projects is five hundred thousand dollars ($500,000).

---

[2] Better Utilizing Investments to Leverage Development Transportation Grants Program through the U.S. Department of Transportation

The Main Wharf rehabilitation is critical to bringing the Market Street Marine Terminal to a "State of Good Repair" in order to continue to service the needs of those companies dependent on access to the ocean to move cargo and goods. As we see the advancement of development in the marine environment, such as offshore energy, the Market Street Marine Terminal remains New Hampshire's portal to the sea.

Funds are being budgeted in the classes listed below as follows:

Class 040 – Indirect Costs to recover, per by RSA 21-I:75, a proportional share of the outside funding source to alleviate agency indirect costs.

Class 041 – Audit Fund Set Aside to comply with RSA 124:16 that requires all agencies that receive federal funds to set aside a percentage (0.1%) of the federal revenue amount received to pay for financial and compliance audits.

Class 103 – Contracts for Operation Services to pay vendors for their work on the Main Wharf BUILD project and Wetlands Mitigation efforts.

This is an allowable use of ARP FRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of a reduction in revenue. In accepting ARP FRF funds, the Department agrees to work collaboratively with the Governor's Office for Emergency Relief and Recovery to ensure accurate and timely reporting to U.S. Department of Treasury on the use of the funds.

In the event that Federal Funds become no longer available, General Funds will not be requested to support these programs.

Respectfully submitted,

Paul E. Brean
Executive Director, Pease Development Authority

Raeline O'Neil

From: Myles Greenway
Sent: Wednesday, January 17, 2024 12:24 PM
To: Brenda Therrien
Subject: RE: Rye ARPA funding RE: Memo Help

Roger – I am working on the FEMA stuff...

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 17, 2024 12:23 PM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Rye ARPA funding RE: Memo Help

Ok, are there 2 different items we are working on?

The stuff I sent you earlier I thought had more to do with FEMA reporting.

The other item is the official request for ARPA funding for the parking lot and raised platform?

> **From:** Myles Greenway <M.Greenway@peasedev.org>
> **Sent:** Wednesday, January 17, 2024 12:19 PM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>
> **Subject:** RE: Rye ARPA funding RE: Memo Help
>
> OK – didn't find anything either... just going to reconstruct with what you extracted – thanks again....

> **From:** Brenda Therrien <B.Therrien@peasedev.org>
> **Sent:** Wednesday, January 17, 2024 12:15 PM
> **To:** Myles Greenway <M.Greenway@peasedev.org>
> **Subject:** RE: Rye ARPA funding RE: Memo Help
>
> I can't seem to find anything in Grant's old files, or emails. I think a lot of this was done on his own.
>
> I actually don't know if we ever did an official Capital or GOFERR request for Rye at all....
>
> Maybe Geno has something?
>
> I'll keep looking...

> > **From:** Myles Greenway <M.Greenway@peasedev.org>
> > **Sent:** Wednesday, January 17, 2024 10:26 AM
> > **To:** Brenda Therrien <B.Therrien@peasedev.org>
> > **Subject:** Re: Rye ARPA funding RE: Memo Help
> >
> > I was going to start working on that one...would be a cut/past if I could find that original one.... Lots of the same stuff to report....

Get Outlook for iOS

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 17, 2024 10:16:46 AM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: Rye ARPA funding RE: Memo Help

Who is working on the memo for that one? Is it PDA or you or Geno?

> **From:** Myles Greenway <M.Greenway@peasedev.org>
> **Sent:** Wednesday, January 17, 2024 10:05 AM
> **To:** Brenda Therrien <B.Therrien@peasedev.org>
> **Subject:** Re: Memo Help
>
> Ok , sounds good-thank you!
>
> Get Outlook for iOS
>
> ---
>
> **From:** Brenda Therrien <B.Therrien@peasedev.org>
> **Sent:** Wednesday, January 17, 2024 9:51:54 AM
> **To:** Myles Greenway <M.Greenway@peasedev.org>
> **Subject:** RE: Memo Help
>
> I'm looking around in the files but no luck so far, I'll keep looking. Worst case, I am trying to convert it to a word doc but not having much luck for some reason, but I can send it over to IT and see if they have better luck
>
> In the meantime, if you go in Common and do a search for FEMA a bunch of stuff comes up but it's all old. Maybe Adam has it in his files?
>
> > **From:** Myles Greenway <M.Greenway@peasedev.org>
> > **Sent:** Wednesday, January 17, 2024 9:31 AM
> > **To:** Brenda Therrien <B.Therrien@peasedev.org>
> > **Subject:** RE: Memo Help
> >
> > The coughing is brutal! I coughed for a month...thank you for the templates/information...
> >
> > Also – any chance you know where the attached is located?
> >
> > Thank you...
> >
> > V/r
> > Myles
> >
> > Myles Greenway
> > Assistant Port Director
> > Division of Ports and Harbors

555 Market St.
Portsmouth, NH 03801
603-534-6234

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Wednesday, January 17, 2024 9:09 AM
To: Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Memo Help

Hi Myles,

Lots of coughing but honestly I think I had something coming on even before the wedding since my bf had been fighting a cold. I'll test later today though just to be sure.

Attached is the Lobster Pound ROE's & concession, they have an ROE for each building and the Concession is just for one of their buildings. (hard copies are in the filing cabinet, labeled Rye ROE's)

Regarding the template, would this just be for Rye, or both Hampton and Rye? Is it going to be in a "memo" form or addressed to each shack owner? I have a sample of each attached.

Let me know how else I can help, if you send me whatever it is you want to say and what format it would be in, I can put something together.

Brenda

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Wednesday, January 17, 2024 8:48 AM
To: Brenda Therrien <B.Therrien@peasedev.org>
Subject: Memo Help

Good Morning

Hope you are feeling better... any chance I could get a word document/memo template to use? Something that we would send the shack leasers... also could I have the copy of the signed Rye Harbor Lobster Pound ROE/concession paperwork...

Thank you!

V/r
Myles

Myles Greenway
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801

603-534-6234

Raeline O'Neil

From: Geno Marconi
Sent: Tuesday, January 16, 2024 3:54 PM
To: Brenda Therrien;Myles Greenway
Subject: Re: Pease requests for funding

Yes to the fish pier question. I think Tom is confused.

Get Outlook for iOS

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 3:01:38 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Pease requests for funding

Why did Tom Broderick call it the "Rye Bait House" in the email below?

Also, is the attached the start of what we are using for the Fish Pier?

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Tuesday, January 16, 2024 1:23 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Pease requests for funding

Well we need to proceed with the 2 requests. The fish pier design is pretty straight forward but the one for improvements at Rye Harbor needs some word smithing. Brenda,
Can you see or ask Steve, when the deadline for submission to fiscal is so we can know the 3 days RTom mentioned?
Geno

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 12:29 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: FW: Pease requests for funding

Steve usually finalizes our requests, typically we give him the details and then he will finesse it for us and plug in all the details for the FY etc.

Did you guys talk about this at the staff meeting?

Brenda

From: Paul Brean <P.Brean@peasedev.org>
Sent: Tuesday, January 16, 2024 8:29 AM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Raeline O'Neil <R.O'Neil@peasedev.org>; Anthony Blenkinsop

<A.Blenkinsop@peasedev.org>
Subject: FW: Pease requests for funding

Geno and Myles,

I was contacted by Thomas Broderick regarding the two projects identified for GOFERR Funding, let's discuss at today's meeting.

PB

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Friday, January 12, 2024 4:08 PM
To: Paul Brean <P.Brean@peasedev.org>
Cc: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: Pease requests for funding

You don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Paul,

Thanks again for taking my call. As discussed, GOFERR is moving forward with Pease's two requests for funding – the Portsmouth Fishing Pier and the Rye Bait House. We are hoping to get these items on the February fiscal committee agenda. My understanding is that Pease can and has submitted fiscal items (I know Pease is a quasi-governmental agency, so checking on that). You had asked if I could send over a sample – please see the attached prior item for Pease, from late 2021.

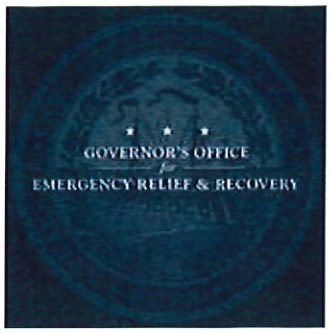
I had let you know that since these will be funded with ARPA dollars, GOFERR needs to review the fiscal items before they are submitted, to make sure they have the required ARPA language and the information GOFERR needs to properly report on these funds. We ask that you send us the items at least 3 business days in advance of the fiscal deadline, to ensure that we have enough time for our review. When you send in the items, please send to both my and Lisa Cota-Robles, who is cc:ed on this email.

If you have any other questions, please don't hesitate to reach out! My contact information is below.

Best,

Tom

Tom Broderick
Deputy Director
Governor's Office For Emergency Relief & Recovery [GOFERR]
E: Thomas.R.Broderick-G@goferr.nh.gov
O: (603) 271-7962
M: (603) 573-5573
GOFERR.NH.GOV
@NHGOFERR


GOVERNOR'S OFFICE
for
EMERGENCY RELIEF & RECOVERY

Date: January 5, 2024

To: Governor's Office For Relief and Recovery

From: Geno Marconi, Division Director

Subject: Portsmouth Commercial Fish Pier Building Replacement

REQUESTED ACTION:

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $850,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with design, engineering, permitting, bidding, and constructions services for the replacement of an approximately 4,000 square foot building located at the State-Owned Portsmouth Commercial Fish Pier, at 1 Peirce Island Road, Portsmouth, NH.

An estimate of the costs* is listed here:

• Engineering Studies, Design and Permitting	$528,640
• Bid and Construction Oversight Services	$300,000
TOTAL REQUEST	**$828,640**

*costs are based on the estimate from August 2022, attached, with an estimated increase for inflation

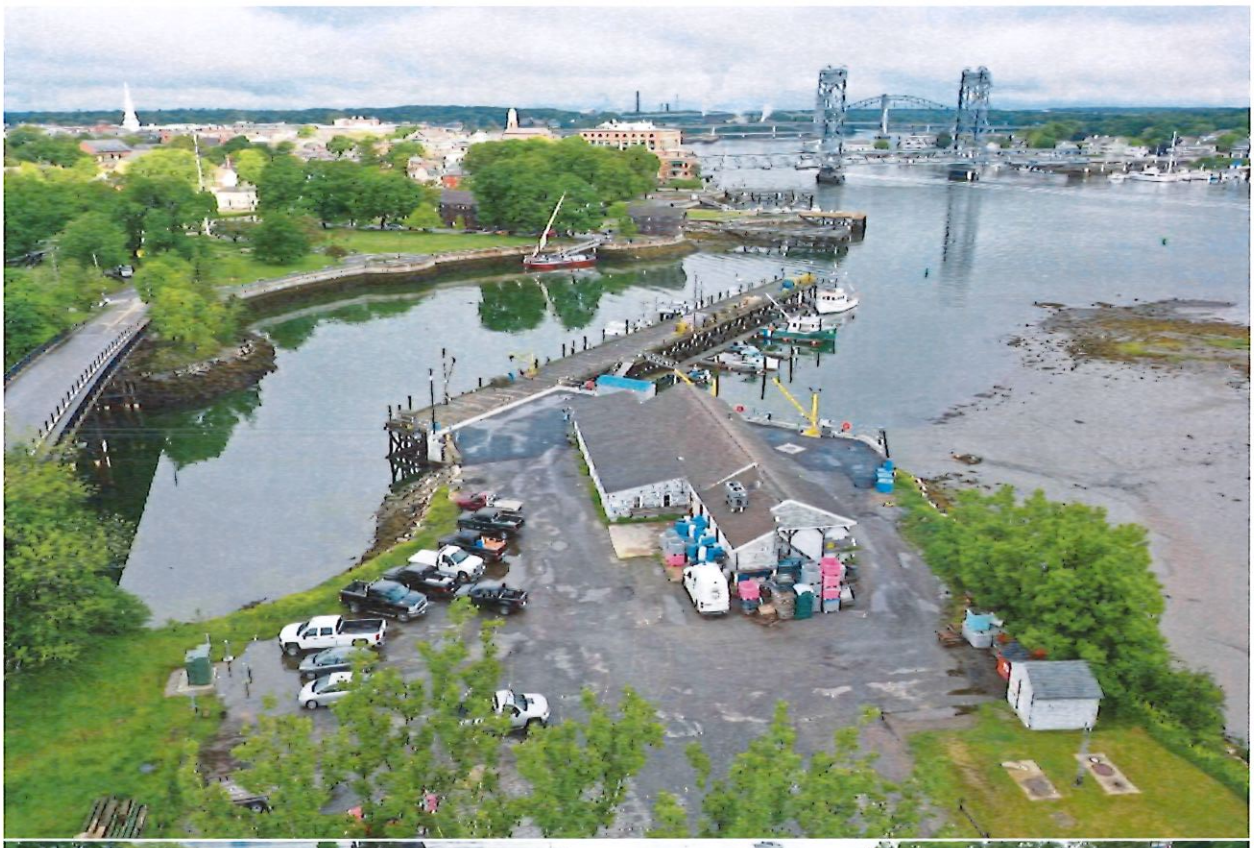
EXPLANATION:

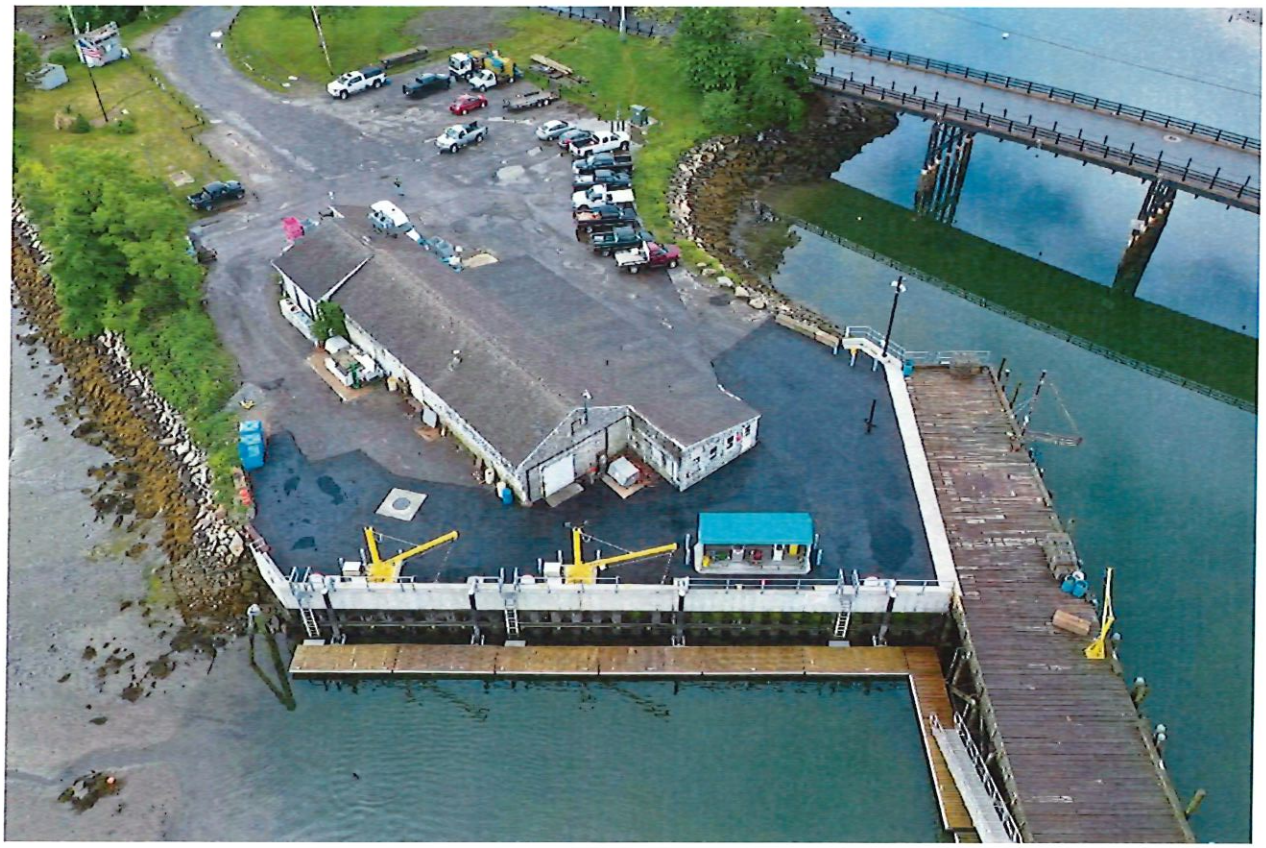
The Portsmouth Commercial Fish Pier (Fish Pier) is a State-Owned facility located on the Piscataqua River in Portsmouth, NH. Construction began in 1977 and the facility was opened in 1979. The Fish Pier is the hub of commercial fishing in the seacoast of New Hampshire providing overnight berthing for 20 boats and pier-use permits for an additional 55 vessels. The facility offers retail sale of diesel and gasoline fuel to the fishing vessels as well as the general boating public. Bulk ice is also available for the safe handling of harvested fish and shellfish.

The building sits on an approximately 1.9 acre, above water location and is currently over 50% shut down due to the presence of black mold, identified in a recent condition survey. The wooden structure has deteriorated and is at the end of its useful existence and is in need of replacement. The Division has been responsible for the management of the facility since circa 2002 and is currently engaged in a concept study to investigate the needs of the fishing industry and fishing community to determine the style and lay-out of a replacement building. The concept study report is due April 2024.

The authorization would provide funding to move immediately into the engineering study, design, and permitting phases for a replacement building, based on the concept report, as the Division seeks construction funding.

Attachments: Photos of current building (4)
Cost Estimate (1)





Appledore Marine Engineering, LLC

Cost Estimate

Date Prepared: 8/29/2022

Project: PDA Fish Pier Bldg. & Septic System
Location: Pierce Island Rd, Portsmouth, NH
Contract #:
Task Order #:

AME Project Number:
Design Status: Concept
Date: 8/29/2022
Estimated by: C. Polselli
Reviewed by:

BASE BID - Direct Costs

Item #	Task Description	Quantity Unit	Materials Total	Labor Cost Total	Equipment Cost Total		Burdened Cost Total
1	Replace Fish House Demolition	1	$ 3,208	$ 22,453	$ 38,491	$ 64,152	$ 87,925
	Architectural/structural	1	$ 310,454	$ 275,959	$ 103,485	$ 689,898	$ 945,556
	Electrical	1	$ 460,350	$ 409,200	$ 153,450	$ 1,023,000	$ 1,402,097
	Mechanical	1	$ 311,850	$ 277,200	$ 103,950	$ 693,000	$ 949,808
2	Septic Pump System to City	1	$ 95,000	$ 125,000	$ 65,000	$ 285,000	$ 390,614
							$ -
						$ -	$ -
						$ 2,755,050	$ 3,776,000
Municipal Taxes (on material and equipment)					0.0%	$ -	
						$ 2,755,050	
Contractor Overhead					10.0%	$ 275,505	
Contractor General Conditions					5.0%	$ 137,753	
Contractor Profit					10.0%	$ 316,831	
Bonds					2.0%	$ 14,602	
Construction Contingency					10.0%	$ 275,505	
Contractor bid						$ 3,776,000	
Engineering Studies, Design and Permitting					14.0%	$ 528,640	
Post Construction Award Services					4.0%	$ 151,040	
Supervision Inspection and Overhead					6.0%	$ 226,560	
Escalation to mid-point of construction					4.0%	$ 151,040	
						$ 906,240	
Estimated Budget Amount (Rounded Up)						$ 4,683,000	

Sam

FIS 21 351

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

November 8, 2021

The Honorable Karen Umberger, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority, Division of Ports and Harbors (Port Authority) to accept and expend $1,450,064 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to cover a portion of the project to rehabilitate the Main Wharf at the Market Street Marine Terminal (Terminal) in Portsmouth and related wetlands mitigation, effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. **100% Federal Funds.**

If future federal legislation authorizes funding to the State for which this would be an eligible use, such as funding for infrastructure projects, the requested SFRF funds will be replaced by those newly available funds.

This is an allowable use of ARP FRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2022 as follows:

03-13-013-130510-24XX0000[1] ARP PDA MAIN WHARF PROJECTS		FY2022	FY2022	FY2022
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	501587	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,449	$1,449
103 – Contracts for Op Svcs	502664	$0	$1,443,615	$1,443,615
TOTAL EXPENSES		**$0**	**$1,450,064**	**$1,450,064**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$1,450,064	$1,450,064
TOTAL REVENUE		**$0**	**$1,450,064**	**$1,450,064**

[1] All direct program costs will be accounted for using activity 00FRF602GS1301A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

MAIN WHARF REHABILITATION AND MODIFICATION

On July 19, 2018 the Port Authority submitted a BUILD[2] Grant application to the U.S. Department of Transportation (USDOT) Maritime Administration (MARAD) for the Rehabilitation and Modification of the Main Wharf at the Market Street Marine Terminal (Terminal) in Portsmouth. The Terminal is the only, State-Owned, deep water ship facility in State tidal waters. The Port Authority was awarded a grant, in the amount of $12,508,089.00, ($7,504,854.00 federal/$5,003,235.00 State) on December 06, 2018. The total grant included design, engineering, permitting, construction management and construction.

The final grant agreement was executed on March 17, 2020 and preliminary design began on June 19, 2020. Final design was approved and the project bid was advertised on September 10, 2021. A public bid opening was held on October 14, 2021, with an apparent low bid of $11,726,450.00. However, only $10,782,835.00 was the available balance for construction, leaving a short fall of $943,615.00.

Securing the additional amount of $943,615.00 is necessary to issue the Notice of Award to the contractor and proceed with this rehabilitation of the only State-Owned deep water ship wharf. Bid documents require the Notice of Award be given no later than sixty (60) days from the bid opening (December 13, 2021).

WETLANDS MITIGATION

The New Hampshire Department of Environmental Services (NHDES) Wetlands Permit requires a mitigation component for the BUILD Project. The Port Authority is also engaged in two (2) other construction projects at the terminal that will be requiring mitigation:

- Functional Replacement Project, with NH Department of Transportation, associated with the Sarah Mildred Long Bridge Replacement and,
- Sixty foot (60) South Extension of the Main Ship Wharf (application to USDOT under the Port Infrastructure Development Program (PIDP)

Each of the three aforementioned projects require separate NHDES Wetlands Permits and each require mitigation, all of which are outside of the funding sources of all three (3) projects. However, NHDES has indicated that all three (3) mitigation components may be combined into one project of a size that meets regulatory requirements. A project has been in discussion with NHDES to complete approximately six hundred (600) lineal feet of shoreline restoration in the Cutts Cove area, adjacent to the terminal. The initial restoration project was constructed by the University of New Hampshire (UNH) and this proposed mitigation would complete the restoration. The cost estimate of the combined mitigation for the three (3) projects is five hundred thousand dollars ($500,000).

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[2] Better Utilizing Investments to Leverage Development Transportation Grants Program through the U.S. Department of Transportation

The Main Wharf rehabilitation is critical to bringing the Market Street Marine Terminal to a "State of Good Repair" in order to continue to service the needs of those companies dependent on access to the ocean to move cargo and goods. As we see the advancement of development in the marine environment, such as offshore energy, the Market Street Marine Terminal remains New Hampshire's portal to the sea.

Funds are being budgeted in the classes listed below as follows:

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In the event that Federal Funds become no longer available, General Funds will not be requested to support these programs.

Respectfully submitted,

Paul E. Brean
Executive Director, Pease Development Authority

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, January 16, 2024 3:38 PM
To: Geno Marconi;Myles Greenway
Subject: FW: February Fiscal Committee Meeting deadline
Attachments: FIS_21-351.pdf

Fyi-please see below, we should be prepared to get them done and over to the GOFERR folks sooner rather than later...

I believe Steve will have to help us with the budget chart, like the one shown in the attached on pg 1, unless Tom is going to be doing that, or Suzy?

Let me know what else you need from me.

Thanks,
Brenda

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Let me know if you have any questions or need anything else.

Thank-you,

Steve McLocklin
State of New Hampshire
Administrative Services – Budget Office
State House Annex - 25 Capitol Street, Room 116
Concord, NH 03301
stephen.mclocklin@das.nh.gov
PH: (603) 271-1443 Fax: (603) 271-6600

Statement of Confidentiality: The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

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I can't seem to find the dates on the website.

Thank you,

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Brenda Therrien
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555 Market St.
Portsmouth, NH 03801
P: 603-766-9221
F: 603-436-2780
b.therrien@peasedev.org
www.portofnh.org

dam

FIS 21 351

PEASE
INTERNATIONAL
DEVELOPMENT
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55 International Drive Portsmouth, NH 03801

November 8, 2021

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dam

FIS 21 351

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[2] Better Utilizing Investments to Leverage Development Transportation Grants Program through the U.S. Department of Transportation

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In the event that Federal Funds become no longer available, General Funds will not be requested to support these programs.

Respectfully submitted,

Paul E. Brean
Executive Director, Pease Development Authority

Raeline O'Neil

From: Brenda Therrien
Sent: Tuesday, January 16, 2024 1:25 PM
To: Geno Marconi;Myles Greenway
Subject: RE: Pease requests for funding

Will do

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Tuesday, January 16, 2024 1:23 PM
To: Brenda Therrien <B.Therrien@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: RE: Pease requests for funding

Well we need to proceed with the 2 requests. The fish pier design is pretty straight forward but the one for improvements at Rye Harbor needs some word smithing. Brenda,
Can you see or ask Steve, when the deadline for submission to fiscal is so we can know the 3 days RTom mentioned?
Geno

From: Brenda Therrien <B.Therrien@peasedev.org>
Sent: Tuesday, January 16, 2024 12:29 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Subject: FW: Pease requests for funding

Steve usually finalizes our requests, typically we give him the details and then he will finesse it for us and plug in all the details for the FY etc.

Did you guys talk about this at the staff meeting?

Brenda

From: Paul Brean <P.Brean@peasedev.org>
Sent: Tuesday, January 16, 2024 8:29 AM
To: Geno Marconi <G.Marconi@peasedev.org>; Myles Greenway <M.Greenway@peasedev.org>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Raeline O'Neil <R.O'Neil@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: FW: Pease requests for funding

Geno and Myles,

I was contacted by Thomas Broderick regarding the two projects identified for GOFERR Funding, let's discuss at today's meeting.

PB

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Friday, January 12, 2024 4:08 PM

To: Paul Brean <P.Brean@peasedev.org>
Cc: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: Pease requests for funding

You don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Paul,

Thanks again for taking my call. As discussed, GOFERR is moving forward with Pease's two requests for funding – the Portsmouth Fishing Pier and the Rye Bait House. We are hoping to get these items on the February fiscal committee agenda. My understanding is that Pease can and has submitted fiscal items (I know Pease is a quasi-governmental agency, so checking on that). You had asked if I could send over a sample – please see the attached prior item for Pease, from late 2021.

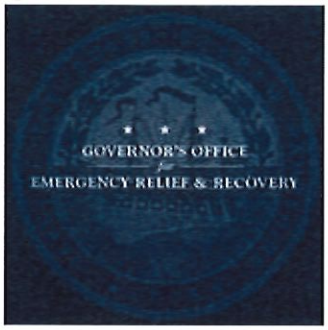
I had let you know that since these will be funded with ARPA dollars, GOFERR needs to review the fiscal items before they are submitted, to make sure they have the required ARPA language and the information GOFERR needs to properly report on these funds. We ask that you send us the items at least 3 business days in advance of the fiscal deadline, to ensure that we have enough time for our review. When you send in the items, please send to both my and Lisa Cota-Robles, who is cc:ed on this email.

If you have any other questions, please don't hesitate to reach out! My contact information is below.

Best,

Tom

Tom Broderick
Deputy Director
Governor's Office For Emergency Relief & Recovery [GOFERR]
E: Thomas.R.Broderick-G@goferr.nh.gov
O: (603) 271-7962
M: (603) 573-5573
GOFERR.NH.GOV
@NHGOFERR



Raeline O'Neil

From: Paul Brean
Sent: Tuesday, January 16, 2024 8:29 AM
To: Geno Marconi;Myles Greenway
Cc: Brenda Therrien;Raeline O'Neil;Anthony Blenkinsop
Subject: FW: Pease requests for funding
Attachments: FIS_21-351.pdf

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From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Friday, January 12, 2024 4:08 PM
To: Paul Brean <P.Brean@peasedev.org>
Cc: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: Pease requests for funding

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Best,

Tom

Tom Broderick

Deputy Director
Governor's Office For Emergency Relief & Recovery [GOFERR]
E: Thomas.R.Broderick-G@goferr.nh.gov
O: (603) 271-7962
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GOFERR.NH.GOV
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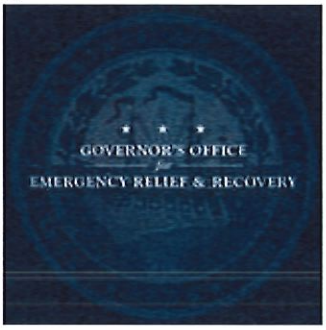

sam

FIS 21 351

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

November 8, 2021

The Honorable Karen Umberger, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority, Division of Ports and Harbors (Port Authority) to accept and expend $1,450,064 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to cover a portion of the project to rehabilitate the Main Wharf at the Market Street Marine Terminal (Terminal) in Portsmouth and related wetlands mitigation, effective upon Fiscal Committee and Governor and Council approval through June 30, 2023. **100% Federal Funds.**

If future federal legislation authorizes funding to the State for which this would be an eligible use, such as funding for infrastructure projects, the requested SFRF funds will be replaced by those newly available funds.

This is an allowable use of ARP FRF funds under Section 602 (c)(1)(C) for provision of government services to the extent of the reduction in revenue.

Funds are to be budgeted in FY2022 as follows:

03-13-013-130510-24XX0000[1] ARP PDA MAIN WHARF PROJECTS		FY2022	FY2022	FY2022
CLASS	ACCOUNT	CURRENT MODIFIED BUDGET	BUDGET REQUEST	REVISED BUDGET
EXPENDITURES				
040 – Indirect Costs	501587	$0	$5,000	$5,000
041 – Audit Fund Set Aside	500801	$0	$1,449	$1,449
103 – Contracts for Op Svcs	502664	$0	$1,443,615	$1,443,615
TOTAL EXPENSES		**$0**	**$1,450,064**	**$1,450,064**
SOURCE OF FUNDS				
000 – Federal Funds	400338	$0	$1,450,064	$1,450,064
TOTAL REVENUE		**$0**	**$1,450,064**	**$1,450,064**

[1] All direct program costs will be accounted for using activity 00FRF602GS1301A and all administrative and indirect costs will be accounted for using activity 00FRF602GS1301Z. Accounting classifications may be subject to technical changes at the discretion of the Department of Administrative Services' Division of Accounting Services.

EXPLANATION

MAIN WHARF REHABILITATION AND MODIFICATION

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Executive Director, Pease Development Authority

Raeline O'Neil

From: Paul Brean
Sent: Friday, January 12, 2024 5:06 PM
To: Geno Marconi;Myles Greenway
Subject: Fwd: Pease requests for funding
Attachments: Pease requests for funding .eml

I spoke with Tom late today, we'll discuss at Staff on Tuesday.

Have a great long weekend.

Paul

Get Outlook for iOS

Raeline O'Neil

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Friday, January 12, 2024 4:09 PM
To: Paul Brean
Cc: Cota-Robles, Lisa - GOFERR
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Best,

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Tom Broderick
Deputy Director
Governor's Office For Emergency Relief & Recovery [GOFERR]
E: Thomas.R.Broderick-G@goferr.nh.gov
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M: (603) 573-5573
GOFERR.NH.GOV
@NHGOFERR

GOVERNOR'S OFFICE
EMERGENCY RELIEF & RECOVERY

dam

FIS 21 351

PEASE
INTERNATIONAL
DEVELOPMENT
AUTHORITY

55 International Drive Portsmouth, NH 03801

November 8, 2021

The Honorable Karen Umberger, Chairman
Fiscal Committee of the General Court and

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And the Honorable Council
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Concord, New Hampshire 03301

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Paul E. Brean
Executive Director, Pease Development Authority

Raeline O'Neil

From: Myles Greenway
Sent: Thursday, January 11, 2024 11:33 AM
To: Suzy Anzalone
Subject: Capital Projects JAN 2024.docx
Attachments: Capital Projects JAN 2024.docx

Good Day Suzy

The attached is what Geno handed out this AM...do you have an example of a Capital Projects Plan that I could look at/use for a template? Any help is much appreciated...

Thank you!

V/r
Myles

Myles Greenway
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Pease Development Authority-Division of Ports and Harbors

Capital Projects

Updated 10 JAN 2024

1. Portsmouth Commercial Fish Pier Building Replacement
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $850,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with design, engineering, permitting, bidding, and constructions services for the replacement of an approximately 4,000 square foot building located at the State-Owned Portsmouth Commercial Fish Pier, at 1 Peirce Island Road, Portsmouth, NH.

2. Market Street Marine Terminal Maintenance Dredging
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $1,667,00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with a proposed maintenance dredge project at the main ship berth at the Market Street Marine Terminal.

3. Hampton/Seabrook Harbor Section 107 Feasibility Study
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $405,516 American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) and repurpose $110,589 already approved funds, to fund costs associated with the U.S. Army Corps of Engineers (the "CORPS") Section 107 Feasibility Study (the "Study") to determine a long-term solution to the higher frequency of maintenance dredging in the harbor, which adversely affects all commercial maritime activities operating in the harbor.

4. Market Street Marine Terminal Building Replacement
   - TBD

5. Market Street Marine Terminal Scale Replacement
   - 70x10x3/8" BTEK Steel deck truck scale / 100K CLC- $178,460

6. Rye Harbor
   - Parking Lot Replacement - TBD
   - Elevated Retail and Storage Deck system - TBD

Raeline O'Neil

From: Geno Marconi
Sent: Thursday, January 11, 2024 6:48 AM
To: Geno Marconi (gjmarconi@comcast.net)
Subject: FW: Capital Projects JAN 2024.docx
Attachments: Capital Projects JAN 2024.docx

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Wednesday, January 10, 2024 1:59 PM
To: Geno Marconi <G.Marconi@peasedev.org>
Cc: Brenda Therrien <B.Therrien@peasedev.org>
Subject: Capital Projects JAN 2024.docx

V/r
Myles

Myles Greenway
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Pease Development Authority-Division of Ports and Harbors

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Updated 10 JAN 2024

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   - TBD
5. Market Street Marine Terminal Scale Replacement
   - 70x10x3/8" BTEK Steel deck truck scale / 100K CLC- $178,460
6. Rye Harbor
   - Parking Lot Replacement - TBD
   - Elevated Retail and Storage Deck system - TBD

Raeline O'Neil

From: Myles Greenway
Sent: Wednesday, January 10, 2024 5:22 PM
To: Brenda Therrien
Subject: Capital Projects JAN 2024.docx
Attachments: Capital Projects JAN 2024.docx

Brenda

I cannot print... can you print one please? Thank you..

V/r
Myles

Myles Greenway
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Pease Development Authority-Division of Ports and Harbors

Capital Projects

Updated 10 JAN 2024

1. Portsmouth Commercial Fish Pier Building Replacement
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $850,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with design, engineering, permitting, bidding, and constructions services for the replacement of an approximately 4,000 square foot building located at the State-Owned Portsmouth Commercial Fish Pier, at 1 Peirce Island Road, Portsmouth, NH.
2. Market Street Marine Terminal Maintenance Dredging
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $1,667,00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with a proposed maintenance dredge project at the main ship berth at the Market Street Marine Terminal.
3. Hampton/Seabrook Harbor Section 107 Feasibility Study
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $405,516 American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) and repurpose $110,589 already approved funds, to fund costs associated with the U.S. Army Corps of Engineers (the "CORPS") Section 107 Feasibility Study (the "Study") to determine a long-term solution to the higher frequency of maintenance dredging in the harbor, which adversely affects all commercial maritime activities operating in the harbor.
4. Market Street Marine Terminal Building Replacement
   - TBD
5. Market Street Marine Terminal Scale Replacement
   - 70x10x3/8" BTEK Steel deck truck scale / 100K CLC- $178,460
6. Rye Harbor
   - Parking Lot Replacement - TBD
   - Elevated Retail and Storage Deck system - TBD

Raeline O'Neil

From: Geno Marconi
Sent: Wednesday, January 10, 2024 2:41 PM
To: Paul Brean
Cc: Myles Greenway
Subject: FW: Capital Projects JAN 2024.docx
Attachments: Capital Projects JAN 2024.docx

Paul,
Myles put this together, please take a look and let us know your thoughts.
G

From: Myles Greenway <M.Greenway@peasedev.org>
Sent: Wednesday, January 10, 2024 1:59 PM
To: Geno Marconi <G.Marconi@peasedev.org>
Cc: Brenda Therrien <B.Therrien@peasedev.org>
Subject: Capital Projects JAN 2024.docx

V/r
Myles

Myles Greenway
Assistant Port Director
Division of Ports and Harbors
555 Market St.
Portsmouth, NH 03801
603-534-6234

Pease Development Authority-Division of Ports and Harbors

Capital Projects

Updated 10 JAN 2024

1. Portsmouth Commercial Fish Pier Building Replacement
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $850,000.00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with design, engineering, permitting, bidding, and constructions services for the replacement of an approximately 4,000 square foot building located at the State-Owned Portsmouth Commercial Fish Pier, at 1 Peirce Island Road, Portsmouth, NH.
2. Market Street Marine Terminal Maintenance Dredging
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $1,667,00 in American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) to fund costs associated with a proposed maintenance dredge project at the main ship berth at the Market Street Marine Terminal.
3. Hampton/Seabrook Harbor Section 107 Feasibility Study
   - Pursuant to RSA 14:30-a VI, authorize the Pease Development Authority-Division of Ports and Harbors ("the Division") to accept and expend $405,516 American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) and repurpose $110,589 already approved funds, to fund costs associated with the U.S. Army Corps of Engineers (the "CORPS") Section 107 Feasibility Study (the "Study") to determine a long-term solution to the higher frequency of maintenance dredging in the harbor, which adversely affects all commercial maritime activities operating in the harbor.
4. Market Street Marine Terminal Building Replacement
   - TBD
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   - 70x10x3/8" BTEK Steel deck truck scale / 100K CLC- $178,460
6. Rye Harbor
   - Parking Lot Replacement - TBD
   - Elevated Retail and Storage Deck system - TBD

Raeline O'Neil

From: Paul Brean
Sent: Tuesday, January 9, 2024 9:24 AM
To: Anthony Blenkinsop
Subject: FW: Design of Rye retail areas and bait house

Let's discuss after our meeting with Shelley.

-----Original Message-----
From: Stephen Duprey <sduprey@foxfirenh.com>
Sent: Tuesday, January 09, 2024 8:51 AM
To: Paul Brean <P.Brean@peasedev.org>
Cc: Neil Levesque <neil.levesque@gmail.com>
Subject: Design of Rye retail areas and bait house

[You don't often get email from sduprey@foxfirenh.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Consistent with the governors request from our meeting last week. I have told Taylor Caswell that any allocation of ARPA funds should be for BOTH the retail at Rye Harbor and the bait House at Portsmouth Harbor. Am I correct that the bait house is at Portsmouth Harbor?

I would like us to add some motion or action item to the agenda which memorializes this, so that we do not find ourselves in the situation where we are given funds for the bait house. If that occurs, it would be my intention not to bring an item forward on the agenda with only that

I would like you to work with Anthony to create the agenda item so that we don't later have to find out that there has been designed done on the bait house because it was a higher priority for someone else and our authority is the decision maker has been usurped.

I offer the following rough idea for a draft:

Design of a new bait storage facility at Portsmouth Harbor and redesign of the retail facilities and buildings at Rye Harbor may only proceed upon receipt of state or federal funds to undertake both, and if funds are receive sufficient to undertake only one design, Rye Harbor redesign shall have Priority.

Raeline O'Neil

From: Geno Marconi
Sent: Friday, January 5, 2024 2:55 PM
To: Myles Greenway;Paul Brean
Subject: FW: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended

This is what Lisa told me back in November:

If you'd like these two items to be considered for reallocation funding, would you please submit your requests in writing? (Because they are separate asks, they would need to be separate documents.) They don't need to be terribly formal, but would need to cover the bases – who is making the request, how much money, other sources of funding being used for the same project, why the need, timeline for the use of funding, shovel ready (if applicable), other approvals required or already obtained, etc.

From: Caswell, Taylor - GOFERR <Taylor.Caswell-G@goferr.nh.gov>
Sent: Friday, January 5, 2024 2:14 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: RE: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended

Some people who received this message don't often get email from taylor.caswell-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Geno

At this time, we are moving ahead with the request you and I discussed at the urging of Councilor Stevens. I have not heard from Paul Brean or Steve Duprey.

If you have other requests separate from that please consolidate them and prioritize into a single request rather than send over a flurry of emails and PDF documents. If we are able to move anything forward, GOFERR staff will be in touch at a later date.

Thank you.

Taylor Caswell
Commissioner
Governor's Office for Emergency Relief & Recovery [GOFERR]

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Friday, January 5, 2024 2:01 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Caswell, Taylor <Taylor.Caswell@livefree.nh.gov>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: FW: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Tom,
After speaking with PDA Executive Director Paul Brean, I understand that PDA Board Chairman Steve Depuy is requesting that the Division re-submit a prior request relative to a raised deck for the retail/concessions art Rye Harbor. We pulled the prior list of request and I have highlighted the pertinent section for consideration.
If you have any questions give me a call
(603) 365-0503
Geno

Captain Geno Marconi AMPE
New Hampshire Port Authority
Director

(603) 436-8500 Work
(603) 365-0503 Mobile
g.marconi@peasedev.org
555 Market Street
Portsmouth, NH 03801

Raeline O'Neil

From: Geno Marconi
Sent: Friday, January 5, 2024 2:07 PM
To: Myles Greenway
Subject: FW: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended
Attachments: 09-20-22; GOFERR; PDA-DPH Rye Harbor Improvement Program Proposal; GMN.docx; Deck Structure placement.docx; Captain Geno Marconi AMPE.vcf

From: Geno Marconi
Sent: Friday, January 5, 2024 2:01 PM
To: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>; Caswell, Taylor <Taylor.Caswell@livefree.nh.gov>
Cc: Brenda Therrien <B.Therrien@peasedev.org>; Paul Brean <P.Brean@peasedev.org>
Subject: FW: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended

Tom,
After speaking with PDA Executive Director Paul Brean, I understand that PDA Board Chairman Steve Depuy is requesting that the Division re-submit a prior request relative to a raised deck for the retail/concessions art Rye Harbor. We pulled the prior list of request and I have highlighted the pertinent section for consideration.
If you have any questions give me a call
(603) 365-0503
Geno

Captain Geno Marconi AMPE
New Hampshire Port Authority
Director

(603) 436-8500 Work
(603) 365-0503 Mobile
g.marconi@peasedev.org
555 Market Street
Portsmouth, NH 03801

PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source:
Funding Amount: $8,708,539.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

~~Grant M. Nichols, Assistant Port Director~~
603-436-8500
~~g.nichols@peasedev.org;~~

Proposed Use of Funds	Proposed Budget	Specific Uses
Repair of Rip Rap Seawall	$3,162,500.00	The Rye Harbor Seawall prevents water from the harbor entering the facility during normal to slightly above normal tidal conditions.
Vessel Launch Ramp	$3,680,000.00	The Rye Harbor launch ramp provides launch and recovery capabilities for numerous commercial, public safety and recreational vessels.
Recreational Pier and Float system Replacement	$1,030,170.00	The Recreational Pier supports recreational, commercial and public safety vessels during refueling, launching, haul-out, passenger embarking / disembarking and emergency response operations.
Commercial Float and Pile system Replacement	$335,869.00	The Commercial Floats allow commercial, recreational and public safety vessels the ability to dock to the Commercial Pier for refueling operations and the offloading and on loading of cargo and equipment.
Elevated Retail and Storage Deck system	$500,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.
Program total:	$8,708,539.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to make repairs and improvements to critical infrastructure and structures that support commercial interests and retail concessions within Rye Harbor.

Cost assumptions: The cost estimates provided within this document for infrastructure improvements and repairs were determined through consultation with a marine engineering firm contracted by PDA-DPH for these services. The estimates contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency.

Program operation: With the exception of property owned by those permitted by, contracting with or leasing property from PDA-DPH, the facility and all infrastructure identified in this document are managed and maintained by PDA-DPH in accordance with its statutory authority found in RSA 12-G.

Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The harbor also supports numerous maritime first responder agencies, e.g. the United States Coast Guard, NH Marine Patrol and Fish & Game, NH Department of Environmental Services and Rye Fire-Rescue, who all use the facility to launch missions and refuel, maintain and haul their vessels.

Projects for Consideration:

- **Rip Rap Seawall:** The seawall works to protect the State office, fuel pumps, septic system and businesses operating within the facility. Severe storms over the last decade where seawater flowed over the top of the seawall into the facility has degraded the wall by pulling the smaller supporting rip rap and finer elements of the wall into the sea as the water has receded. The loss of the smaller elements within the structure has caused it to drop several feet thereby lessening its effectiveness and increasing the risk of damage to and failure of infrastructure within the facility.

  Should we receive funding to repair/reconstruct the seawall we would propose to raise it at least to the vertical and seaward dimensions that existed prior to the last presidentially declared disaster that greatly impacted the seawall in 2018.

- **Vessel Launch Ramp:** Though we have made efforts to extend the life of the structure over the years, time and the harsh conditions existing in the harbor has brought it to near end of serviceability.

  We would propose to deconstruct the existing 35'x120' launch ramp, replacing it with an 80'x150' structure that would allow for side by side launching with a central float system dividing the two launching areas. The larger ramp would better facilitate the launch and recovery of large fishing vessels and sailboats. The addition of the float system dividing the ramp creates a safer and more convenient experience for recreational boaters who trailer their vessels to the facility.

- **Recreational Pier Replacement and Float system Replacement:** The existing Recreational Pier that handles all of the foot traffic of passengers and recreational boaters making their way to the floating docks is sound, but is showing signs of deterioration. It is a timber structure that is 15' x 75'. We would propose replacing this structure with a 20'x80' structure constructed of steel jacket piles and a concrete deck for durability.

  The floats attached to this pier used for loading and offloading passengers and equipment are over 20-years old and are showing the wear and tear that is to be expected in the harsh marine

environment. We would propose replacing them with newly constructed two 12'x15' and 10'x30' concrete floats.

- **Commercial Float and Pile system Replacement:** The floats that service the commercial pier have been in use for in excess of 20-years are serviceable but are nearing the end of their useful life. The piles that keep the floats in place have been used for much longer than the floats and are also showing the effects of decades of use. The floats support the gangways used by commercial fishermen and some charter and recreational users use to get to the commercial pier for cargo operations, refueling and loading of supplies.

  We propose to replace the current dock structure and replace it with eight steel jacket piles and seven concrete floats. This change will increase the longevity of the system and lower the amount of required maintenance.

- **Elevated Retail and Storage Deck system:** PDA proposes the design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

  Subject to permitting, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreement or Concessionaire Agreement.

CONFIDENTIAL

Ocean Blvd
20' x 100' Deck structure with buildings
(Not to scale)
Rye Harbor

Raeline O'Neil

From: Geno Marconi
Sent: Friday, January 5, 2024 1:33 PM
To: Paul Brean
Subject: RE: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended

OK Great, Let me pull something together.
I will send you copies of the other requests I just sent up there.

From: Paul Brean <P.Brean@peasedev.org>
Sent: Friday, January 5, 2024 1:21 PM
To: Geno Marconi <G.Marconi@peasedev.org>
Subject: RE: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended

Geno,

For this round of funding the Chair has asked that the Elevated Retail and Storage Deck System is the priority.

- **Elevated Retail and Storage Deck system:** PDA proposes the design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

  Subject to permitting, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreement or Concessionaire Agreement.

Elevated Retail and Storage Deck system	$500,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Friday, January 05, 2024 1:12 PM
To: Paul Brean <P.Brean@peasedev.org>
Subject: FW: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended

Raeline O'Neil

From: Geno Marconi
Sent: Friday, January 5, 2024 1:12 PM
To: Paul Brean
Subject: FW: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended
Attachments: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended.docx; 09-20-22; GOFERR; PDA-DPH Rye Harbor Improvement Program Proposal; GMN.docx; GOFERR TEMPLATE - Program Proposal Form.docx; Deck Structure placement.docx

PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source: ARPA
Funding Amount: $1,000,000.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

Grant M. Nichols, Assistant Port Director
603-436-8500
g.nichols@peasedev.org;

Proposed Use of Funds	Proposed Budget	Specific Uses
Elevated Retail and Storage Deck system	$1,000,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.
Program total:	$1,000,000.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to support the design, permitting and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

Cost assumptions: The cost estimates provided within this document for infrastructure improvements were determined through consultation with a marine engineering firm contracted by PDA-DPH for these services. The estimates contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency.

Program operation: With the exception of property owned by those permitted by, contracting with or leasing property from PDA-DPH, the facility is owned, managed and maintained by PDA-DPH in accordance with its statutory authority found in RSA 12-G.

Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The restrictions placed on national and international travel during the Covid-19 pandemic caused people within the region to seek recreational activities closer to home. Rye Harbor became a destination during the summer of 2020 – 2021 as New Hampshire was less restrictive regarding visitors from out of state.

Projects Details:

- **Elevated Retail and Storage Deck system:**

  Subject to permitting, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreements or Concessionaire Agreements.

PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source:
Funding Amount: $8,708,539.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

Grant M. Nichols, Assistant Port Director
603-436-8500
g.nichols@peasedev.org;

Proposed Use of Funds	Proposed Budget	Specific Uses
Repair of Rip Rap Seawall	$3,162,500.00	The Rye Harbor Seawall prevents water from the harbor entering the facility during normal to slightly above normal tidal conditions.
Vessel Launch Ramp	$3,680,000.00	The Rye Harbor launch ramp provides launch and recovery capabilities for numerous commercial, public safety and recreational vessels.
Recreational Pier and Float system Replacement	$1,030,170.00	The Recreational Pier supports recreational, commercial and public safety vessels during refueling, launching, haul-out, passenger embarking / disembarking and emergency response operations.
Commercial Float and Pile system Replacement	$335,869.00	The Commercial Floats allow commercial, recreational and public safety vessels the ability to dock to the Commercial Pier for refueling operations and the offloading and on loading of cargo and equipment.
Elevated Retail and Storage Deck system	$500,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.
Program total:	$8,708,539.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to make repairs and improvements to critical infrastructure and structures that support commercial interests and retail concessions within Rye Harbor.

Cost assumptions: The cost estimates provided within this document for infrastructure improvements and repairs were determined through consultation with a marine engineering firm contracted by PDA-DPH for these services. The estimates contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency.

Program operation: With the exception of property owned by those permitted by, contracting with or leasing property from PDA-DPH, the facility and all infrastructure identified in this document are managed and maintained by PDA-DPH in accordance with its statutory authority found in RSA 12-G.

Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The harbor also supports numerous maritime first responder agencies, e.g. the United States Coast Guard, NH Marine Patrol and Fish & Game, NH Department of Environmental Services and Rye Fire-Rescue, who all use the facility to launch missions and refuel, maintain and haul their vessels.

Projects for Consideration:

- **Rip Rap Seawall:** The seawall works to protect the State office, fuel pumps, septic system and businesses operating within the facility. Severe storms over the last decade where seawater flowed over the top of the seawall into the facility has degraded the wall by pulling the smaller supporting rip rap and finer elements of the wall into the sea as the water has receded. The loss of the smaller elements within the structure has caused it to drop several feet thereby lessening its effectiveness and increasing the risk of damage to and failure of infrastructure within the facility.

  Should we receive funding to repair/reconstruct the seawall we would propose to raise it at least to the vertical and seaward dimensions that existed prior to the last presidentially declared disaster that greatly impacted the seawall in 2018.

- **Vessel Launch Ramp:** Though we have made efforts to extend the life of the structure over the years, time and the harsh conditions existing in the harbor has brought it to near end of serviceability.

  We would propose to deconstruct the existing 35'x120' launch ramp, replacing it with an 80'x150' structure that would allow for side by side launching with a central float system dividing the two launching areas. The larger ramp would better facilitate the launch and recovery of large fishing vessels and sailboats. The addition of the float system dividing the ramp creates a safer and more convenient experience for recreational boaters who trailer their vessels to the facility.

- **Recreational Pier Replacement and Float system Replacement:** The existing Recreational Pier that handles all of the foot traffic of passengers and recreational boaters making their way to the floating docks is sound, but is showing signs of deterioration. It is a timber structure that is 15' x 75'. We would propose replacing this structure with a 20'x80' structure constructed of steel jacket piles and a concrete deck for durability.

  The floats attached to this pier used for loading and offloading passengers and equipment are over 20-years old and are showing the wear and tear that is to be expected in the harsh marine

environment. We would propose replacing them with newly constructed two 12'x15' and 10'x30' concrete floats.

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- **Elevated Retail and Storage Deck system:** PDA proposes the design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

  Subject to permitting, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreement or Concessionaire Agreement.

CONFIDENTIAL

PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source:
Funding Amount: $8,708,539.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

Grant M. Nichols, Assistant Port Director
603-436-8500
g.nichols@peasedev.org;

Proposed Use of Funds	Proposed Budget	Specific Uses
Repair of Rip Rap Seawall	$3,162,500.00	The Rye Harbor Seawall prevents water from the harbor entering the facility during normal to slightly above normal tidal conditions.
Vessel Launch Ramp	$3,680,000.00	The Rye Harbor launch ramp provides launch and recovery capabilities for numerous commercial, public safety and recreational vessels.
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Commercial Float and Pile system Replacement	$335,869.00	The Commercial Floats allow commercial, recreational and public safety vessels the ability to dock to the Commercial Pier for refueling operations and the offloading and on loading of cargo and equipment.
Elevated Retail and Storage Deck system	$500,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.
Program total:	$8,708,539.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to make repairs and improvements to critical infrastructure and structures that support commercial interests and retail concessions within Rye Harbor.

Cost assumptions: The cost estimates provided within this document for infrastructure improvements and repairs were determined through consultation with a marine engineering firm contracted by PDA-DPH for these services. The estimates contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency.

Program operation: With the exception of property owned by those permitted by, contracting with or leasing property from PDA-DPH, the facility and all infrastructure identified in this document are managed and maintained by PDA-DPH in accordance with its statutory authority found in RSA 12-G.

Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The harbor also supports numerous maritime first responder agencies, e.g. the United States Coast Guard, NH Marine Patrol and Fish & Game, NH Department of Environmental Services and Rye Fire-Rescue, who all use the facility to launch missions and refuel, maintain and haul their vessels.

Projects for Consideration:

- **Rip Rap Seawall:** The seawall works to protect the State office, fuel pumps, septic system and businesses operating within the facility. Severe storms over the last decade where seawater flowed over the top of the seawall into the facility has degraded the wall by pulling the smaller supporting rip rap and finer elements of the wall into the sea as the water has receded. The loss of the smaller elements within the structure has caused it to drop several feet thereby lessening its effectiveness and increasing the risk of damage to and failure of infrastructure within the facility.

  Should we receive funding to repair/reconstruct the seawall we would propose to raise it at least to the vertical and seaward dimensions that existed prior to the last presidentially declared disaster that greatly impacted the seawall in 2018.

- **Vessel Launch Ramp:** Though we have made efforts to extend the life of the structure over the years, time and the harsh conditions existing in the harbor has brought it to near end of serviceability.

  We would propose to deconstruct the existing 35'x120' launch ramp, replacing it with an 80'x150' structure that would allow for side by side launching with a central float system dividing the two launching areas. The larger ramp would better facilitate the launch and recovery of large fishing vessels and sailboats. The addition of the float system dividing the ramp creates a safer and more convenient experience for recreational boaters who trailer their vessels to the facility.

- **Recreational Pier Replacement and Float system Replacement:** The existing Recreational Pier that handles all of the foot traffic of passengers and recreational boaters making their way to the floating docks is sound, but is showing signs of deterioration. It is a timber structure that is 15' x 75'. We would propose replacing this structure with a 20'x80' structure constructed of steel jacket piles and a concrete deck for durability.

  The floats attached to this pier used for loading and offloading passengers and equipment are over 20-years old and are showing the wear and tear that is to be expected in the harsh marine

environment. We would propose replacing them with newly constructed two 12'x15' and 10'x30' concrete floats.

- **Commercial Float and Pile system Replacement:** The floats that service the commercial pier have been in use for in excess of 20-years are serviceable but are nearing the end of their useful life. The piles that keep the floats in place have been used for much longer than the floats and are also showing the effects of decades of use. The floats support the gangways used by commercial fishermen and some charter and recreational users use to get to the commercial pier for cargo operations, refueling and loading of supplies.

  We propose to replace the current dock structure and replace it with eight steel jacket piles and seven concrete floats. This change will increase the longevity of the system and lower the amount of required maintenance.

- **Elevated Retail and Storage Deck system:** PDA proposes the design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

  Subject to permitting, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreement or Concessionaire Agreement.

CONFIDENTIAL

Ocean Blvd
20' x 100' Deck structure with buildings
(Not to scale)
Rye Harbor

Raeline O'Neil

From: Paul Brean
Sent: Friday, January 5, 2024 12:59 PM
To: Geno Marconi
Cc: Neil Levesque;Myles Greenway;Anthony Blenkinsop;Suzy Anzalone;Mike Mates
Subject: RE: Port Infrastructure Projects

Hi Geno,

Thank you for the update, all great news. Yes, extremely encouraging news on the fish pier and dredging studies. I have also been directed to ensure we resubmit the letter for Rye Harbor improvements previously submitted to GOFERR under this round of funding. I think we should meet internally with Finance and Engineering early next week to get everyone on the same page as far as potential grant receivable and cash flow schedules. Additionally, at next Tuesday's Port Committee meeting under Director's Report please provide an overview of the potential grant applications to the Committee.

PB

From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Thursday, January 04, 2024 4:13 PM
To: Paul Brean <P.Brean@peasedev.org>
Cc: Neil Levesque <neil.levesque@gmail.com>; Myles Greenway <M.Greenway@peasedev.org>; Anthony Blenkinsop <A.Blenkinsop@peasedev.org>
Subject: FW: Port Infrastructure Projects

Paul,
I wanted to keep you informed on events of the past couple days.
Yesterday Governor's Sununu and Haley were in Portsmouth to meet with a group of fishermen on industry issues. After that meeting couple of the guys brought Governor Sununu over to the fish pier to look at the building. Myles and I were there and participated in the discussion and I gave the group a briefing on completed projects (seawall), the project about to start (pier renovations) and the concept study that is being funded with COVID 2.0 funds, through Atlantic States Marine Fisheries Commission (PDA just approved last meeting). The fishermen discussed their needs and were looking to the Governor for recommendation on assistance.
I told the Governor about my recent call with Councilor Stevens and the follow up call with Commissioner Caswell and their both recommendation that the Division submit a letter of request to the GOFERRS office for consideration of funding the next step, after concept study, for design, engineering and permitting of a building, based of the results of the study. The Governor concurred.
We further discussed funding of the actual construction of a structure. I told the Governor that there were federal grants available, in particular Port Infrastructure Development Program, PIDP, (GrantSolutions) through which such projects have received funding. I also explained that the lack of matching funds is prohibitive of our applying.

Earlier today I received the email below from Tom Broderick from GOFERR and it sounds like he was informed of the fish pier discussions.
I have a draft request letter ready to go out as soon as I verify some cost number.
I also have a draft request for funding for the Army Corps Section 107 Feasibility Study for Hampton Seabrook $405,516, And
a draft for $1,667,000 for maintenance dredge at the main ship dock (to be concurrent with the Functional Replacement dredging).

If you have any questions just let me know.
Geno

From: Geno Marconi
Sent: Thursday, January 4, 2024 1:51 PM
To: 'Broderick, Thomas - GOFERR' <Thomas.R.Broderick-G@goferr.nh.gov>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Bond, Noah - GOFERR <Noah.R.Bond-G@goferr.nh.gov>; Myles Greenway <m.greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Port Infrastructure Projects

Yea Tom,
I have a coupe that we will be submitting but the fish pier building design and engineering and permitting we are working on now just pulling together some numbers.
Geno

From: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>
Sent: Thursday, January 4, 2024 1:28 PM
To: Geno Marconi <G.Marconi@peasedev.org>; Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Bond, Noah - GOFERR <Noah.R.Bond-G@goferr.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Port Infrastructure Projects

Some people who received this message don't often get email from thomas.r.broderick-g@goferr.nh.gov. Learn why this is important

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

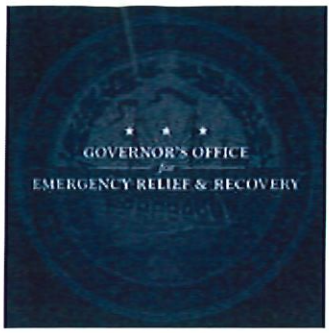
Hi Geno,

Touching base on the below email chain. From what I am seeing, it looks like you are planning to submit these requests in writing. We've been asked to look more into the fish pier project you mentioned – is it possible for you to send a write-up on the project? I'm not sure if it is in the works or complete, but the sooner the better if is to be considered in the near future.

Happy to talk if need be – I'm at the number below.

-Tom

Tom Broderick
Deputy Director
Governor's Office For Emergency Relief & Recovery [GOFERR]
E: Thomas.R.Broderick-G@goferr.nh.gov
O: (603) 271-7962
M: (603) 573-5573
GOFERR.NH.GOV
@NHGOFERR



From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Wednesday, November 29, 2023 12:19 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Cc: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Bond, Noah - GOFERR <Noah.R.Bond-G@goferr.nh.gov>; Myles Greenway <M.Greenway@peasedev.org>; Brenda Therrien <B.Therrien@peasedev.org>
Subject: RE: Port Infrastructure Projects

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thanks Lisa,
You have given me enough information and direction for us to look at.
Regards
Geno

From: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Sent: Monday, November 27, 2023 12:57 PM
To: Geno Marconi <G.Marconi@peasedev.org>
Cc: Broderick, Thomas - GOFERR <Thomas.R.Broderick-G@goferr.nh.gov>; Bond, Noah - GOFERR <Noah.R.Bond-G@goferr.nh.gov>
Subject: RE: Port Infrastructure Projects

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Geno:

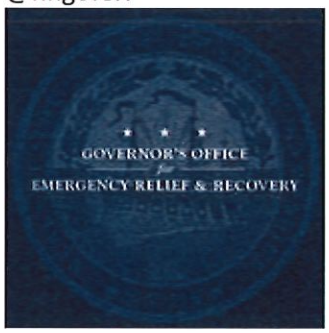
We have primarily allocated all ARPA SFRF funds, however, there will be some funds available for reallocation at some point in the first half of 2024. We don't know how much that pot of funds will be as they will be leftover & unused funds from previous allocations – and there will be some fierce competition over these funds. That said, we are still accepting requests for funding and you can certainly throw your proverbial hat into the ring! Reallocations will not be based on "first come, first serve", but on a variety of factors, including general priority and need, overall cost of project, and perhaps most importantly, whether the project can meet (or, preferably, exceed) the federally mandated deadlines for ARPA: all funds must be obligated by 12/31/2024 and expended by 12/31/2026.

If you'd like these two items to be considered for reallocation funding, would you please submit your requests in writing? (Because they are separate asks, they would need to be separate documents.) They don't need to be terribly formal, but would need to cover the bases – who is making the request, how much money, other sources of funding being used for the same project, why the need, timeline for the use of funding, shovel ready (if applicable), other approvals required or already obtained, etc.

From there, I would typically set up a call to gather additional details needed to determine feasibility and eligibility before putting them in the queue for consideration.

Please let me know! And if you have questions, fire away.
Lisa

Lisa Cota-Robles
Director of Programs and Oversight
Governor's Office for Emergency Relief & Recovery [GOFERR]
E: Lisa.M.Cota-Robles-G@goferr.nh.gov
O: (603) 271-7964
https://goferr.nh.gov
@nhgoferr



From: Geno Marconi <G.Marconi@peasedev.org>
Sent: Monday, November 27, 2023 12:20 PM
To: Cota-Robles, Lisa - GOFERR <Lisa.M.Cota-Robles-G@goferr.nh.gov>
Subject: Port Infrastructure Projects

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good Morning Lisa,
Mark Sanborn suggested that I reach out to you, as we were discussing a couple small projects that need some funding and I didn't know if there were still any opportunity through GOFERR?
To touch on a couple:

- The U.S. Army Corps of Engineers wants to do a Hydrodynamic Modle of theHampton/Seabrook estuary and study a long term solution to the dregding issues there. Hampton/Seabrook is a Federal Navagation Project but because it is in NH, NH is responsible for the cost match ($518,000). By Statute, the PDA Division of Ports and Harbors (Port Authority) is designated the project partner with the Corps.
- The building at the Portsmouth Commercial Fish Pier needs to be replaced. It is an old wooden building with cold storage units (2) for fish and lobster bait. The first step in the process would be a concept study to determain the type and size of the building according to current industry needs (possible $150,000). This would give us a replacement cost estimate that we could use to request a Capital Appropriation for a match for a PIDP Federal Grant application. We are requesting a proposal from the PDA On-Call Archetectual consultant to do the concept study.

I would welcome the opportunity to discuss what might be available if you would. I can be reached anytime on my cell (603) 365-0503.
Thank You

Geno

Captain Geno Marconi AMPE
New Hampshire Port Authority
Director

(603) 436-8500 Work
(603) 365-0503 Mobile
g.marconi@peasedev.org
555 Market Street
Portsmouth, NH 03801

Raeline O'Neil

From: Brenda Therrien
Sent: Friday, January 5, 2024 12:35 PM
To: Geno Marconi
Subject: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended
Attachments: 11-14-22; GOFERR; PDA-DPH; Rye Harbor_Amended.docx; 09-20-22; GOFERR; PDA-DPH Rye Harbor Improvement Program Proposal; GMN.docx; GOFERR TEMPLATE - Program Proposal Form.docx; Deck Structure placement.docx

Several docs found in Grant's folders on the Common Drive

PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source: ARPA
Funding Amount: $1,000,000.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

Grant M. Nichols, Assistant Port Director
603-436-8500
g.nichols@peasedev.org;

Proposed Use of Funds	Proposed Budget	Specific Uses
Elevated Retail and Storage Deck system	$1,000,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.
Program total:	$1,000,000.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to support the design, permitting and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

Cost assumptions: The cost estimates provided within this document for infrastructure improvements were determined through consultation with a marine engineering firm contracted by PDA-DPH for these services. The estimates contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency.

Program operation: With the exception of property owned by those permitted by, contracting with or leasing property from PDA-DPH, the facility is owned, managed and maintained by PDA-DPH in accordance with its statutory authority found in RSA 12-G.

Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The restrictions placed on national and international travel during the Covid-19 pandemic caused people within the region to seek recreational activities closer to home. Rye Harbor became a destination during the summer of 2020 – 2021 as New Hampshire was less restrictive regarding visitors from out of state.

Projects Details:

- **Elevated Retail and Storage Deck system:**

  Subject to permitting, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreements or Concessionaire Agreements.

PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source:
Funding Amount: $8,708,539.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

Grant M. Nichols, Assistant Port Director
603-436-8500
g.nichols@peasedev.org;

Proposed Use of Funds	Proposed Budget	Specific Uses
Repair of Rip Rap Seawall	$3,162,500.00	The Rye Harbor Seawall prevents water from the harbor entering the facility during normal to slightly above normal tidal conditions.
Vessel Launch Ramp	$3,680,000.00	The Rye Harbor launch ramp provides launch and recovery capabilities for numerous commercial, public safety and recreational vessels.
Recreational Pier and Float system Replacement	$1,030,170.00	The Recreational Pier supports recreational, commercial and public safety vessels during refueling, launching, haul-out, passenger embarking / disembarking and emergency response operations.
Commercial Float and Pile system Replacement	$335,869.00	The Commercial Floats allow commercial, recreational and public safety vessels the ability to dock to the Commercial Pier for refueling operations and the offloading and on loading of cargo and equipment.
Elevated Retail and Storage Deck system	$500,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.
Program total:	$8,708,539.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to make repairs and improvements to critical infrastructure and structures that support commercial interests and retail concessions within Rye Harbor.

Cost assumptions: The cost estimates provided within this document for infrastructure improvements and repairs were determined through consultation with a marine engineering firm contracted by PDA-DPH for these services. The estimates contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency.

Program operation: With the exception of property owned by those permitted by, contracting with or leasing property from PDA-DPH, the facility and all infrastructure identified in this document are managed and maintained by PDA-DPH in accordance with its statutory authority found in RSA 12-G.

Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The harbor also supports numerous maritime first responder agencies, e.g. the United States Coast Guard, NH Marine Patrol and Fish & Game, NH Department of Environmental Services and Rye Fire-Rescue, who all use the facility to launch missions and refuel, maintain and haul their vessels.

Projects for Consideration:

- **Rip Rap Seawall:** The seawall works to protect the State office, fuel pumps, septic system and businesses operating within the facility. Severe storms over the last decade where seawater flowed over the top of the seawall into the facility has degraded the wall by pulling the smaller supporting rip rap and finer elements of the wall into the sea as the water has receded. The loss of the smaller elements within the structure has caused it to drop several feet thereby lessening its effectiveness and increasing the risk of damage to and failure of infrastructure within the facility.

  Should we receive funding to repair/reconstruct the seawall we would propose to raise it at least to the vertical and seaward dimensions that existed prior to the last presidentially declared disaster that greatly impacted the seawall in 2018.

- **Vessel Launch Ramp:** Though we have made efforts to extend the life of the structure over the years, time and the harsh conditions existing in the harbor has brought it to near end of serviceability.

  We would propose to deconstruct the existing 35'x120' launch ramp, replacing it with an 80'x150' structure that would allow for side by side launching with a central float system dividing the two launching areas. The larger ramp would better facilitate the launch and recovery of large fishing vessels and sailboats. The addition of the float system dividing the ramp creates a safer and more convenient experience for recreational boaters who trailer their vessels to the facility.

- **Recreational Pier Replacement and Float system Replacement:** The existing Recreational Pier that handles all of the foot traffic of passengers and recreational boaters making their way to the floating docks is sound, but is showing signs of deterioration. It is a timber structure that is 15' x 75'. We would propose replacing this structure with a 20'x80' structure constructed of steel jacket piles and a concrete deck for durability.

  The floats attached to this pier used for loading and offloading passengers and equipment are over 20-years old and are showing the wear and tear that is to be expected in the harsh marine

environment. We would propose replacing them with newly constructed two 12'x15' and 10'x30' concrete floats.

- **Commercial Float and Pile system Replacement:** The floats that service the commercial pier have been in use for in excess of 20-years are serviceable but are nearing the end of their useful life. The piles that keep the floats in place have been used for much longer than the floats and are also showing the effects of decades of use. The floats support the gangways used by commercial fishermen and some charter and recreational users use to get to the commercial pier for cargo operations, refueling and loading of supplies.

  We propose to replace the current dock structure and replace it with eight steel jacket piles and seven concrete floats. This change will increase the longevity of the system and lower the amount of required maintenance.

- **Elevated Retail and Storage Deck system:** PDA proposes the design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

  Subject to permitting, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreement or Concessionaire Agreement.

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PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source:
Funding Amount: $8,708,539.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

Grant M. Nichols, Assistant Port Director
603-436-8500
g.nichols@peasedev.org;

Proposed Use of Funds	Proposed Budget	Specific Uses
Repair of Rip Rap Seawall	$3,162,500.00	The Rye Harbor Seawall prevents water from the harbor entering the facility during normal to slightly above normal tidal conditions.
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Program total:	$8,708,539.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to make repairs and improvements to critical infrastructure and structures that support commercial interests and retail concessions within Rye Harbor.

Cost assumptions: The cost estimates provided within this document for infrastructure improvements and repairs were determined through consultation with a marine engineering firm contracted by PDA-DPH for these services. The estimates contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency.

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Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The harbor also supports numerous maritime first responder agencies, e.g. the United States Coast Guard, NH Marine Patrol and Fish & Game, NH Department of Environmental Services and Rye Fire-Rescue, who all use the facility to launch missions and refuel, maintain and haul their vessels.

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  We would propose to deconstruct the existing 35'x120' launch ramp, replacing it with an 80'x150' structure that would allow for side by side launching with a central float system dividing the two launching areas. The larger ramp would better facilitate the launch and recovery of large fishing vessels and sailboats. The addition of the float system dividing the ramp creates a safer and more convenient experience for recreational boaters who trailer their vessels to the facility.

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CONFIDENTIAL

Ocean Blvd
20' x 100' Deck structure with buildings
(Not to scale)
Rye Harbor

Raeline O'Neil

From: Paul Brean
Sent: Wednesday, May 31, 2023 4:30 PM
To: Geno Marconi;Brenda Therrien
Subject: FW: Emailing: 11-14-22; GOFERR; PDA-DPH Rye Harbor Improvement Program Proposal; GMN
Attachments: 11-14-22; GOFERR; PDA-DPH Rye Harbor Improvement Program Proposal; GMN.pdf

Fyi, this is the PDF application I received in November.

-----Original Message-----
From: Paul Brean
Sent: Friday, November 18, 2022 2:45 PM
To: 'Stephen Duprey' <sduprey@foxfirenh.com>
Subject: Emailing: 11-14-22; GOFERR; PDA-DPH Rye Harbor Improvement Program Proposal; GMN

Steve,

As requested ,attached is the GOFERR application submitted for Rye Harbor "Retail/Storage" improvements. Grant Nichols with Division of Ports and Harbors has been in direct conversation with Chase Hagaman at the GOFERR office.

Best,

Paul

PROGRAM PROPOSAL

Program Name: Rye Harbor Infrastructure Improvement Project
Funding Source: ARPA
Funding Amount: $1,000,000.00
Requesting Agency: Pease Development Authority – Division of Ports and Harbors (PDA-DPH)
Proposed Administrator: Grant M. Nichols, Assistant Port Director
Contacts:

Geno J. Marconi, Port Director
603-436-8500
g.marconi@peasedev.org

Grant M. Nichols, Assistant Port Director
603-436-8500
g.nichols@peasedev.org;

Proposed Use of Funds	Proposed Budget	Specific Uses
Elevated Retail and Storage Deck system	$1,000,000.00	Design and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires.
Program total:	$1,000,000.00	

Summary of program: The Pease Development Authority, Division of Ports and Harbors (PDA-DPH) seeks funding to support the design, permitting and construction of elevated retail and storage space to support commercial pier use holders and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage and concessionaire space.

Cost assumptions: PDA-DPH has consulted with a marine engineering firm with whom they contract with for project planning services. The firm (Appledore Marine Engineering) is in the process of creating estimates that contemplate mobilization, materials, labor, equipment and engineering costs along with a 15% construction contingency. The firm's representative advises that these estimates will be available for review the week of December 5, 2022.

Program operation: With the exception of property owned by those permitted by, contracting with or leasing property from PDA-DPH, the facility is owned, managed and maintained by PDA-DPH in accordance with its statutory authority found in RSA 12-G.

Justification: Rye Harbor is a marine transportation facility that supports the New Hampshire commercial fishing industry, several charter and commercial fishing businesses, a whale watch business and two businesses that sell prepared food. The restrictions placed on national and international travel during the Covid-19 pandemic caused people within the region to seek recreational activities closer to home. Rye Harbor became a destination during the summer of 2020 as New Hampshire was less restrictive regarding visitors from out of state.

PDA-DPH has seen the increase of visitors it saw in 2020 remain relatively steady in the 2021 and 2022 seasons and as such, feels it is necessary to alter the way it manages the activity within the facility. The elevated structure with several "shacks" of various dimensions will allow PDA-DPH to better control the business activity within the facility. Raising the structures will better protect the business interests of the entities leasing the shacks from the occasional flooding the facility sees each year.

Projects Details:

- **Elevated Retail and Storage Deck system:**

  Subject to a proposal made by our marine contractor, permitting requirements and contracts for construction, we propose to construct a 16'x120' deck that is elevated a minimum of 3'to avoid occasional flooding that occurs within the facility. We will build small shack like structures of varying sizes on the deck with water and electric utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreements or Concessionaire Agreements.

  The deck structure will be constructed in a manner and in a place within the facility with pedestrian safety being paramount. A secondary consideration will be the maximization of, or increase in parking spaces.

  As mentioned previously, a proposal with diagrams is presently being created that will contemplate mobilization, materials, labor, equipment and engineering costs.

Raeline O'Neil

From: Grant Nichols
Sent: Wednesday, February 15, 2023 1:27 PM
To: Brenda Therrien
Subject: Emailing: Feb 2023; Rye Presentation (Final)
Attachments: Feb 2023; Rye Presentation (Final).pptx

This is the one I actually used. Just use this one as I don't know if there were any changes made to the other one.

Rye Harbor Report

February 2023

Grant M. Nichols, Assistant Director
New Hampshire Division of Ports & Harbors

Jurisdiction and Authority

The PDA, acting through DPH, has;

- "...the responsibility for and jurisdiction over state-owned commercial piers and associated facilities, including the establishment of permit programs...wait lists ... [and] fees. (RSA 12-G: 42, Additional Powers and Duties, Para. IX).

- Additionally, as it related to fees, PDA/DPH with the approval of the Board may set and collect fees related to "wharfage, dockage...mooring permits and waitlists... [and] Fees relating to state-owned commercial piers and associated facilities..." (RSA 12-G: 42, XI).

- Further, DPH's statutory charge under 12-G:43 provides that DPH shall... "Plan for the maintenance and development of the ports ... in order to foster and stimulate commerce and ... commercial and industrial interests that may depend on the sea for transport of products, including such interests as may be desirous of locating in tidewater areas of the state; as well as to encourage the establishment of accommodations for the boat traveler, the area boat owners, the pleasure fishermen, and others who pass up and down our coast line or in its tributaries. [RSA 12-G 43, (a)] 6 Aid in the development of salt water fisheries and associated industries. [Id at (b)] Cooperate with any agencies or departments of the federal government in planning the maintenance, development, and use of the state ports and state tidal waters. [Id at (c)] [and] Perform such other duties and functions relating to the administration, management, and operation of division property and division projects as are assigned to the division by the authority. [Id at (f)]."

Rye Harbor History

Prior to 1962, the vast majority of the Rye Harbor Marine Facility was a wetlands marsh, similar to the area found between the access road and Harbor Road to the south.

The spoils from the dredging that occurred in the harbor in 1962 were placed on shore in the then existing marsh which created a facility measuring approximately 8.52 acres.

In 2002, the roughly 3.75 acres between the access road and Harbor Road to the south, were subject of a marsh reclamation project, leaving just under 5 acres of usable space for all of the operations within the facility. The facility was originally owned and managed by the NH Department of Resources and Development (DRED) until it was transferred to the Division of Ports and Harbors (DPH) in 2005.

Business Activity

- Marine transportation facility supporting the New Hampshire commercial fishing industry.
- 12 tourism and transportation charters.
- 2 businesses that sell prepared food.
- Other Businesses.
- Direct ocean access to recreational boat owners and commercial vessel owners.
- Year round vessel storage and fueling capabilities.

The businesses in the harbor that appear to attract the most customers are Granite State Whale Watch (GWW) and its affiliated snack bar/food service business known as Rye Harborside (RHS), and the Rye Harbor Lobster Pound (RHLP).

- 12,000+/- Whale Watch visitors during the season.
- 900+/- food service patrons per season at Rye Harborside.
- Rye Harbor Lobster Pound saw an average of 14,367 transactions per season between 2018 and 2021.
- 139 days of operation per season.

Charter Boat Activity

Respondent	Trips	Passengers (Avg.)
#1: Charter Fishing,	30	6 Per Trip; 180 +/-
#2: Charter Fishing, Tours	40	3 Per trip; 120 +/-
#3: Charter Fishing, Tours	45	3 Per trip; 135 +/-
#4: Charter Fishing	50	8 Per trip; 400 +/-
#5: Charter Fishing, Tours	96	5 Per trip; 480 +/-
#6: Sight Seeing and Transportation	224	Sightseeing; 70 Per Trip x 140 trips; 9,800 +/- Transportation; 17 Per Trip x 84 trips; 1428 +/-
Totals (May – September)	**485**	**12,543 Passengers over 100+/- days**

- 12 charter boat businesses; Fishing excursions, sightseeing tours, and transportation services.
- Majority of business is conducted in late May through early September each season.
- Six of the twelve businesses provided information on the numbers of trips and passengers they saw during that time frame.

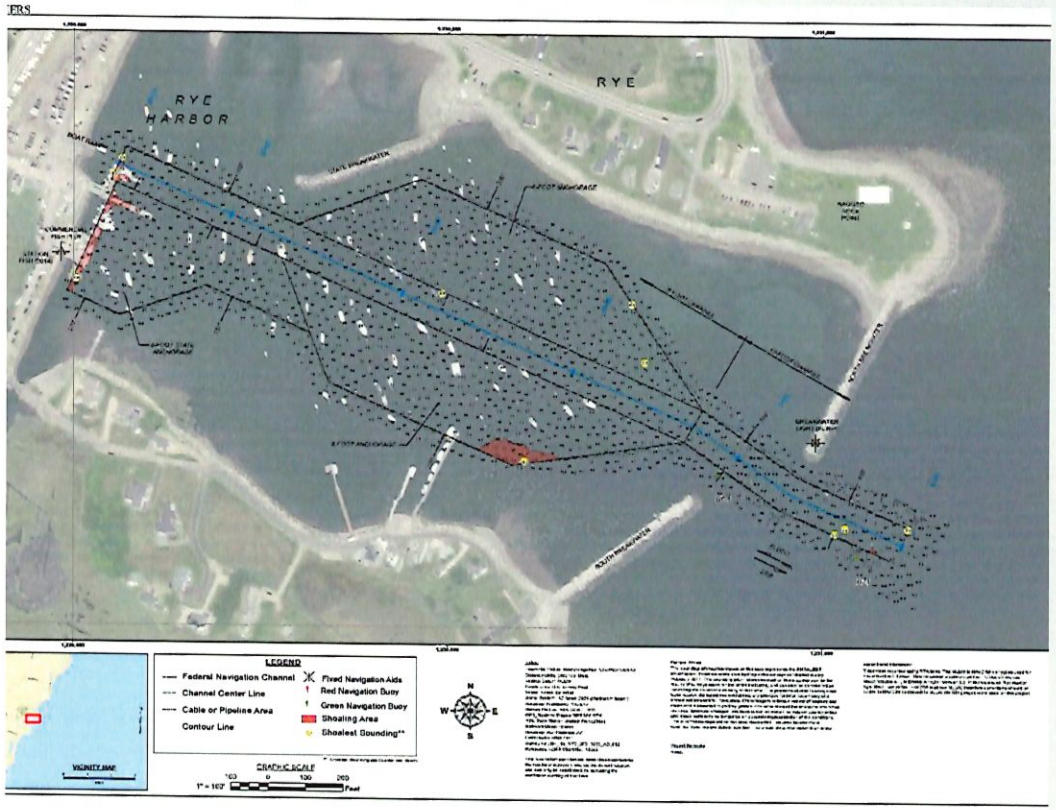
Commercial Fishing Activity

Year	Fishers	Dealers	Lobster (lbs.)	All other (lbs.)	Total weight	Value
2018	49	29	171,487	545,529.34	717,016.34	**$1,173,924.62**
2019	66	31	101,324	914,572.33	1,015,896.33	**$1,096,983.83**
2020	56	25	285,364	808,990.96	1,094,354.96	**$1,926,641.18**
2021	62	26	345,118	804,555.70	1,149,673.70	**$3,253,642.95**
2022	44	22	268,705	*compiling*	*compiling*	**$2,212,200.54***

- Data provided by New Hampshire Fish and Game (NH F&G) illustrates the impact commercial fishing activity has on the fleet using the commercial pier and the local economy.
- There has been an increase in fish landings at all three facilities DPH manages since 2018.
- Some 40 different species other than lobster harvested are landed in Rye Harbor. Some represent species identified in emerging fisheries/markets like Jonah Crab.

Rye Harbor Channel and Commercial Activity

- Federal Navigation Project
- 2 Acres of State Anchorages
- U.S. Army Corp of Engineers (ACOE)
  - Commercial Activity Responsibilities



Commercial Activity Requirement

- It is ACOE policy to prioritize projects that support commercial activity when ranking dredge project applications through cost vs benefit analysis.
- The ACOE will consider recreational benefits, but only if there is a "joint use" between commercial and recreational interests in the harbor.

First Responder Support

- Rye Harbor supports numerous First Responder agencies, to include the New Hampshire Marine Patrol, NH F&G, and the Department of Environmental Services.
- Launch and Recovery of vessels.
- Fueling.
- Response to maritime emergencies.
- Medical aid calls.
  - In 2022, Rye Fire responded to;
    - 4 medical aid calls at the facility.
    - 9 medical aid calls involving Star Island and,
    - 14 calls for service requiring the use of the Fire Departments Jet Ski.

General Financial Situation

	FY 2018	FY 2019	FY 2020[1]	FY 2021[2]	FY 2022[3]
Revenue	$243,981.00	$303,871.00	$904,091.00	$337,885.00	$335,091.00
Expenses	$187,133.00	$250,733.00	$828,353.00	$312,457.00	$409,011.00
Net	$56,848.00	$53,138.00	$75,738.00	$25,428.00	-$73,920

[1] Includes $585,000.00 of funding and expenses related to the Rye dredging project.

[2] $37,000 in repairs and $19,500 in increased snow removal costs.

[3] $53,800 in repairs; $46,000 to convert 30-minute parking to a Fire Lane; $21,575 in increased snow removal costs; $121,375 in increased total expenses. Note: But for these increases, Rye would have seen a $47,455.00 net profit.

With the exception of FY 2022, Rye Harbor as its own business unit within DPH, has generally operated in the black over the last five years, with revenues being directed to capital improvements at the facility that are non-grant related.

- $27,446.40 5-year average.

Rye Harbor Access Agreements
Pier Related Permits

Annual Pier Use Permit:

- Allows the permit holder to utilize space on the pier on a non-exclusive temporary basis during the permit's term.
- May be issued to an applicant engaged in commercial fishing, charter, or cargo operations.
- Off-site businesses may apply for a Pier Use Permit by articulating the needed pier use and what facility or facilities they need access to.
    - DPH $12 per foot/$200 minimum; Bar Harbor- $250/$5,000

Single Use Pier Use Permit:

- Allows use of the pier on a specific occasion and is issued to the owners or operators of transient commercial fishing vessels only.
    - $6.00 per foot.

Skiff Permits:

- A Skiff Permit allows those holding a commercial mooring permit or recreational mooring permit at Rye Harbor to secure a skiff to the skiff dock. Skiffs are used by mooring holders to travel from the dock to their mooring in the mooring field. (78 avg. per year)
    - DPH $50; Kittery $50/$120; Newburyport $$250

Permit Fees	2018	2019	2020	2021	2022
Annual Pier Use	$15,600 (50 Vessels)	$22,480 (60 Vessels)	$26,154 (63 Vessels)	$29,316 (70 Vessels)	$25,202 (59 Vessels)
Single Use Pier Permits	$1,314	$227	$440	$216	-0-
Skiff Permits (Rec)	30/$1,500	28/$1,400	30/$1,500	30/$1,500	30/$1,500
Skiff Permits (Com)	43/$2,150	51/$2,550	51/$2,550	52/$2,600	49/$2,450

Moorings, Mooring Permits and Waitlists

Mooring Data	2018	2019	2020	2021	2022
General Use Moorings	46	49	50	45	46
Commercial Use Moorings	63	61	59	62	60
Non-Revenue Moorings	0	0	0	0	0
Shore Front Moorings	3	4	4	4	5
General Use - Nearshore	43	40	39	39	37
Non-Revenue - Nearshore	1	1	1	1	1
Commercial - Nearshore	4	5	5	4	3
REVENUE					
Rye Harbor Moorings	$30,670	$38,564	$37,528	$36,522	$37,208
Rye Near Shore Moorings	$7910	$10,496	$10,292	$9,896	$9380
Total	$38,580	$49,060	$47,820	$46,418	$46,588
Fees by Year	$10 flat fee	($12 LOA or $200)	($12 LOA or $200)	($12 LOA or $200)	($12 LOA or $200)

Waitlists: Unless one is the owner of shorefront property it is necessary to apply for the waitlist to obtain a mooring permit. There are currently 158 people on the Rye Harbor Waitlist (H-124/NS-34).

Loaning of Moorings: Moorings cannot be loaned out. The assigned boat is the only one allowed on a mooring unless it is a skiff used to access that mooring. If a permit holder wishes to change the assigned boat they must produce the registration and pay the difference in fee, if any.

Transferability of Moorings: A mooring permit may be transferred in only two instances;

-Surviving Spouse: Surviving Spouse may request the transfer.

-Commercial Transfer: Requires the sale of a business or business unit.

1) Reviewed by DPH staff to ensure the buying party meets the application requirements in the rules. 2) Reviewed by PDA legal. 3) Approved or disapproved by Executive Director. 4) Reported to PDA Board of Directors.

Right of Entry (ROE) Agreements

Right of Entry Agreements (ROE): A Right of Entry (ROE) is a written license agreement between PDA-DPH and a business that authorizes the business to conduct certain business activities on DPH property. The agreement, revocable at will by DPH, reflects the rights, privileges, and responsibilities of both parties for a specific period of time.

- There are 17 businesses in Rye Harbor that have formalized 19 ROE's with PDA/DPH.
- 9 businesses combine a water-based business having a Pier Use Permit with a land based structure or "shack". All ROE holders with shacks pay a $1,000 per year fee for the space the shack occupies. All Rye Harbor ROE's are currently set to expire on June 30, 2023.

Concession Contract

One Rye Harbor business, Rye Harborside (RHS), holds a food concession contract in the harbor. RHS sells restaurant style food items such as breakfast sandwiches, lobster rolls, burgers, and hotdogs.

The concession contract contains the same $1,000 rental fee for the space that ROE holders must pay and has the same general terms as the ROE's, with a handful of additional requirements, which include:

Section 19 of the contract titled, *"Accounting Methods and Payments"* states in part that "*All gross income received by the operator shall be recorded by cash registers"* and that *"register tapes shall be available to PDA-DPH for audit and inspection purposes."* The concessionaire is also required to *"maintain…permanent books of accounts and records, including inventories…expense[s], receipts and disbursements and other information…available at all times for inspection* [audit] *by PDA-DPH".*

Section 21 of the contract titled, *"Personnel"* empowers PDA-DPH to take certain actions concerning the concessionaire's personnel. The section states in part, *"…whenever PDA-DPH shall notify the concessionaire in writing that any person employed on the premises, in its opinion, is incompetent, disorderly, unsanitary or otherwise unsatisfactory, such conditions shall be corrected or such person shall be discharged and shall not again be employed without consent of the PDA-DPH."*

Comparable State Contracts

Department of Natural and Cultural Resources (DNCR) – DNCR is responsible for the operations and management of Odiorne Point State Park which, like Rye Harbor, is located in Rye, New Hampshire.

- Roots Café: Contract for *"food concession services"* at Odiorne on March 25, 2022 for the 2022 season. The concessionaire, a catering company operating out of Newmarket, NH, entered into a five month contract (May 15, 2022 – October 15, 2022) with DNCR, agreeing to pay DNCR $1,000 per month to rent an existing food concession building, as well as 10% of total gross sales, both payments being due on the 15th of each month. The caterer was also granted a renewal option for the same time period with the same terms for the 2023 season.

Pease Development Authority (PDA) – PDA has a food concession contract with Great Circle Catering in the airport terminal building at Pease International Airport and with Galley Hatch Catering which operates Grill 28 in the golf course clubhouse.

- Galley Hatch Catering: PDA first entered a concession agreement with Galley Hatch in April of 2009. Since November 2017, the concession fee paid to the PDA has been set at 17% of gross revenue.
- Great Circle Catering: – In the first three years of the contract Great Circle is required to pay 10% of its gross revenues, computed monthly, excluding sales tax and gratuities. Years four and beyond see increases in this fee up to 14% in option years beyond the seven years outlined in the contract. These incremental increases also take enplanements into consideration. If enplanements year to year increase, the percentage fee increases accordingly based on the year of the contract. If enplanements remain flat or drop, the fee remains the same as the preceding year. If at any time during the life of the contract after the initial three year time period enplanements drop below 50,000, the percentage fee reverts to 10%.

Parking Related Permits

Parking Activity	2018	2019	2020	2021	2022
General Parking Fees	$34,810	$31,155	$26,020	$19,320	$28,480
Daily Seasonal Parking Permit and Sticker	$2,175	$1,500	$2025	$1,350	$1425
Overnight Parking (Rec)	Not Avail.	Not Avail.	Not Avail.	$4,285	$4,540
Overnight Parking Permit (Season)	$6,065	$6,830	$5,550	$1,925	$3,795
Seasonal Overnight Parking Permit and Sticker	$750	$3,600	$600	$2,100	$2,250

Parking Facts

- Rye Harbor has seen an average of 5,662 cars parked in the facility's parking lot per season since 2018.
- In 2018, 6,962 paying vehicles were recorded as parking at the facility, with the recorded low being 2021 with 5,138 vehicles parked.
- In 2021, out of the 5,138 vehicles parked, no fees were collected for 1,274 "Complementary 30-Minute Parking Permits" that parked within the facility's lot.
- The majority of visitors parking at the facility are primarily visiting GSWW and RHLP. There are also a number of recreational boaters who launch their vessel then park their vehicle and trailer in a designated area within the lot.
- The five year average for launching and trailer parking stands at 749.

Addition of Fire Lane

- In response to public safety concerns in the Harbor, the 30-minute free parking area along the guardrail was converted to a Fire Lane in 2022.
- The elimination of the 30-minute parking area worked to cut down on accidents and near misses on the access road, generally solved the vehicle and pedestrian congestion problem along the access road, and, most importantly, provided a place for emergency vehicles to operate should an emergency arise.
- Parking for the businesses within the Harbor is now exclusively located within the facility parking lot and is available for the requisite $5 parking fee, which appears to be very low when compared to other locations along the seacoast.
  - **Examples of Parking Fees Charged by Similar Facilities;**

    Hampton Beach State Park and Wallis Sands State Park;

    $15 for Cars - $30 for an RV, Empty Bus or Van.

    Maudslay State Park, Newburyport;

    MA Resident Vehicle - $5

    Non-MA Resident Vehicle - $20

Fuel Sales and Vessel Storage

Fuel Sales

	2018	2019	2020	2021	2022
Fuel Flowage Fees (Trucks)	$4,316.82	$4,302.78	$4,688.49	$8,831.35	$4,417.14
Fuel Sales (Pumps)	$110,232.50	$171,114.13	$185,149.16	$159,267.34	$194,860.24

- There are two fueling points in Rye Harbor with unleaded and diesel fuels available.
- Another fueling option available to commercial vessel owners is to purchase fuel directly from vendors who maintain a ROE with the division and pay a flowage fee of $.10 per gallon. Presently, there are 16 approved variances in Rye Harbor.

Vessel Storage

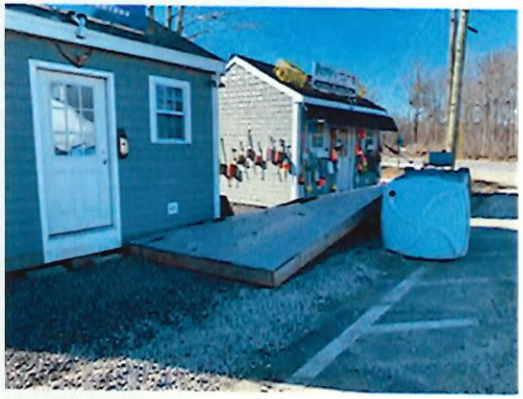
- Vessel storage within the facility is done on a "space available" basis.
- 2022 PDA-DPH saw 55 boats stored within the facility over winter of 2022. At $18 per foot PDA-DPH collected **$23,584.00** in winter storage fees this past FY.
- Over the summer of 2022, the division saw 63 vessels stored within the facility at a rate of $36 per foot. PDA-DPH collected a total of **$48,979.00** in storage fees. The total vessel storage revenue collected for the FY was **$72,563.00**.
- Predictable revenue stream. The five FY year average for vessel storage sits at $66,082.00 with the high being the 2022 FY after a storage rate increase went in to effect in CY 2021. The low was in FY 19 when Rye Harbor saw total vessel storage income of $61,811.00.

Environmental Challenges

The picture to the left was taken at approximately 12:30pm on November 17, 2020. This was a 12.1 ft. Spring or "King" tide. Note the "pond" in the center of the lot that enters the facility from the drainage swale located in the middle of the seawall.

For comparison, the picture to the right was taken on March 3, 2021 at 8:14am. This was a -1.1 ft. "Neap" tide.

The picture of the storm surge on December 23, 2022 was taken at approximately 11:00am. The predicted time of high tide was 10:38am. The tide was projected at 11.60 ft.



- A review of the State of New Hampshire Hazard Mitigation Plan and the National Oceanic and Atmospheric Administration's Storm Events Database indicates that Rye Harbor and the seacoast in general has seen the effects of high winds and extreme flooding in reportable storms on 10 occasions since January of 2018. (2018 - $82,894.82 / 2022 - $82,660.60)
- Potential sea-level rise of 1' to 1.5' by 2050 according to NOAA.
- A rise in sea-level would certainly compound the damage the Rye Harbor facility currently sees from storms that impact the harbor.
- This apparent increase in storm frequency and severity is a factor that should be considered in any improvements made to infrastructure and the division's overall business model in the future.

Potential Infrastructure Improvements

1. **Seawall:** Return it to the vertical and seaward dimensions that existed prior to the storm that greatly impacted the seawall in 2018.
2. **Vessel Launch Ramp:** Replace the 35'x120' launch with an 80'x150' structure; side by side launching with a central float system dividing the two launching areas.
3. **Recreational Dock and Commercial Fish Pier Float Replacement:** The docks and floats on both sides are still serviceable but are showing wear. Newly constructed floats on both sides should be considered at a minimum.
4. **Elevated Retail and Storage Deck system:** Subject to PDA Board approval, engineering and permitting, PDA would propose the construction of a 16' x 120' deck that is elevated a minimum of 3' to avoid flooding that occurs within the facility.

Challenges

- Wetland Buffer Zone
- Extreme Weather
- Sea Level Rise Concerns
- Environmental Permitting
- Lack of Sub-Surface Stability

Potential Funding Streams

- **ARPA Funding:** Should PDA-DPH receive funding, DPH would seek to create a raised deck-like structure that the shacks contemplated in the project would be placed upon to keep them above the level of flood waters.
- **FEMA Disaster Mitigation Funding:** There are presently nine (9) open presidentially declared disasters in the State of New Hampshire. The latest storm which occurred over Christmas is currently in the Damage Assessment phase with over $10m of damage being reported throughout the state. Just over $1.2m of that damage has been reported in Rockingham County and it is very likely that an application for FEMA public assistance will be made sometime within the next 30-days.

  Whether a disaster is declared for this most recent storm or not, PDA-DPH qualifies to apply for disaster mitigation funding through the two most recent disasters declared in July of 2021. Presently, that funding split is set at 75% Federal to 25% State.

- **FEMA Building Resilient Infrastructure and Communities (BRIC) grant:** The Building Resilient Infrastructure and Communities (BRIC) grant program supports state, local, tribal and territorial entities undertaking hazard mitigation projects. It does not require a declared disaster in the jurisdiction making the application, just that there is problem related to past disasters or natural hazards that requires prevention or mitigation.

Summary

Short-Term Recommendations:

- Credit Card payments for parking - Presently, DPH only accepts cash at the parking kiosk which has been inconvenient for customers using the facility and creates cash management issues, such as daily bank deposit runs. User friendly equipment exists where, after a limited amount of training, division personnel will be able to accept credit cards for parking and launching.

  -Automated collection of parking transactions which will lead to more efficient record keeping and capture potential lost revenue.

- Parking lot and Parking Enforcement considerations - Historically, enforcement of the parking rules relied completely on the cooperation of the facility's tenants. On numerous occasions tenants have dismissed the rules established by DPH and the official signs placed on the access road and in other areas within the facility. When tenants saw what they perceived as preferential treatment being afforded to another tenant, or blatant disregard for the rules and official signage, they felt empowered to engage in similar activity. This has created a great deal of conflict between the tenants, the staff, and PDA-DPH. Uniform treatment and enforcement of parking requirements must become the norm at Rye Harbor.

  - The Chief Harbor Master (CHM) and the Deputy Chief Harbor Master (DCHM) are certified police officers in the State of New Hampshire.

  - After consultation with the New Hampshire Attorney General's Office, consider having the CHM and DCHM take on an expanded enforcement role as it relates to the enforcement of the motor vehicle laws contained within the New Hampshire Statutes, specifically those found within RSA 265:68, Stopping, Standing or Parking.

Potential changes to Right of Entry and Concession contract terms –

- Rental fees: The $1,000 per season fee charged for a general ROE within the Rye Harbor Marine Facility has not been increased in many years and an increase should be considered in future years. Additionally, any new ROE's should include, but not be limited to, provisions relating to the following:

  1) Holders of a ROE agree to comply with the parking scheme designed and enforced by DPH and understand that failure to do so will result in a loss of driving and parking privileges at the Rye Harbor Marine Facility and / or a summons for the violation of the parking laws outlined in section RSA 265 of the NH Revised Statutes Annotated; and,

  2) Use of the shack facility is strictly limited to the permitted use under the ROE. Any amendment to that use requires permission from the PDA-DPH and the negotiation of additional ROE terms to support the activity.

- Concession Contracts: PDA-DPH recommends that RHS and RHLP along with any other entity that wishes to sell restaurant style, ready to eat food items at Rye Harbor, be required to enter into Food Concession Contracts that include the standard per year rental fee contained in the general ROE (historically $1,000) and the payment of a percentage of gross profits based on their gross receipts, similar to the agreements identified in the "Concession Contracts" section of this report.

  1) PDA-DPH recommends that any percentage of gross receipts collected be reasonable and consistent with the rates charged by other similarly situated state entities.

  2) PDA-DPH recommends that these new ROE's and Concession Contracts run from July 1, 2023 through April 30, 2025. This term would allow an opportunity to see how these new provisions work, allow for adjustments in future ROE's, and result in putting these ROE's on terms that more closely align with seasonal operations (May 1 through April 30).

Expand Pier Use Permit requirements to include Off-Site Vendors - PDA-DPH proposes to require those companies purchasing catch from fishermen landing their catch at DPH facilities to apply for a Pier Use Permit covering their business activities, including the use of the facility's piers and hoists, and to indemnify PDA-DPH for any related loss.

Long-Term Recommendations:

- Parking - PDA-DPH will engage in a continued review of facility parking management to determine the most appropriate and cost effective way of managing the limited parking resource at the facility, with consideration of things such as nature of use, graduated rates, limited temporary free parking, increased use of technology, and parking impact fees.
- Physical Improvements to the facility's infrastructure - PDA-DPH has the option of investing in the projects identified in the "Potential Infrastructure Improvements" section of this report. Should it be determined that any of these projects should be undertaken, any one of the funding sources could be considered to potentially fund the planning, permitting, and construction. PDA-DPH also has the option of seeking funding directly from the State of New Hampshire as part of a capital improvement effort.
- Implement recommendations made in the Rye Harbor Parking Study - PDA-DPH has the option of fully considering the plans contained within the parking study, potentially adopting one of the four conceptual plans, a portion of one or several plans or continuing operations as they are now and adopting the optional parking scheme with enhanced requirements added into the ROE's and enforcement options.
- Boat Storage - PDA-DPH will evaluate seasonal boat storage policies/procedures in regards to the facility space occupied and monetary return.

Thank you.

Raeline O'Neil

From: Brenda Therrien
Sent: Monday, February 6, 2023 2:45 PM
To: Anthony Blenkinsop;Geno Marconi;Grant Nichols;Karen Conard;Neil.Levesque@gmail.com;Paul Brean;Raeline O'Neil;srfournier@comcast.net;T Case
Subject: PDA Port Committee meeting packet 2/9/2023 8:30 AM
Attachments: PORT COMMITTEE meeting packet 2-9-23.pdf

Good afternoon Members,

Please see attached for the packet for this Thursday's Port Committee meeting.

I will have packets printed for everyone, but there is a lot of information here, for your preview prior to the meeting.

As a reminder, the meeting is being held in the Board Room at PDA Headquarters, 55 International Dr., Portsmouth, NH.

Please let us know if you have any questions.

Thank you,

Brenda

Brenda Therrien
Administrative Assistant
Division of Ports and Harbors
555 Market St.
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PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE AGENDA

FEBRUARY 9, 2023 8:30 AM

PEASE DEVELOPMENT AUTHORITY BOARD ROOM
55 INTERNATIONAL DR. PORTSMOUTH NH 03801

1. CALL TO ORDER
2. APPROVE MINUTES OF THE AUGUST 11, 2022 MEETING
3. RYE HARBOR REPORT-PRESENTATION BY GRANT NICHOLS
4. PUBLIC COMMENT
5. NEW BUSINESS
   a. Initial Draft Proposal, Pda 600 Rules - State Owned Commercial Piers & Facilities
6. PRESS QUESTIONS
7. ADJOURNMENT

PEASE DEVELOPMENT AUTHORITY
PORT COMMITTEE MEETING **Thursday August 11, 2022**
MINUTES

Presiding: Neil Levesque, Committee Chair

Present: Steve Fournier, Committee Member
Erik Anderson, Committee Member

Attending: Geno J. Marconi, Division of Ports and Harbors Director;
Paul Brean, PDA Executive Director;
Anthony Blenkinsop, PDA General Counsel;
Roger Groux, Port Advisory Council Chairman

I. Call to Order

Director Levesque, Committee Chair, called the meeting to order at 8:30 a.m. in the Market Street Marine Terminal Conference Room at 555 Market St. Portsmouth, NH.

II. Acceptance of Committee Meeting Minutes: July 15, 2021

Director Anderson moved and Director Fournier seconded that the Pease Development Authority Port Committee accept the Minutes of the **April 14, 2022** Port Committee meeting. Discussion: None. All members agreed.

III. Public Comment:

Sue Reynolds, from Rye, spoke regarding the agenda items. The first one is to review the conditions of the waiver for Rye Harbor Lobster Pound. The certified motion outlines the conditions of the waiver which indicates there will be "active daily management" and there be "no impediment to other businesses". RHLP is advertising that they are a seafood restaurant with dine in and take out and customers arrive with expectations. Sue expressed concern that some RHLP customers have been told that they can use the Rye Harborside, which she said she manages and operates, picnic tables during the our hours of operation. There is a sign up during operating hours that indicate the tables are reserved for the snackbar customers, so the RHLP customers buy a water from the snackbar. The tables can be used after hours, however, the RHLP staff is not cleaning up after their customers that use their picnic tables so the trash doesn't get cleaned up until the next morning when Sue comes in. Her next concern is regarding the future of the Marine Facility, which was created to allow public access to the ocean (by statute). She asked what the plan is for the future and feels like it is in jeopardy.

IV. New Business

A. Welcome to Grant Nichols, Assistant Port Director

The Assistant Port Director position was created to support the current Division Director and as part of a succession plan. Grant came back to the Port from NH Homeland Security. The Division is excited to have him back as he has many valuable skills and his past experiences will make him a valuable asset to the team.

B. Project Updates:

i. Piscataqua River, Turning Basin Dredge, approximately 762,000 CY of dredge material was removed. 80%+/- was sand and went to Salisbury and Plum Island. The final inspection by the Army Corp of Engineers shows one high spot which needs to be corrected prior to the ACOE closing out the project and prevents opening the turning basin to the new width. This should be corrected during the next dredge window which begins in November.

ii. Market Street Rehabilitation-the main pier rehabilitation is moving along. Discussion included the hydro-demo method, pilings, underwater work and schedule. Ships should be able to start docking and unloading road salt around October 1st. Granite State Minerals was awarded the NH DOT Districts road salt contracts for the year.

iii. Portsmouth Fish Pier-the bulkhead project is being closed out. ARPA money $1.25 million has been received to replace parts of the pier deck and x-bracing that have failed. The Division is in the process of reviewing a proposal from Appledore Marine Engineering for design through construction support for the pier repairs. Request for approval will be sought at the September PDA Board meeting. The next big job at the Facility would be to replace the building as it is falling apart. There is some money available through NH Fish & Game that could help get a start on concept planning and design for the building.

iv. Hampton Float Improvement-this past spring some floats were replaced in Hampton. An aerial (drone) photo was passed out showing the new floats, and a section proposed for additional replacements. $560,000 was awarded through the Governor's Office for Emergency Relief and Recovery.

v. Market Street Security/Fence line upgrade-a Port Security Grant was received in 2018 which funded the replacement of the security fence surrounding the Market St. Terminal. The project is almost complete and includes a movable Jersey barrier system to allow for flexibility in moving oversized freight (ie. windmill blades, turbines, etc.) in and out of the facility.

vi. Status of Rye Fuel Pier-2022 Annual inspections were completed and the systems passed but a fitting failed on the recreational side of the fuel system and is currently shut down. Stamped plans are required to apply for a DES permit which are currently being worked on but it doesn't look like the system will be up and running this season. Discussion included the importance of that fuel system is that it services first responders and emergency agencies.

vii. Review Condition of Waiver Rye Harbor Lobster Pound, Rye Harbor- Director Marconi reported that the Division has eliminated the temporary parking on the driveway and added an entrance, exit and a fire lane. Personnel from the Airport and the Hampton facility have been being utilized for the required traffic control for Rye Harbor Lobster Pound. It has been needed and helpful. A police officer on the premises would help however, after numerous efforts and phone calls it is determined there is a shortage of law enforcement across State and Municipal police. Discussion included the fact that the volume of traffic continues to stress the capabilities of the facility. Discussion included that there is a limit on the number of people that go on the whale watches, but also there is no way to know how many folks will come in on any particular day since it is the only public boat launch, the report that was submitted previously to the PDA Board, health inspector visits, and if the other conditions of the waiver and if they are being met. The water line was discussed, the main water line has been installed and there are 3 shacks connected to it now. Those 3 buildings have paid a fee for that connection to help offset the cost of the water line installation. Anyone who chooses to connect in the future will also pay the connection fee. There is discussion on assessing an annual fee for the water line service.

b. Initial/Defining Phase of Rye Harbor Study

i. Review Existing Physical Conditions

ii. Prepare and Mitigate Storm Conditions

a) Rock Revetment- Director Marconi showed photos of a storm at Rye Harbor which showed severe flooding in the parking lot. He suggested that any plans for the future of Rye Harbor would need to first address replacing the rock revetment to mitigate the impacts of storms. The facility was created when the ACOE created Rye Harbor in 1962 (ish) the dredge material was placed on marsh grass and made the parking lot that is there now. Each year the parking lot needs to be graded due to the washout.

b) Launch Ramp-improvements could include widening the launch ramp and adding a floating dock down the middle

c) Fuel System-options for relocating fuel system if/when the pier is replaced. In the meantime, concrete barriers have been put in place to protect parts of the fuel system on land.

d) Pile and Timber Pier-replace the existing pier with a steel pile and concrete deck and raise it up in anticipation of sea level rise. Discussion included options to move the dispenser, allowable length of hose, tying the fuel with the replacement of the dock, lengthening the dock (not an option as it is a federal navigation area) and that engineering reviews are needed to determine best course of action.

e) Paved Areas-tied into mitigating the storm conditions, engineers would need to determine what is stable and what is not stable

f) Property Elevation- typically after storms there is standing water for several days afterwards. Land is lost each year, again engineers would need to determine options. Exploratory discussions with PDA Engineering have determined that anticipated permitting costs would be astronomical as the entire facility is in the wetlands area.

g) Utilities-Rye water and electricity exist. Telecommunication lines are located in the Port office that go out underwater to Shoals Lab and Star Island.

iii. Economic Review of Existing Conditions-Chairman Levesque asked the committee to consider the facility in 40 to 50 years. The protection of the facility from storm damage is a top priority. His thoughts are maintaining as a Marine Facility, maintain commercial fishing, maximize parking for the commercial side,

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recreation, access for public, keep it a working water front, add picnic tables, and maximize revenues for the PDA and tax payers. A reference to the success of the Jenness Beach project was made. Discussion included the need to determine and define what type of facility we want there? Is it a marine facility, is it a park, or is it something in between? That needs to be determined prior to any engineering, concept studies etc. Fournier reiterated that the first concern should be to keep it a working water front and to address the storm issues so that in the next 50-60 years it will still be there. Future Parking and Infrastructure Requirements

iv. Public Outreach
v. Define Timeline
vi. Funding Availability **(GOFERR)** Brean spoke on seeking GOFERR funding and the master plan, parking lot, launch ramp, and infrastructure. Request to allow staff to deviate from working on the master plan and allow the Division to put something before the Board to seek GOFERR funding (deadline is December) to address the immediate concerns for revetment repairs, fuel system repairs, pier repairs etc. This would allow the Division to complete projects that do not require extensive permitting. On a side note, Groux suggested that there is a State Park up the road which could possibly accommodate some of the retail operators that are currently at the Rye Marine Facility.

c. Upcoming Board items

i. Report on use of ARPA funds-Discussion on the change of use of $500,000 awarded for the Wetlands Mitigation for the BUILD and Functional Replacement project. The Army Corp would not approve the mitigation plan so in order to keep the BUILD project on schedule the Division had the option to make a payment to the NHDES Aquatic Restoration Mitigation (ARM) fund.
ii. Request to approve a Delegation of Authority for any BUILD Project change orders to allow for immediate action in an effort to keep the project moving along.

V. Press Questions

There were no members of the press present.

VI. Adjournment

Director Fournier made a motion to adjourn, Director Anderson seconded and the meeting adjourned at 9:50 AM.

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RYE HARBOR MARINE FACILITY

Report prepared by: Grant Nichols, Assistant Director of the Division of Ports and Harbors

Dated: February 6, 2023

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Introduction

Written following discussions with numerous Rye Harbor business owners, recreational and commercial mooring holders, Town of Rye officials, PDA-DPH employees, and members of the Port Advisory Council, this report has been compiled in order to capture the information to identify:

1. The existing uses of the Rye Harbor Marine Facility;
2. The facility's general economic impact;
3. Options to improve current business operations;
4. Potential infrastructure improvements to increase efficiencies;
5. Aspirational options to improve business operations within the facility; and,
6. Environmental / site challenges.

Rye Harbor History

Rye Harbor Circa 1940

Prior to 1962, the vast majority of the Rye Harbor Marine Facility was a wetlands marsh, similar to the area found between the access road and Harbor Road to the south. The spoils from the dredging that occurred in the harbor in 1962 were placed on shore in the then existing marsh which created a facility measuring approximately 8.52 acres.

Rye Harbor 1962 – Post Dredge

In 2002, the roughly 3.75 acres between the access road and Harbor Road to the south, were subject of a marsh reclamation project, leaving just under 5 acres of usable space for all of the operations within the facility. The facility was originally owned and managed by the NH Department of Resources and Development (DRED) until it was transferred to the Division of Ports and Harbors (DPH) in 2005.

Business Activity

Rye Harbor is best described as a marine transportation facility that primarily supports the New Hampshire commercial fishing industry. The Harbor also supports tourism and transportation charters, two businesses that sell prepared food, and a number of other maritime businesses, such as businesses that buy catch from the commercial fishing fleets and vessel maintenance companies. The Harbor provides direct ocean access to recreational boaters who launch their vessels from the facility's launch ramp and supports year round vessel storage and fueling capabilities for both recreational and commercial vessels.

The businesses in the harbor that appear to attract the most customers are Granite State Whale Watch (GWW) and its affiliated snackbar / food service business known as Rye Harborside (RHS), and the Rye Harbor Lobster Pound (RHLP). GWW is a large scale whale watch business that attracts over 12,000 visitors during the season, which generally runs from June through early October. GWW is the only large scale whale watch business providing this kind of excursion on a full-time basis in New Hampshire. GWW's snackbar / foodservice operation, RHS, sees approximately 900 transactions[1] in a given season. On a yearly basis, about 800 of those transactions are with one-time visitors. The remaining 100 transactions are generally with repeat customers. RHLP runs a business selling live lobsters and restaurant style meals from the two-shacks it operates on the main access road. Though its 2022 seasonal transaction count is not available at this time, RHLP's seasonal transaction average between 2018 and 2021 was 14,367 transactions over an average of 139 days of operation per season.[2]

[1] A "transaction" is any single customer sale, regardless of the size of the order.
[2] Information on transactions was provided by the referenced businesses.

Charter Boat Activity: There are twelve charter boat businesses operating at Rye Harbor providing fishing excursions, sightseeing tours, and transportation services to the Isles of Shoals. These businesses do the majority of their business in late May through early September each season. Six of the twelve businesses provided information on the numbers of trips and passengers they saw during that time frame.

Respondent	Trips	Passengers (Avg.)
#1: Charter Fishing	30	6 Per Trip; 180 +/-
#2: Charter Fishing, Tours	40	3 Per trip; 120 +/-
#3: Charter Fishing, Tours	45	3 Per trip; 135 +/-
#4: Charter Fishing	50	8 Per trip; 400 +/-
#5: Charter Fishing, Tours	96	5 Per trip; 480 +/-
#6: Sight Seeing and Transportation	224	Sightseeing; 70 Per Trip x 140 trips; 9,800 +/- Transportation; 17 Per Trip x 84 trips; 1428 +/-
Totals (May – September)	**485**	**12,543 Passengers over 100+/- days**

Commercial Fishing Activity

Data provided by New Hampshire Fish and Game (NH F&G) illustrates the impact commercial fishing activity has on the fleet using the commercial pier and the local economy. Commercial fishermen are required to report their landings, which NH F&G tracks by weight and total market value.

There has been an increase in fish landings at all three facilities DPH manages since 2018. Renee Zobel, who administers the Marine Resources Program for NH F&G, advises that lobster harvesting has stayed fairly consistent in New Hampshire state waters over time and that the majority of increases are catch being landed from federal waters. Ms. Zobel was not able to provide a breakdown of species caught by weight as that information is confidential, but she was able to provide a table showing the diverse number of species of fish being harvested in area waters. This information can be provided if there is interest in reviewing. She also offered that some of the species other than lobster harvested represent species identified in emerging fisheries / markets.

Year	Fishers	Dealers	Lobster (lbs.)	All other (lbs.)	Total weight	Value
2018	49	29	171,487	545,529.34	717,016.34	$1,173,924.62
2019	66	31	101,324	914,572.33	1,015,896.33	$1,096,983.83
2020	56	25	285,364	808,990.96	1,094,354.96	$1,926,641.18
2021	62	26	345,118	804,555.70	1,149,673.70	$3,253,642.95
2022	44	22	268,705	*compiling*	*compiling*	$2,212,200.54*

*** To date as of 12/12/2022**

It should be noted that the fishermen in this report landing in Rye Harbor pay a Pier Use Permit fee in order to land their catch. The dealers purchasing those lobsters from the fishermen do not. Requiring dealers to enter in to a right of entry (ROE) for use of the facility and requiring that they provide proof of insurance would be wise. Charging a fee for use of the facility also represents an opportunity to increase revenues in order to support the operation of this public facility.

First Responder Support

Rye Harbor also supports numerous First Responder agencies, to include the New Hampshire Marine Patrol, NH F&G, and the Department of Environmental Services, which uses the facility to launch, recover, and fuel its vessels. The United States Coast Guard frequents Rye Harbor and considers Rye Harbor a potential alternate fueling location should its system at Station Portsmouth Harbor go down for maintenance or otherwise. Rye Fire Department stores its Search and Rescue Jet Ski at Rye Harbor, which it uses to respond to maritime search and rescue calls. A video link which shows how the Jet Ski is used can be found below this paragraph.

The Rye Fire Department is the primary provider of medical aid at the Isle of Shoals and the responding department for Rye Harbor. In 2022, Rye Fire Department responded to four medical aid calls in Rye Harbor and nine medical aid calls involving Star Island where Rye Harbor factored in to the response, e.g. an injured person being transported to the dock where the Fire Department met the boat and provided treatment. An additional 14 calls for service requiring the use of the Fire Department's Jet Ski occurred during the year as well. These calls generally involved persons stranded on the rocks while at sea in smaller watercraft.

Video Link to Rye FD Jet Ski demonstration:
https://www.facebook.com/RyeFireRescue/videos/307046134556863

Jurisdiction and Authority

The PDA, acting through DPH, has;

> "...the responsibility for and jurisdiction over state-owned commercial piers and associated facilities, including the establishment of permit programs...wait lists ... [and] fees. (RSA 12-G: 42, Additional Powers and Duties, Para. IX). Additionally, as it related to fees, PDA/DPH with the approval of the Board may set and collect fees related to "wharfage, dockage...mooring permits and waitlists... [and] Fees relating to state-owned commercial piers and associated facilities..." (RSA 12-G: 42, XI).
>
> Further, DPH's statutory charge under 12-G:43 provides that DPH shall...
>
> "Plan for the maintenance and development of the ports ... in order to foster and stimulate commerce and ... commercial and industrial interests that may depend on the sea for transport of products, including such interests as may be desirous of locating in tidewater areas of the state; as well as to encourage the establishment of accommodations for the boat traveler, the area boat owners, the pleasure fishermen, and others who pass up and down our coast line or in its tributaries. [RSA 12-G 43, (a)]

Aid in the development of salt water fisheries and associated industries. [Id at (b)]

Cooperate with any agencies or departments of the federal government in planning the maintenance, development, and use of the state ports and state tidal waters. [Id at (c)]

[and] Perform such other duties and functions relating to the administration, management, and operation of division property and division projects as are assigned to the division by the authority. [Id at (f)]."

General Financial Situation

With the exception of FY 2022, Rye Harbor as its own business unit within DPH, has generally operated in the black over the last five years, with revenues being directed to capital improvements at the facility that are non-grant related. Some outliers for consideration are identified here:

- Rye Harbor's net income increased in FY 20 because of the funding related to the Army Corps of Engineers (ACOE) dredging of Hampton Harbor.

  Note: PDA-DPH's statutory charge requires DPH to collaborate with federal agencies as it relates to the maintenance of navigation channels in the tidal waters as the State sponsor. PDA-DPH's ability to receive funding from the federal government through the ACOE relies heavily on the commercial nature of the activity in Portsmouth, Rye, and Hampton Harbors. Though the state pays a cost match generally set at 25%, the federal government absorbs a large majority of the costs and the federal administrative requirements.

- In 2021, Rye Harbor saw an increase in weather related maintenance and a spike in snow removal costs.

- Rye Harbor saw more weather related repairs in FY 2022, the additional costs of the installation of a dedicated fire lane, and increased snow removal costs.

	FY 2018	FY 2019	FY 2020[1]	FY 2021[2]	FY 2022[3]
Revenue	$243,981.00	$303,871.00	$904,091.00	$337,885.00	$335,091.00
Expenses	$187,133.00	$250,733.00	$828,353.00	$312,457.00	$409,011.00
Net	$ 56,848.00	$ 53,138.00	$ 75,738.00	$ 25,428.00	-$ 73,920.00

[1] Includes $585,000.00 of funding and expenses related to the Rye dredging project.

[2] $37,000 in repairs and $19,500 in increased snow removal costs.

[3] $53,600 in repairs; $46,000 to convert 30-minute parking to a Fire Lane; $21,575 in increased snow removal costs; $121,375 in increased total expenses. Note: But for these increases, Rye would have seen a $47,455.00 net profit.

Rye Harbor Access Agreements
Pier Related Permits

DPH administers a variety of pier related permits within Rye Harbor that authorize certain uses of the facility's piers, as further described below:

Permit Fees	2018	2019	2020	2021	2022
Annual Pier Use	$15,600 (50 Vessels)	$22,480 (60 Vessels)	$26,154 (63 Vessels)	$29,316 (70 Vessels)	$25,202 (59 Vessels)
Single Use Pier Permits	$ 1,314	$ 227	$ 440	$ 216	-0-
Skiff Permits (Rec)	30/$1,500	28/$1,400	30/$1,500	30/$1,500	30/$1,500
Skiff Permits (Com)	43/$2,150	51/$2,550	51/$2,550	52/$2,600	49/$2,450

Pier Use Permits:

An Annual Pier Use Permit allows the permit holder to utilize space on the pier on a non-exclusive temporary basis during the permit's term. The Pier Use permit may be issued to an applicant engaged in commercial fishing, charter, or cargo operations. Off-site businesses may apply for a Pier Use Permit by articulating the needed pier use and what facility or facilities they need access to.

A Single Use Pier Use Permit allows use of the pier on specific occasion and is issued to the owners or operators of transient commercial fishing vessels only.

Examples of Pier Use Permit Fees:

- **DPH**: The permit fee for an Annual Pier Use Permit is $12.00 per foot of the vessel the permit is being issued for. A $200 minimum fee is also established within the fee structure so for example, if a person sought Pier Use for a vessel that is 14' in length, PDA-DPH would collect the $200 minimum fee rather than $168 using the $12 per foot fee.

  The Single Use Pier Use Permit fee is calculated at $6 per foot of the permitted vessel.

- **Kittery, ME** – Kittery charges $10 per foot for a resident and $20 per foot for a non-resident for annual pier-use. Kittery charges a $50 single pier-use fee for residents with non-residents paying $100.

- **Bar Harbor, ME:** Bar Harbor's *"Commercial Use Fee"* generally mirrors the PDA-DPH Pier Use Permit. It is exclusive to those engaged in commercial fishing, granting use of hoists, docks, ramps, dumpsters, and a parking permit for $250.

  Like the PDA-DPH Pier Use Permit, Bar Harbor will grant off-site businesses limited pier use through a permit. Their "Seafood Buyers Permit" grants off-site business the right to enter the facility and use the loading zones and hoists for $5,000.00 annually.

Skiff Permits: A Skiff Permit allows those holding a commercial mooring permit or recreational mooring permit at Rye Harbor to secure a skiff to the skiff dock. Skiffs are used by mooring holders to travel from the dock to their mooring in the mooring field. In the past five years, the harbor has seen an average of 78 commercial and recreational skiffs in the harbor.

Examples of Skiff Fees:

- **DPH**: DPH charges an annual $50 fee which appears to be fairly average based on a review of other facilities, with some notable outliers.

- **Kittery, ME** – Kittery charges $50 for a resident skiff permit and $120 for non-residents.

- **Newburyport, MA** – Newburyport charges $250 for a skiff permit which they refer to as a "Dinghy Permit".

Moorings, Mooring Permits and Waitlists

Types of moorings and general rules – As a primer for this section, it is helpful to briefly review the several types of moorings that DPH permits and how they are impacted by the mooring waitlist.

DPH currently permits 1,532 moorings in 29 mooring fields within the tidal waters of New Hampshire. There are seven different types of moorings, all of which have slightly different requirements as it relates to application, reapplication, and permitting.

- Types of Moorings:

  - General use mooring permit: A general use mooring permit may only be held by an individual who is *an owner* of the vessel the permit is issued for and cannot be held by a corporation or a trust. The phrase "*an owner*" is important as many people co-own vessels because of the expense. Regardless of how many "owners" there are of a vessel, only one can be named on the general use mooring permit.

    A general use mooring permit holder may submit an application to change the category of his or her existing mooring to a commercial use mooring permit at any time during the permit year provided he or she meets all of the commercial mooring application requirements contained within the Commercial Use Mooring Permit requirements found in Pda 506.08. Should they do so the permit must remain commercial and cannot return to general use.
  - Commercial use mooring permit: The holder of a commercial use mooring permit must produce documentation upon application or annual reapplication showing that the mooring was in fact used commercially. In the case of a fisherman he or she must produce the current boat registration and fishing license, as well as proof of the sale of licensed species during the previous year. A charter boat permit holder must produce a captain's license, two forms of advertising, and documentation showing good standing with the Secretary of State.
  - Commercial mooring for hire mooring permit: A commercial mooring for hire permit must be held by a shorefront property owner. In most cases this is a marina or yacht club. A landlord that rents the property may also qualify and allow the occupying tenant the use of the mooring. The authority to grant a commercial mooring for hire belongs to the Board of Directors, which has delegated that authority to the Executive Director.
  - General use and commercial nearshore moorings: A nearshore mooring can generally be placed anywhere within the high water-mark at the shoreline and the low water-mark in the nearshore area of any mooring field or sub-filed. These moorings are not as desirable as those found in the main mooring field as the vessel on the mooring is quite often unusable at low-tide. Other than being closer to shore

in shallower and sometimes less navigable water, the requirements for obtaining this type of mooring are identical to moorings found in the main mooring field.
  - Temporary seasonal use mooring permits: Temporary seasonal use mooring permits are moorings at the location of an existing general use, commercial use, or shorefront property mooring, which the permittee has elected not to use for the season. The next person on the waitlist is entitled to apply for the use of that location for that season. It cannot be done for consecutive seasons and must be applied for during reapplication. To date none has ever been issued by DPH.
  - Shorefront property owner mooring permit: The owner of shorefront property is entitled to one mooring permit exempt from the waitlist. It must be in the shorefront property mooring area, which essentially means in front of the property. The permittee must produce a copy of the deed, tax map, and recent tax bill, as well as the boat registration upon initial application. Upon reapplication the deed and tax map are not required.
  - Non-revenue mooring permit: Non-revenue mooring permits are issued to State agencies and do not require the payment of the fee. The majority are held by UNH and DES. There is one non-revenue mooring located in Rye Harbor reserved for the use of DPH.
- Waitlists and general rules – Unless one is the owner of shorefront property it is necessary to apply for the waitlist to obtain a mooring permit. An applicant remains on the waitlist as long as they reapply each year. The length of time one must wait varies by location, with Rye Harbor being one of the longest waits at about 30 years. There are some areas in State tidal waters with no waitlist, such is some areas of Little Bay or the Piscataqua River. When an opening occurs in a waitlisted area it is offered to the top 5 on the waitlist by certified mail. The mooring permit(s) are then issued in that order. The application is reviewed by a staff member who coordinates the permit process. It is then reviewed by the local harbormaster and the Chief and Deputy Chief Harbormasters to ensure it is a complete application and that the applicant is entitled to that permit.

  A mooring permit is for a specific location. It allows the permittee to place their property, the block, chain, and ball, in State waters. It is the permittee's responsibility to ensure that the equipment is adequate and that it stays in the assigned location.

  Moorings cannot be loaned out. The assigned boat is the only one allowed on a mooring unless it is a skiff used to access that mooring. If a permit holder wishes to change the assigned boat they must produce the registration and pay the difference in fee, if any.

  Mooring balls must be labelled with the permit holder's last name and the permit number. Reapplications are sent out at the first of the year and must be returned complete to the DPH by March 1st or within 10 business days if accompanied by the late filing fee. The review process is the same as that for a new application.

- Transferability – A mooring permit may be transferred in only two instances:
  - *Transfer to Spouse*: A general use mooring permit, commercial use mooring permit, or shorefront property mooring permit may be transferred to the surviving spouse in the event of the death of the permit holder.
  - *Commercial Mooring Transfers*: It is possible to apply for the transfer of a commercial use or commercial for hire permit concurrent with the sale of a business or business unit. The Board of Directors has delegated the authority to approve such a transfer to the Executive Director who then reports that transfer to the Board. In such a case the application is subject to the DPH internal review process, but then is

reviewed by the Division Director and PDA legal counsel before consideration by the Executive Director.

Moorings in Rye Harbor – There are a total of 152 moorings in Rye Harbor. The break down is 63 commercial, 83 general use, 5 shorefront, 1 non-revenue.

Mooring Data	2018	2019	2020	2021	2022
General Use Moorings	46	49	50	45	46
Commercial Use Moorings	63	61	59	62	60
Non-Revenue Moorings	0	0	0	0	0
Shore Front Moorings	3	4	4	4	5
General Use - Nearshore	43	40	39	39	37
Non-Revenue - Nearshore	1	1	1	1	1
Commercial - Nearshore	4	5	5	4	3
REVENUE					
Rye Harbor Moorings	$30,670	$38,564	$37,528	$36,522	$37,208
Rye Near Shore Moorings	$ 7,910	$10,496	$10,292	$ 9,896	$ 9,380
Total	$38,580	$49,060	$47,820	$46,418	$46,588
Fees by Year	$10 Flat fee	($12 LOA or $200) Eff. Apr. 1. 2019	($12 LOA or $200)	($12 LOA or $200)	($12 LOA or $200)

Note: DPH does not give preference to New Hampshire residents for a mooring in New Hampshire tidal waters. The primary reason for this is that all structures within the state's tidal waters fall under the ACOE General Permit (GP). The ACOE allows the state the ability to administer docks and moorings in tidal waters provided they follow certain rules, one being that the state may not discriminate against a person from another state seeking to hold a mooring within New Hampshire waters. A violation of this provision within the GP could result in revocation of the GP, or the refusal to perform any dredging in the State.

Right of Entry Agreements (ROE): A Right of Entry (ROE) is a written license agreement between PDA-DPH and a business that authorizes the business to conduct certain business activities on DPH property. The agreement, revocable at will by DPH, reflects the rights, privileges, and responsibilities of both parties for a specific period of time.

There are 17 businesses in Rye Harbor that have formalized 19 ROE's with PDA/DPH. The terms found in these documents are generally consistent, with minor differences related to the nature of the allowed business. Some are engaged in charter operations only, while some sell souvenirs, bait, tackle, live lobsters, etc. These businesses have access to DPH provided restrooms, as well as the on-site dumpster for trash disposal. Shack owners can tap into the DPH water line at their own expense and subject to the installation of their own water meter.

9 of the businesses with ROE's in Rye Harbor combine a water-based business having a Pier Use Permit with a land based structure or "shack". The ROE terms specify the allowed use at the shack. All ROE holders with shacks pay a $1,000 per year fee for the space the shack occupies, calculated between July 1st and June 30th and have insurance and other requirements. All Rye Harbor ROE's are currently set to expire on June 30, 2023.

Concession Contract: One Rye Harbor business, RHS, a snack bar operated by GSWW, also holds a food concession contract in the harbor. RHS sells restaurant style food items such as breakfast sandwiches, lobster rolls, burgers, and hotdogs.

The concession contract contains the same $1,000 rental fee for the space that ROE holders must pay and has the same general terms as the ROE's, with a handful of additional requirements, which include:

- Section 19 of the contract titled, "Accounting Methods and Payments" states in part that "All gross income received by the operator shall be recorded by cash registers" and that "register tapes shall be available to PDA-DPH for audit and inspection purposes." The concessionaire is also required to "maintain...permanent books of accounts and records, including inventories...expense[s], receipts and disbursements and other information...available at all times for inspection [audit] by PDA-DPH".
- Section 21 of the contract titled, "Personnel" empowers PDA-DPH to take certain actions concerning the concessionaire's personnel. The section states in part, "...whenever PDA-DPH shall notify the concessionaire in writing that any person employed on the premises, in its opinion, is incompetent, disorderly, unsanitary or otherwise unsatisfactory, such conditions shall be corrected or such person shall be discharged and shall not again be employed without consent of the PDA-DPH."

There is one other business at Rye Harbor that sells restaurant style food items, RHLP. RHLP currently sells these items (lobster rolls, chowder, steamed clams) pursuant a waiver under its ROE, which, as drafted, permits the operation of a lobster pound.

Currently, there is no additional fee associated with the right to sell restaurant style food items at Rye Harbor, whether it be under the RHS concession contract or the waiver under RHLP's ROE.

Looking ahead, it would be advisable for any ROE holder who desires to sell restaurant style, ready to eat, food items to have a corresponding concession agreement with PDA-DPH. A concession agreement should contain a provision ensuring an appropriate fee is paid for the right to operate a restaurant style business from and on property of the State of New Hampshire. This fee would support facility upkeep and operations. Toward that end, examples of such agreements are discussed below.

Comparable State Contracts

Department of Natural and Cultural Resources (DNCR) – DNCR is responsible for the operations and management of Odiorne Point State Park which, like Rye Harbor, is located in Rye, New Hampshire. DNCR was interested in allowing limited food concession services at Odiorne Point State Park. Using the Request for Proposal (RFP) process, DNCR identified and assessed applicants, then entered into a contract for *"food concession services"* at Odiorne on March 25, 2022 for the 2022 season. The concessionaire, a catering company operating out of Newmarket, NH, entered into a five month contract (May 15, 2022 – October 15, 2022) with DNCR, agreeing to pay DNCR $1,000 per month to rent an existing food concession space, as well as 10% of total gross sales, both payments being due on the 15th of each month. The caterer was also granted a renewal option for the same time period with the same terms for the 2023 season.

The terms and conditions in the DNCR contract and the concession contract PDA-DPH currently has with Rye Harborside are similar. Noted differences, however, are that where DPH mandates the methods used by Rye Harborside to record their sales and reserves the right to inspect and audit the concessionaire's books, DNCR requires the concessionaire to prepare daily sales reports and submit a statement of gross receipts by the 15th of each month. Additionally, DNCR requires the concession fees noted above; PDA-DPH does not require Rye Harborside pay a percentage of their profits and its base fee is quite a bit lower.

Pease Development Authority – The Pease Development Authority has a food concession contract with Great Circle Catering in the airport terminal building at Pease International Airport and with Galley Hatch Catering which operates Grill 28 in the golf course clubhouse. Both contracts closely mirror the requirements related to records review, cleanliness, rules, regulations, quality of services, pricing based on prevailing market conditions and licensing found in the RHS and DNCR contracts.

Both PDA contracts are set for a term of years with the ability to extend the contracts in one-year increments. Though neither concessionaire pays rent or utilities, each pays a percentage fee based on their gross revenues:

- Great Circle concession fee – In the first three years of the contract Great Circle is required to pay 10% of its gross revenues, computed monthly, excluding sales tax and gratuities. Years four and beyond see increases in this fee up to 14% in option years beyond the seven years outlined in the contract. These incremental increases also take enplanements into consideration. If enplanements year to year increase, the percentage fee increases accordingly based on the year of the contract. If enplanements remain flat or drop, the fee remains the same as the preceding year. If at any time during the life of the contract after the initial three year time period enplanements drop below 50,000, the percentage fee reverts to 10%.
- Galley Hatch concession fee – PDA first entered this agreement with Galley Hatch in April of 2009. Since November 2017, the concession fee paid to the PDA has been set at 17% of gross revenue.

Parking Related Permits

Rye Harbor has seen an average of 5,662 cars parked in the facility's parking lot per season since 2018. In 2018, 6,962 paying vehicles were recorded as parking at the facility, with the recorded low being 2021 with 5,138 vehicles parked. In 2021, out of the 5,138 vehicles parked, no fees were collected for 1,274 *"Complementary 30-Minute Parking Permits"* that parked within the facility's lot.

The majority of visitors parking at the facility are primarily visiting GSWW and RHLP. There are also a number of recreational boaters who launch their vessel then park their vehicle and trailer in a designated area within the lot. The five year average for launching and trailer parking stands at 749.

Customers enjoying GSWW, RHLP, or a charter generally travel on foot directly from the parking lot to the Recreational Pier, but a significant number find themselves walking on the access road to visit the shacks that run along it or, across the intersection at the parking lot entrance to get to RHS or the bathroom facilities. The pedestrians traveling on the access road sometimes impede motor vehicle traffic and could find themselves in danger should a driver become distracted. At times, activity at RHLP, whether it be customers ordering or eating food,

as impeded traffic flow at the harbor entrance. Efforts have been made to remedy this situation, but this issue should be addressed in all ROE's moving forward.

In response to public safety concerns in the Harbor, the 30-minute free parking area along the guardrail was converted to a Fire Lane in 2022. The elimination of the 30-minute parking area worked to cut down on accidents and near misses on the access road, generally solved the vehicle and pedestrian congestion problem along the access road, and, most importantly, provided a place for emergency vehicles to operate should an emergency arise. Parking for the businesses within the Harbor is now exclusively located within the facility parking lot and is available for the requisite $5 parking fee, which appears to be very low when compared to other locations along the seacoast.

Examples of Parking Fees Charged by Similar Facilities

- Parking for Hampton Beach State Park and Wallis Sands State Park;
  - $15 for Cars
  - $30 for an RV, Empty Bus or Van.
- Parking for Maudslay State Park, Newburyport;
  - MA Resident Vehicle - $5
  - Non-MA Resident Vehicle - $20

Parking Activity	2018	2019	2020	2021	2022
General Parking Fees	$34,810	$31,155	$26,020	$19,320	$28,480
Daily Seasonal Parking Permit and Sticker	$ 2,175	$ 1,500	$ 2,025	$ 1,350	$ 1,425
Overnight Parking (Rec)	Not Avail.	Not Avail.	Not Avail.	$ 4,285	$ 4,540
Overnight Parking Permit (Season)	$ 6,065	$ 6,830	$ 5,550	$ 1,925	$ 3,795
Seasonal Overnight Parking Permit and Sticker	$ 750	$ 3,600	$ 600	$ 2,100	$ 2,250

General Daily Parking, Trailer Parking and Boat Launching (Pda 604.08): A daily parking ticket allows the holder to park one vehicle on the day of purchase between sunrise and 11:59 p.m. in the lot.

A daily combination parking ticket allows the holder to park one vehicle and one trailer in the lot on the day of purchase between sunrise and 11:59 p.m. The ticket holder is also permitted to launch and recover their vessel between sunrise and 11:59 p.m. at the boat launch.

Daily parking and daily combination parking tickets are nontransferable.

Daily Seasonal Parking Permits (Pda 604.09): A daily seasonal vehicle only parking permit allows the holder to park one vehicle in the lot between sunrise and 11:59 p.m. on a space available basis. Generally, about 25 people who hold moorings in the Harbor apply for these permits on an annual basis.

Daily seasonal combination parking permits allow the holder to park one vehicle and one trailer in the lot between sunrise and 11:59 p.m. The permit holder is also permitted to launch and recover their vessel at the boat launch area.

Daily seasonal parking permits and stickers are nontransferable and are valid only for the single vehicle specified in the permit application.

Overnight Parking Permits (Pda 604.10): Overnight vehicle only parking permits allow the holder to park one vehicle from 6.00 p.m. of one day to 6.00 p.m. of the following day for up to 6 consecutive nights during the season in the lot on a space available basis. Only one multi-night permit under this paragraph shall be issued for any one vehicle during the season but, there are no limits on the number of overnight vehicle only parking permits that can be purchased for non-consecutive nights. A majority of these permits are held by Star Island staff with the remainder being held by Rye mooring holders who take multi-day trips on their vessels.

Overnight combination parking permits allow parking from 6.00 p.m. of one day to 6:00 p.m. of the following day for up to 6 consecutive nights during the season for a vehicle and trailer, including the right to launch and recover the vessel from the boat launch. Only one multi-night permit under this paragraph shall be issued for any one vehicle during the season but, there are no limits on the number of overnight vehicle only parking permits that can be purchased for non-consecutive nights.

Seasonal Overnight Parking Permits for Seasonal Overnight Parking at Rye Harbor (604.11): A seasonal overnight vehicle only parking permit allows the holder to park one vehicle for any period of time at any time during the season, on a space available basis in the parking lot. Seasonal overnight parking permits are nontransferable and are valid only for the single vehicle specified in the permit application. As with the standard overnight parking permit in 604.10, the majority of these permits are held by Star Island staff with the remainder being held by Rye mooring holders who take multi-day trips on their vessels.

Looking ahead, it appears appropriate to look at ways to better manage the limited motor vehicle parking area and Rye Harbor and to leverage technology to make parking more efficient, safer, and enhance its revenue generating capabilities in order to ensure funds are available for facility maintenance and improvements.

Fuel Sales and Vessel Storage

Fuel Sales: There are two fueling points in Rye Harbor with unleaded and diesel fuels available. Another fueling option available to commercial vessel owners is to purchase fuel directly from vendors who maintain a ROE with the division and pay a flowage fee of $.10 per gallon. In order to purchase fuel directly from one of the two approved vendors, the boat owner must have DPH's permission, the permission of the local fire department, a pier use permit, and approved variance from the State Fire Marshal's office. Presently, there are 16 approved variances in Rye Harbor.

	2018	2019	2020	2021	2022
Fuel Flowage Fees (Trucks)	$ 4,316.82	$ 4,302.78	$ 4,688.49	$ 8,831.35	$ 4,417.14
Fuel Sales (Pumps)	$110,232.50	$171,114.13	$165,149.16	$159,267.34	$194,860.24

You will note that there are a number of spikes and drops in revenue over the last five years. The Portsmouth Fish Pier seawall collapse in 2019 had a large impact on the increase in fuel sales in Rye as those who normally fueled at the fish pier shifted to Rye for their fuel. The pumps at the Portsmouth fish pier remained out of service due to reconstruction of the wall until early 2021 which in part, accounts for the increased sales at the pump. Additionally, the pumps in Hampton were down for a time during the same time frame due to difficulties with the installation of a new dispenser, which also increased sales in Rye Harbor.

The 2021 dip in Rye's commercial unleaded sales was due to the pump on the commercial side being placed out of service by DES until extensive repair work was done. That pump was down until summer of 2022 due to the nature and complexity of the required repairs. That pump came back online just before Rye's recreational unleaded pump went down in late June 2022. The money to repair the pump and replace the fueling station as a whole has been approved and plans for that work are being completed now.

The near 100% spike in Flowage fees from the previous three year average of $4,436.03 in 2021 occurred during the dredge in Rye Harbor that year. The dredging contractor (Prock Marine) took on all of its fuel exclusively from the approved vendors.

Vessel Storage: Vessel storage within the facility is done on a "space available" basis. In FY 2022 PDA-DPH saw 55 boats stored within the facility over winter. The rate for winter storage is $18 per foot using only the vessels length indicated on the registration, not the total length of the vessel and trailer combination. PDA-DPH collected $23,584.00 in winter storage fees this past FY.

Over the summer, the division saw 63 vessels stored within the facility at a rate of $36 per foot. PDA-DPH collected a total of $48,979.00 in storage fees. The total vessel storage revenue collected for the FY was $72,563.00.

The number of vessels stored within the facility stays relatively steady, which provides for a predictable revenue stream. The five year average for vessel storage sits at $66,082.00 with the high being the 2022 FY after a storage rate increase went in to effect in CY 2021. The low was in FY 19 when Rye Harbor saw total vessel storage income of $61,811.00.

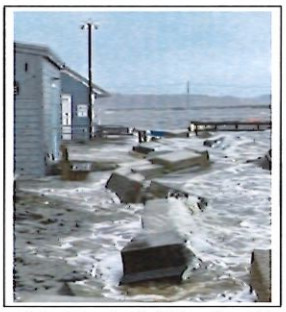
Environmental Challenges

Rye Harbor is continuously challenged by severe weather events that strike the seacoast of New Hampshire. These challenges must be considered as plans for the future are contemplated. Unlike Ragged Neck and Odiorne State Park, Rye Harbor sits at or just slightly above sea-level. While all three state facilities see the effects of the severe winds that accompany these weather events, mostly in the form of Nor-Easters, Rye Harbor also sees significantly more flooding.

Even when there is no storm activity, the facility will see some flooding an average of twice per month during spring tides (sometimes referred to as King tides). The following pictures were taken as part of the 2020 dredge of Rye Harbor.

The picture above was taken at approximately 12.30pm on November 17, 2020. This was a 12.1 ft Spring or "King" tide. Note the "pond" in the center of the lot that enters the facility from the drainage swale located in the middle of the seawall. The next Spring tide will occur on Monday, January 23, 2023, where Rye Harbor will see a 13.06' tide.

For comparison, this picture was taken on March 3, 2021 at 8.14am. This was a -1.1 ft. "Neap" tide.



The picture of the storm surge on December 23, 2022 was taken at approximately 11.00am. The predicted time of high tide was 10.38am. The tide was projected at 11.60 ft.

A review of the State of New Hampshire Hazard Mitigation Plan and the National Oceanic and Atmospheric Administration's Storm Events Database indicates that Rye Harbor and the seacoast in general has seen the effects of high winds and extreme flooding in reportable storms on 10 occasions since January of 2018. Though all of the storms caused some level of damage in the seacoast area, the back to back storms in March of 2018 were significant enough that a federal disaster was declared. The disaster caused $709,508.47 of damage between Hampton and Rye Harbors. Rye Harbor saw $82,894.82 of that damage to the access road and parking lot, launch ramp, seawall, fuel system and a storage building that was damaged beyond repair and had to be replaced.

The effects of climate change and sea-level rise are also concerns in Rye and in the seacoast of New Hampshire as a whole. NOAA's predictions, which also appear in the State of New Hampshire Hazard Mitigation Plan, are that the New Hampshire seacoast may see a 1' to 1.5' increase in sea-level by 2050. If NOAA's data and predictions hold true, that equates to a rise in sea-level of approximately 0.44" – 0.66" per year between 2023 and 2050.

A rise in sea-level would certainly compound the damage the Rye Harbor facility currently sees from storms that impact the harbor. In fact, if one observes the Table of Significant Weather Events included with this report which shows storm information collected from NOAA and the NH Division of Homeland Security and Emergency Management, an interesting increase in storm frequency and severity has developed since 2018. The last significant reportable coastal

flooding event NOAA and HSEM felt rose to the level that it should be reported occurring prior to 2018 was Superstorm Sandy in November 2012. However, since 2018 there have been multiple reportable storms each year. This apparent increase in storm frequency and severity is a factor that should be considered in any improvements made to infrastructure and the division's overall business model in the future. Toward that end, the importance of revenue generation to support continued facility capital improvements and hardening against these environmental conditions cannot be overstated.

WMUR article link featuring Rye Harbor:
https://www.wmur.com/article/rising-sea-levels-new-hampshire-seacoast-83122/41046015#

Rye Harbor is the DPH facility that has seen the majority of damage from these increasing storm conditions. The outline provided here was taken directly from the Initial Damage Assessment (IDA) form submitted to New Hampshire Homeland Security and Emergency Management following storm Elliott in late 2022;

Roadway cleanup/repairs: $12,000.

Seawall Repairs: $10,000 (Minimum)

-Potentially upwards of $100,000 if substantial mitigation is called for.

Pre-storm preparations: $5,000 (Approximation)

Emergency Line Handling: $4,000

Building Inspection: $2,600

-Potential repair costs upwards of $10,000 should environmental concerns be identified.

-$800 per month cost for a temporary construction building should the office be found to have more significant structural or environmental damage.

Flooring, Trim/Structural repairs; $3,000 (Approximation)

Fuel System Inspection: $2,500 for both Rye and Hampton Harbor facilities.

-Potential replacement of fuel controls in Hampton - $12,000

-Potential costs for fuel line repairs/replacement - $15,000

Hoist control handles: $1,125.00

Actual costs: $34,725.00+/-

Potential costs: $147,000.00+

Note: The actual end costs may vary significantly in either direction. These estimations are being made on a very compressed time line at the request of NH HSEM. PDA-DPH reserves the right to amend these estimations at any time after submission if new cost information or errors in calculation come to light.

Potential Infrastructure Improvements

With the foregoing in mind, DPH has identified a number of projects that, subject to funding, would work to improve infrastructure within the facility as it relates to existing environmental concerns, potential climate change concerns, and general improvements to operations and service to our customers.

Rip Rap Seawall: The seawall works to protect the State office, fuel pumps, septic system and businesses operating within the facility. Severe storms over the last decade where seawater flowed over the top of the seawall into the facility has degraded the wall by pulling the smaller supporting rip rap and finer elements of the wall into the sea as the water has receded. The loss of the smaller elements within the structure has caused it to drop several feet thereby lessening its effectiveness and increasing the risk of damage to and failure of infrastructure within the facility.

Should PDA-DPH receive funding to repair / reconstruct the seawall, the proposal would be to raise it at least to the vertical and seaward dimensions that existed prior to the last presidentially declared disaster that greatly impacted the seawall in 2018.

Vessel Launch Ramp: Though the division has made efforts to extend the life of the structure over the years, time and the harsh conditions existing in the harbor, has brought it to near end of serviceability.

PDA-DPH would propose to deconstruct the existing 35'x120' launch ramp, replacing it with an 80'x150' structure that would allow for side by side launching with a central float system dividing the two launching areas. The larger ramp would better facilitate the launch and recovery of large fishing vessels and sailboats. The addition of the float system dividing the ramp creates a safer and more convenient experience for recreational boaters who trailer their vessels to the facility.

Recreational Pier and Float System Replacement: The existing Recreational Pier that handles all of the foot traffic of passengers and recreational boaters making their way to the floating docks is sound, but is showing signs of deterioration. It is a timber structure that is 15' x 75'. PDA-DPH would propose replacing this structure with a 20 'x 80' structure constructed of steel jacket piles and a concrete deck for durability.

The floats attached to this pier used for loading and offloading passengers and equipment are over 20-years old and are showing the wear and tear that is to be expected in the harsh marine environment. PDA-DPH would propose replacing them with newly constructed two 12 'x 15' and 10' x 30' concrete floats.

Commercial Float and Pile system Replacement: The floats that service the commercial pier have been in use for in excess of 20-years, and while still serviceable, are nearing the end of their useful life. The piles that keep the floats in place have been used much longer than the floats and are also showing the effects of decades of use. The floats support the gangways used by commercial fishermen and some charter and recreational users to get to the commercial pier for cargo operations, refueling, and loading of supplies.

PDA-DPH proposes to replace the current dock structure with eight steel jacket piles and seven newly constructed and substantially stronger wooden floats. This change will increase the longevity of the system and lower the amount of required maintenance.

Elevated Retail and Storage Deck system: PDA proposes the design and construction of elevated retail and storage space to support commercial pier use holders with shacks and retail concessionaires. This controlled space will support charter vessel ticket sales, bait and tackle sales and storage, and food concessionaire space, as permitted.

Subject to PDA Board approval, engineering and permitting, PDA would propose the construction of a 16' x 120' deck that is elevated a minimum of 3' to avoid flooding that occurs within the facility, building small shack like structures of varying sizes on the deck with utilities. The shacks will be owned and maintained by PDA-DPH and vendors will operate through Right of Entry, Pier Use License Agreement, and/or Concessionaire Agreement.

Potential Funding Streams –

- **ARPA:** On November 14, 2022, DPH made application through the Governor's Office for Emergency Relief and Recovery (GOFERR) for funding to make infrastructure improvements in Rye Harbor. Should PDA-DPH receive funding, DPH would seek to create a raised deck-like structure that the shacks contemplated in the project would be placed upon to keep them above the level of flood waters.

- **FEMA Disaster Mitigation Funding:** There are presently nine (9) open presidentially declared disasters in the State of New Hampshire. The latest storm which occurred over Christmas is currently in the Damage Assessment phase with over $10m of damage being reported throughout the state. Just over $1.2m of that damage has been reported in Rockingham County and it is very likely that an application for FEMA public assistance will be made sometime within the next 30-days.

  Whether a disaster is declared for this most recent storm or not, PDA-DPH qualifies to apply for disaster mitigation funding through the two most recent disasters declared in July of 2021. Presently, that funding split is set at 75% Federal to 25% State.

  Note: There was a period of time in the two disasters declared in July of 2021 where the funding split was set at 90% Federal and 10% State. It would be wise to wait and see what transpires with this latest storm to see if that favorable rate is applied before considering this approach.

- **FEMA Building Resilient Infrastructure and Communities (BRIC) grant:** The Building Resilient Infrastructure and Communities (BRIC) grant program supports state, local, tribal and territorial entities undertaking hazard mitigation projects. It does not require a declared disaster in the jurisdiction making the application, just that there is problem related to past disasters or natural hazards that requires prevention or mitigation.

  The benefit of the BRIC program is that it fully considers creative solutions to recurring events identified in a qualified applicants plan. FEMA still requires a detailed Benefit / Cost Analysis but, unlike FEMA Public Assistance programs, it appears to consider the totality of an applicant's situation to include long range aspirational goals.

Executive Summary

PDA-DPH recommends the following short term and long term aspirational actions at the Rye Harbor facility.

Short-Term Recommendations:

- **Credit Card payments for parking:** Presently, DPH only accepts cash at the parking kiosk which has been inconvenient for customers using the facility and creates cash management issues, such as daily bank deposit runs. User friendly equipment exists where, after a limited amount of training, division personnel will be able to accept credit cards for parking and launching.

  The implementation of this capability will allow for the automated collection of parking transactions which will lead to more efficient record keeping. It will also allow DPH to capture potential lost parking revenue from potential customers who might choose not to park at the facility because they have no cash on hand.

  PDA-DPH currently accepts credit card payments for fuel at all of its facilities, so this is something DPH already has experience with.

  DPH has conducted a preliminary investigation into the possibility of implementing the program immediately should this be considered a viable option, with full consideration of Payment Card Industry Data Security Standard requirements in mind.

- **Parking lot and Parking Enforcement considerations:** In the late summer of 2022, DPH restructured the parking situation in the lot. The area that had been considered employee and crew parking, which was closest to the access road, the kiosk, and the state office, was changed to "Short-Term" parking. A portion of the Short Term parking area was reserved for those with walking disabilities who possessed a Handicapped Placard. The remainder of the Short Term area was reserved for those visiting the shacks or the DPH office.

  The next area heading north in the facility and just beyond the launch ramp was considered "Long Term" parking. This area was reserved for customers taking advantage of the Whale Watch, charters, and other businesses in the area where they would be in the facility for greater than one-half hour.

  The next area north and just before the area reserved for trailers being turned within the facility was the "Employee and Crew" parking area. This is area was used by PDA-DPH employees and the employees of the businesses at the Rye Harbor Marine Facility during the business day.

  The final area to the north was considered the "Star Island and Overflow" parking area. Generally, those travelling to Star Island as a guest or an employee required parking for several days and as such, this was considered the best solution for their parking needs. PDA-DPH recommends that we continue this parking scheme for the 2023 season.

  Historically, enforcement of the parking rules relied completely on the cooperation of the facility's tenants. On numerous occasions tenants would dismiss the rules established by DPH and the official signs placed on the access road and in other areas within the

facility. When tenants saw what they perceived as preferential treatment being afforded to another tenant, or blatant disregard for the rules and official signage, they felt empowered to engage in similar activity. This has created a great deal of conflict between the tenants, the staff, and PDA-DPH. Uniform treatment and enforcement of parking requirements must become the norm at Rye Harbor.

The Chief Harbor Master (CHM) and the Deputy Chief Harbor Master (DCHM) are certified police officers in the State of New Hampshire. Their positions require that they *"...hold a valid and current certification as a full-time police officer in accordance with RSA 106-L:6 and any rules adopted thereunder"* (RSA 12-G:42, III). Further, the CHM and DCHM are further empowered *"enforce, investigate, and prosecute* [any] *"[o]ffense under New Hampshire law occurring on division property* [or] *on vessels secured to or immediately adjacent to division property."* (RSA 12-G:51).

Historically, the CHM and the DCHM have limited their enforcement actions to the laws contained within RSA 12-G and the administrative rules directly associated with the divisions operations. That said, the CHM and DCHM could take on an expanded enforcement role as it relates to the enforcement of the motor vehicle laws contained within the New Hampshire Statutes, specifically those found within RSA 265:68, Stopping, Standing or Parking. Consultation with the New Hampshire Attorney General's Office may be necessary before taking any increased enforcement action.

- **Potential changes to Right of Entry and Concession contract terms:** Presently, as outlined in the *"Rights of Entry and Contracts"* section of this report, there are 17 businesses in Rye Harbor that have ROE's and one food concession agreement with PDA-DPH. 16 of those businesses combine a water-based business with a land based structure or "shack". These ROE's all expire on June 30, 2023.

  The $1,000 per season fee charged for a general ROE within the Rye Harbor Marine Facility has not been increased in many years and an increase should be considered in future years. Additionally, any new ROE's should include, but not be limited to, provisions relating to the following:

  1) Holders of a ROE agree to comply with the parking scheme designed and enforced by DPH and understand that failure to do so will result in a loss of driving and parking privileges at the Rye Harbor Marine Facility and / or a summons for the violation of the parking laws outlined in section RSA 265 of the NH Revised Statutes Annotated; and
  2) Use of the shack facility is strictly limited to the permitted use under the ROE. Any amendment to that use requires permission from the PDA-DPH and the negotiation of additional ROE terms to support the activity.

  PDA-DPH recommends that RHS and RHLP along with any other entity that wishes to sell restaurant style, ready to eat food items at Rye Harbor, be required to enter into Food Concession Contracts that include the standard per year rental fee contained in the general ROE (historically $1,000) and the payment of a percentage of gross profits based on their gross receipts, similar to the agreements identified in the *"Concession Contracts"* section of this report. This would treat these food service businesses in a manner consistent with similar operations on other state property, generate revenue for facility maintenance and improvements, and recognizes that state property should not be used to potentially put these food service businesses at a competitive advantage to similar operations on private property. Additionally, the ROE's must address clear requirements for waste collection and provide a single area within the facility for the location of picnic tables where purchased food could be consumed.

As it relates to a concession fee, PDA-DPH recommends a 10% of gross revenue rate, which is consistent with the rate charged by DNCR just up the road at another state-owned facility, but somewhat lower than the rates charged at the Pease International Tradeport.

Finally, PDA-DPH recommends that these new ROE's and Concession Contracts run from July 1, 2023 through April 30, 2025. This term would allow an opportunity to see how these new provisions work, allow for adjustments in future ROE's, and result in putting these ROE's on terms that more closely align with seasonal operations (May 1 through April 30).

- **Expand Pier Use Permit requirements to include Vendors conducting business with the commercial fishing fleet.** DPH is in the process of amending and readopting Section Pda 600 in the Pease Development Authority's administrative rules. PDA-DPH proposes to require those companies purchasing catch from fishermen landing their catch at DPH facilities to apply for a Pier Use Permit covering their business activities, including the use of the facility's piers and hoists, and to indemnify PDA-DPH for any related loss.

Long-Term Recommendations:

- **Parking:** PDA-DPH will engage in a continued review of facility parking management to determine the most appropriate and cost effective way of managing the limited parking resource at the facility, with consideration of things such as nature of use, graduated rates, limited temporary free parking, increased use of technology, and parking impact fees.

- **Physical Improvements to the facility's infrastructure:** PDA-DPH has the option of investing in the projects identified in the *"Potential Infrastructure Improvements"* section of this report. Should it be determined that any of these projects should be undertaken, any one of the funding sources could be considered to potentially fund the planning, permitting, and construction. PDA-DPH also has the option of seeking funding directly from the State of New Hampshire as part of a capital improvement effort.

- **Implement recommendations made in the Rye Harbor Parking Study:** PDA-DPH has the option of fully considering the plans contained within the parking study, potentially adopting one of the four conceptual plans, a portion of one or several plans or continuing operations as they are now and adopting the optional parking scheme with enhanced requirements added into the ROE's and enforcement options.

- **Boat Storage:** PDA-DPH will evaluate seasonal boat storage policies/procedures in regards to the facility space occupied and monetary return.

END OF REPORT

PROPOSED CHANGES ARE SHOWN IN RED

CHAPTER Pda 600 STATE-OWNED COMMERCIAL PIERS AND ASSOCIATED FACILITIES

PART Pda 601 DEFINITIONS

Pda 601.01 "Chandlery items" means supplies or equipment for vessels or other marine-related purposes.

Pda 601.02 "Commercial fisherman" means the owner or operator of any commercial fishing vessel.

Pda 601.03 "Off-site business" means a commercial entity:

(a) That has a business purpose for using the facilities of a business-use pier; and

(b) With a principal place of business at a location other than a state-owned commercial pier or associated facilities.

Pda 601.04 "Recreational-use pier berthing area" means the area(s) of a recreational-use pier located at Rye Harbor or Hampton Harbor designated by the division director or designee for the berthing of vessels.

Pda 601.05 "Seasonal" or "season" means between April 1 and October 31.

Pda 601.06 "Transient commercial fishing vessel" means a commercial fishing vessel without an annual pier use permit for a business-use pier that utilizes a business-use pier on a one-time basis for repairs, take-out, or other purpose consistent with rules under Pda 600 relating to the use of business-use piers.

Pda 601.07 "Unattended," at a state-owned commercial pier, in reference to a:

(a) Vessel, means that the person in charge of the vessel and able to move the vessel is:

(1) Either:

a. Not on the state-owned commercial pier or associated facilities; or

b. On the state-owned commercial pier or associated facilities but out of direct line of sight to the vessel; and

(2) Has failed to place in charge of the vessel during his or her absence from the vessel another person who is capable of operating the vessel and who is properly licensed under state and, if applicable, federal law to operate such vessel; and

(b) Vehicle, means that the person in charge of the vehicle and able to move the vehicle is:

(1) Either:

a. Not on the state-owned commercial pier or associated facilities; or

b. On the state-owned commercial pier or associated facilities but out of direct line of sight to the vehicle; and

(2) Has failed to place in charge of the vehicle during his or her absence from the vehicle another person who is capable of operating the vehicle and who is properly licensed to operate such vehicle.

PART Pda 602 PERMITS AND STICKERS REQUIRED

Pda 602.01 Pier Use Permit Required at Business-Use Piers. No person shall secure a vessel to a business-use pier unless a pier use permit has been issued by the division under Pda 600, except as provided in Pda 603.02(f).

Pda 602.02 Pier Use Permit Required for Charter Boat. No charter boat shall be secured to a recreational-use pier unless a pier use permit has been issued to the owner or operator of the charter boat for the charter boat by the division under Pda 600.

Pda 602.03 Skiff Permit and Sticker Required at Skiff Dock. No person shall secure a skiff to a skiff dock unless a skiff permit and skiff sticker have been issued for the skiff by the division under Pda 600.

Pda 602.04 Business-Use Pier Vehicle Sticker Required. No person shall operate or park a vehicle on a business-use pier or in a business-use pier parking area unless the vehicle displays a valid business-use pier vehicle sticker, except as provided in Pda 603.03(d).

Pda 602.05 General Use Parking Lot. No person shall park a vehicle in a general use parking lot located on associated facilities except as provided in Pda 603.04~~(b)(1)~~(c)(1-2)

Pda 602.06 Annual Berthing Permit Required at Portsmouth Pier Berthing Area. No person shall secure a vessel in the Portsmouth pier berthing area unless a annual berthing permit has been issued by the division under Pda 600.

PART Pda 603 USE OF STATE-OWNED COMMERCIAL PIERS AND ASSOCIATED FACILITIES

Pda 603.01 Recreational-Use Piers

(a) No vessel shall be secured or attempted to be secured to a recreational-use pier if the vessel would interfere with the use of the pier by another vessel already approaching, departing from, or secured to the pier, except that a private recreational vessel already secured to the pier shall comply with (g) below.

(b) Only the following shall be secured to a recreational-use pier:

(1) Private recreational vessels;

(2) A charter boat for which a pier use permit has been issued under Pda 600;

(3) A vessel for which an overnight recreational-use pier berthing permit has been issued under Pda 600; and

(4) Vessels with permission obtained pursuant to (d) below.

(c) A vessel may be secured to a recreational-use pier for the following purposes:

(1) Loading or unloading of passengers or equipment, or both, provided that the loading or unloading of passengers by a charter boat shall be allowed only in accordance with the terms of a written contractual agreement with the authority;

(2) Use of state-owned facilities or other businesses located on the pier or associated facilities by passengers or crew of the vessel;

(3) Overnight berthing in accordance with Pda 604.07;

(4) For emergency repairs; or

(5) For any purpose authorized by the division pursuant to (d)(1) below.

(d) Except as provided in Pda 604.07 for a vessel for which an overnight berthing recreational-use pier berthing permit has been issued, no vessel shall be secured to a recreational-use pier for longer than 30 minutes, unless the vessel operator requests permission to be so secured and the division director or an employee of the division:

(1) Determines that:

a. The securing of the vessel would not interfere with the use of the pier by another vessel approaching, departing from, or already secured to the pier; and

b. One or more of the following applies:

1. The crew or passengers, or both, of the vessel are making use of state-owned facilities on the pier or in the vicinity of the pier and the use requires more than 30 minutes;

2. The vessel is undergoing emergency repairs that take longer than 30 minutes;

3. Because of volume or complexity, the loading or unloading of passengers or equipment, or both, lasts longer than 30 minutes;

4. A charter boat requires more than 30 minutes for provisioning, preparation, or cleanup before its departure or after its arrival;

5. Weather or tide conditions make it hazardous for the vessel not to be secured to the pier;

6. A medical emergency exists involving a passenger or crew member;

7. Failure to secure the vessel to the pier would result in an imminent and substantial hazard to navigation or to the safety of any person on board such vessel; or

8. A vessel is scheduled to be hauled out or launched and the haulout/launching fee for the vessel has been paid by the owner or operator of the vessel or by a third party that has a written agreement with the authority; and

(2) Gives the owner or operator of the vessel oral permission to remain at the pier longer than 30 minutes but only as long as necessary to accomplish the purpose for which the vessel is secured to the pier.

(e) No vessel shall be left unattended while secured to a recreational-use pier, except a skiff with a skiff permit secured to a skiff dock.

(f) No fishing shall be allowed from a recreational-use pier, or from a vessel attached to any recreational pier.

(g) Operators of private recreational vessels shall remove their vessels from a recreational-use pier when an authorized or permitted charter boat approaches the pier.

Pda 603.02 Business-Use Piers; Restrictions; Skiffs; Emergency Use Allowed.

(a) Only a commercial fishing vessel or commercial cargo vessel with a pier use permit shall be secured to a business-use pier, except as provided in (d), (f), and (g) below.

(b) The loading or unloading of a commercial cargo vessel shall be allowed only in accordance with the terms of a written contractual agreement with the authority.

(c) No vessel shall be left unattended while secured to a business-use pier, except:

(1) A vessel with a berthing permit in the Portsmouth pier berthing area; or

(2) A skiff with a skiff permit secured to a skiff dock.

(d) No commercial fishing vessel or commercial cargo vessel shall be secured for more than 30 minutes, and no other vessel shall be secured at any time to a business-use pier, except a commercial fishing vessel with a berthing permit or as provided in (e) or (f) below, unless the vessel owner or operator requests permission to be so secured and the division director or an employee of the division:

(1) Determines that one or more of the following applies:

a. The volume or complexity of loading or offloading harvested seafood or equipment or both requires longer than 30 minutes;

b. The vessel requires repairs or maintenance that take longer than 30 minutes;

c. Weather or tide conditions make it hazardous for the vessel not to be secured to the pier;

d. A medical emergency exists involving a passenger or crew member; or

e. Failure to secure the vessel to the pier would result in an imminent and substantial hazard to navigation or to the safety of any person on board such vessel; and

(2) Gives the owner or operator of the vessel oral permission to be secured to the pier, but only for as long as the situation creating the reason for the stay exists and ~~provided~~ space is available.

(e) A commercial fishing vessel or a commercial cargo vessel waiting to unload cargo shall be allowed to be secured to a business-use pier between sunset and sunrise, if the operator of the vessel expects a vehicle to arrive before 12:00 noon to pick up the vessel's cargo. A vessel shall not remain secured to a business-use pier pursuant to this paragraph for more than 24 hours without seeking additional approval from the division pursuant to (d) above.

(f) A vessel without a pier use permit may be secured to a business-use pier for up to 30 minutes, if the vessel operator requests permission to be so secured and the division director or an employee of the division:

(1) Determines that:

a. The securing of the vessel would not interfere with the use of the pier by another vessel approaching, departing from, or already secured to the pier; and

b. The crew or passengers, or both, of the vessel are making use of state-owned facilities or other businesses located on the pier or associated facilities to obtain fuel, chandlery items, food, or beverages; and

(2) Gives the operator of the vessel oral permission to be secured to the pier, but only for as long as the situation creating the reason for the stay exists.

(g) The holder of a mooring permit issued under Pda 500 for which a skiff permit has been issued under Pda 600 shall be allowed to tie one skiff at the designated skiff dock. Such skiff shall be identified by a skiff sticker issued under Pda 604.04 attached to the skiff in a conspicuous location.

(h) No embarking or disembarking of passengers shall be allowed from a business-use pier, except passengers embarking or disembarking from university system of New Hampshire marine science vessels authorized to use the business-use pier in Portsmouth pursuant to Chapter 421:3, Laws of 1975.

(i) No fishing shall be allowed from a business-use pier.

(j) Vessel maintenance on a business-use pier shall be scheduled so as not to interfere with ongoing commercial activity in posted loading and unloading areas.

Pda 603.03 Vehicles and Trailers on Piers

(a) The provisions of this section relating to vehicles shall also apply to trailers towed by vehicles and the parking of trailers.

(b) No vehicle shall be parked or operated on a recreational-use pier, except:

(1) ~~State-owned~~ vVehicles on the pier for purposes of law enforcement or emergency response;

(2) A vehicle servicing property owned or operated by the authority; and

(3) Vehicles necessary for emergency repair of a vessel secured to the pier, if the division director or an employee of the division determines that:

a. An emergency repair is required for the vessel; and

b. A vehicle(s) requires access to the pier to accomplish the emergency repair.

(c) A vehicle shall be operated or parked on a business-use pier only when the vehicle is:

(1) A ~~state-owned~~ vehicle on the pier for purposes of law enforcement or emergency response;

(2) Being used to load or unload a commercial fishing vessel or commercial cargo vessel owned or operated by the holder of a pier use permit;

(3) Necessary for the maintenance or repair of a commercial fishing vessel or commercial cargo vessel;

(4) Directly associated with the provision of commercial service(s) to a vessel secured to the pier;

(5) Being used for purposes of an off-site business by the holder of a pier use permit, or

(6) Servicing property owned or operated by the authority.

(d) All vehicles shall display a business-use pier vehicle sticker while being operated or parked on a business-use pier, except:

(1) ~~State-owned~~ Vehicles on the pier for purposes of law enforcement or emergency response; and

(2) Vehicles allowed access to the pier under (c)(3), (4), or (6) above.

(e) No vehicle shall restrict access to a state-owned commercial pier or associated facilities.

(f) No vehicle shall impede the work of commercial activity.

(g) No vehicle shall be left unattended on a business-use pier.

(h) The operator of any vehicle operated or parked on a business-use pier for the purposes of (c) above after 6:00 p.m. shall notify the harbormaster or the division by telephone or in person of the presence of the vehicle, the purpose for which the vehicle is being used, and the estimated time the work requiring the vehicle will be completed.

(i) The harbormaster or the division shall grant permission under (h) above if:

(1) The requested additional time is necessary to complete the work involving the vehicle;

(2) The vehicle will not be left unattended,

(3) The work requiring the vehicle does not restrict access to state-owned commercial piers or associated facilities or impede the work of commercial activity; and

(4) The work does not pose a hazard to persons or property.

Pda 603.04 Parking in Parking Areas Located on Associated Facilities

(a) The division shall designate areas for short-term parking, long-term parking, business-use pier parking, and general use parking, as needed.

(b) All parking at state-owned commercial piers and associated facilities shall be on a first-come, first-served basis, subject to available space. All parking shall be subject to the control and direction of employees of the division consistent with Pda 600.

(c) Parking shall be allowed:

(1) In general use parking lots for:

a. The holder of a valid:

1. Daily parking ticket,

2. Overnight parking permit,

3. Seasonal overnight parking permit,

4. Seasonal daily parking permit, or

5. Business-use pier vehicle sticker, if the business-use pier parking area is at capacity; or

b. Pursuant to a written contractual agreement with the authority; or

c. First responders responding to an emergency situation, conducting training or for any other legitimate purpose, and

(2) In a business-use pier parking area, by:

a. The holder of a valid business-use pier vehicle sticker; or

b. A person servicing a commercial fishing vessel, a commercial cargo vessel, or property owned or operated by the authority, pursuant to Pda 603.03(c)(3) or (6).

(d) Short-term parking shall:

(1) Not exceed 30 minutes; and

(2) Be available only for a person visiting a state-owned commercial pier for a purpose related to the state-owned commercial pier and associated facilities.

(e) Overnight parking of vehicles in the Portsmouth, Rye Harbor, or Hampton Harbor business-use pier parking areas shall be allowed only for vehicles for which a business-use pier parking sticker has been issued by the division and is displayed in accordance with (h) below.

(f) Overnight parking of vehicles in a general use parking area shall be allowed only for vehicles for which:

(1) A business-use vehicle sticker has been issued by the division;

(2) An overnight parking permit has been issued by the division and is displayed in accordance with (g) below;

(3) A seasonal overnight parking permit and sticker have been issued by the division and the seasonal overnight parking sticker is displayed in accordance with (h) below; or

(4) Parking is allowed pursuant to a written contractual agreement with the authority.

(g) Each vehicle operator of a vehicle for which an overnight parking permit or daily parking ticket has been issued shall display the permit or ticket in the vehicle in a visible location.

(h) Each vehicle operator of a vehicle for which a parking sticker has been issued shall affix the parking sticker on the vehicle in a clearly visible location using the adhesive provided on the sticker.

Pda 603.05 Removal of Vehicles or Trailers from Piers and Associated Facilities. If the owner or operator of a vehicle or trailer parked in violation of Pda 603.03 or Pda 603.04 is not available or refuses to move the vehicle or trailer, the division shall remove or arrange for the removal of such vehicle or trailer or both from the pier or associated facilities at the owner's expense.

Pda 603.06 General Safety Requirements; Attachments to Piers

(a) All vessel operators shall exercise caution when approaching, leaving, or securing a vessel to a state-owned commercial pier.

(b) No person shall dive or swim from a state-owned commercial pier, except when doing so for pier or vessel maintenance.

(c) No person shall attach any object to a state-owned commercial pier other than lines to secure a vessel, unless such use is authorized under a written contractual agreement with the authority.

(d) No person shall create a condition on a state-owned commercial pier or associated facilities that would result in a violation of the law, including any rule set forth in Pda 600, create an imminent and substantial threat to human health, public safety, or the environment, or be likely to result in immediate and substantial damage to division property.

(e) The division director or a division employee shall require any person or vessel to leave a state-owned commercial pier or associated facilities if that person's or vessel's presence is in violation of the law, including any rule set forth in Pda 600, presents an imminent and substantial threat to human health, public safety, or the environment, or is likely to result in immediate and substantial damage to division property.

(f) If prevailing conditions require that a vessel be removed from a state-owned commercial pier because failure to remove the vessel would result in a violation of the law, including any rule set forth in Pda 600, an imminent and substantial threat to human health, public safety, or the environment, or immediate and substantial damage to division property, a representative of the division shall remove or arrange for the removal of the vessel from the pier.

(g) Any person who is the owner or custodian of any animal, while on any property owned and operated by The Division of Ports and Harbors, shall at all times have said animal on a standard or retractable leash not greater than six feet in length, or under their immediate control by means of personal presence and attention and, shall properly dispose of any waste or garbage the animal excretes or causes to be scattered on the property.

Pda 603.07 Dumping of Fish and Other Marine Species and Waste Disposal at State-Owned Commercial Piers and Associated Facilities.

(a) No person shall deposit in the waters adjacent to a state-owned commercial pier or associated facilities any dead fish or other marine species, or parts thereof, or fish smothered or injured to such an extent that they will die.

(b) No person shall dispose of waste at a state-owned commercial pier or associated facilities except in containers designated for that purpose.

(c) In the absence of a designated container or when a container is full, a person shall remove his or her own waste from state property.

(d) Any waste container located on a business-use pier shall be only for the use of persons authorized to use the business-use pier.

(e) Any waste container designated for use only by the holder of a pier use permit shall be used only by the holder of a pier use permit.

(f) No person shall dispose of any of the following at a state-owned commercial pier or associated facilities:

(1) Hazardous waste as defined in RSA 147-A:2, VII;

(2) Hazardous materials as defined in RSA 147-B:2, VIII; or

(3) Oil, gas, or other petroleum product(s) except as allowed in (b) above.

Pda 603.08 Fuel

(a) Fuel containers shall not be left unattended on any state-owned commercial pier or associated facilities.

(b) No person shall dispense fuel on a state-owned commercial pier, except a person:

(1) Dispensing fuel from facilities:

a. Located on the state-owned commercial pier; and

b. Designated by the division for the purpose of dispensing fuel;

(2) Dispensing fuel under the terms of a written contractual agreement with the authority; or

(3) Employed by a person or entity dispensing fuel under the terms of a written contractual agreement with the authority.

Pda 603.09 Welding and Hot Work. No person shall perform welding and hot work on a state-owned commercial pier, except a person performing such work under the terms of a written contractual agreement with the authority.

Pda 603.10 Storage of Property at State-Owned Commercial Piers Restricted.

(a) No person shall store any vessel, trailer, equipment, or other property at a state-owned commercial pier or associated facilities unless the person has entered into a written contractual storage agreement with the division.

(b) Lobster bait shall not be stored on a state-owned commercial pier or associated facilities in excess of 24 hours.

(c) The division shall maintain wait lists for summer and winter vessel storage in accordance with Pda 605.01 when a vessel storage facility is at capacity.

(d) The division shall designate summer or winter storage areas, or both, at state-owned commercial piers.

Pda 603.11 General Restrictions and Limitations.

(a) There shall be no camping or sleeping on state-owned commercial piers or associated facilities.

(b) The consumption of alcohol at state-owned piers or associated facilities shall be prohibited, unless permission has been granted in accordance with the terms of a written contractual agreement with the authority. The service and consumption of alcohol pursuant to such a contract shall comply with the relevant provisions of RSA 178, RSA 179, Liq 400, Liq 500 and Liq 700.

PART Pda 604 PERMITS AND STICKERS

Pda 604.01 Types of Permits and Stickers. The following types of permits and stickers shall be issued under Pda 600:

(a) Annual pier use permits;

(b) Business-use pier vehicle stickers;

(c) Skiff permits and skiff stickers;

(d) Single-use pier permits;

(e) Annual berthing permits;

(f) Overnight recreational-use pier berthing permits;

(g) Daily seasonal parking permits and stickers;

(h) daily seasonal launch permits and stickers;

(hi) Overnight parking permits, and

(ij) Seasonal overnight parking permits and stickers.

Pda 604.02 Granting of Annual Pier Use Permits; Modification, Duration, and Transferability.

(a) The division director or designee shall grant annual pier use permits pursuant to Pda 606.01.

(b) The following shall be permitted to apply for an annual pier use permit:

(1) The owner or operator of a commercial fishing vessel;

(2) The owner or operator of an off-site business;

(3) The owner or operator of a commercial cargo vessel; and

(4) The owner or operator of a charter boat.

(c) Any person listed under (ab) above may make application for an annual pier use permit by:

(1) Submitting a completed application form as described in Pda 609.01 to the division; and

(2) Paying the annual pier use permit fee.

(d) An annual pier use permit shall allow:

(1) A commercial fishing vessel to be secured to the Portsmouth, Rye Harbor, and Hampton Harbor business-use piers and to use division hoists on these piers;

(2) An off-site business that needs access to facilities at a business-use pier for its business purposes to access such pier(s);

(3) A commercial cargo vessel to be secured to the Portsmouth, Rye Harbor, and Hampton Harbor business-use piers, provided that the loading or unloading of cargo shall be allowed only in accordance with the terms of a written contractual agreement with the authority; or

(4) A charter boat to be secured to the recreational-use piers at Rye Harbor and Hampton Harbor between the hours of sunrise and 11:59 p.m., provided that loading or unloading of passengers shall be allowed only in accordance with the terms of a written contractual agreement with the authority.

(e) The holder of an annual pier use permit shall be permitted to remain secured to the pier to conduct its business that requires use of the pier only as long as necessary to complete its business, provided that the time period shall not exceed 12 hours.

(f) An annual pier use permit shall be valid for a one-year period from January 1 to December 31. All annual pier use permits issued during the time period from January 1 to December 31 shall expire on December 31.

(g) Annual pier use permits shall not be transferable.

(h) An annual pier use permit for a commercial fishing vessel, commercial cargo vessel, or charter boat shall be modified by substitution of a modified or replacement vessel for the vessel identified in the permit if the following conditions are met:

(1) The permit holder provides to the division, at least 14 days before making use of the modified or replacement vessel under the annual pier use permit:

a. Written notice of any changes to vessel information under Pda 609.01(b)(11); and

b. If there is a new registration for the vessel, a copy of such registration; and

(2) Before making use of a modified or replacement vessel under the annual pier use permit, the permit holder pays to the division an amount equal to the difference in the amount, if any, that the permit fee for the modified permit exceeds the permit fee paid for the original permit.

(i) The expiration date of a permit modified under (h) above shall be the same as the originally issued permit.

(j) Modification of an annual pier use permit under (h) above shall not result in modification of a berthing permit issued in conjunction with the annual pier use permit. A berthing permit shall be modified in accordance with Pda 606.07.

(k) In order to maintain updated information with the division, each permit holder shall notify the division in writing, within 30 days of the change, of any changes to information required pursuant to Pda 609.01(b)(1)-(10).

Pda 604.03 Granting of Business-Use Pier Vehicle Stickers; Duration and Transferability.

(a) Business-use pier vehicle stickers shall be issued without an additional fee to:

(1) The holder of an annual pier use permit for a commercial fishing vessel, commercial cargo vessel, or charter boat, for:

a. A vehicle owned or leased by the permit holder; and

b. Up to 10 vehicles of vessel crew members or employees, as needed, and

(2) The holder of an annual pier use permit for an off-site business, for vehicle(s) owned or leased by the permit holder or by an employee of the permit holder and used for the business purposes for which the pier use permit was issued.

(b) A business-use pier vehicle sticker shall be valid for the same period of time as the permit in conjunction with which it is issued.

(c) Business-use pier vehicle stickers shall not be transferable.

(d) If a vehicle for which a business-use pier vehicle sticker was issued is replaced during the term of a permit, the division shall, upon written request of the permit holder and provision of the following information and documentation relating to the replacement vehicle, issue a replacement sticker:

(1) The name and address of the vehicle operator;

(2) The registration number of the vehicle; and

(3) A photocopy of the current state vehicle registration for the vehicle.

Pda 604.04 Granting of Skiff Permits; Duration and Transferability.

(a) The division director or designee shall grant skiff permits pursuant to Pda 606.02.

(b) The holder of a mooring permit for a mooring located in Portsmouth Harbor, Rye Harbor or Hampton Harbor shall be permitted to apply for a skiff permit for a skiff dock located at a state-owned commercial pier in the same harbor where the mooring is located.

(c) Any person listed under (b) above may make application for a skiff permit by:

(1) Submitting a completed application form as described in Pda 609.02 to the division; and

(2) Paying the skiff permit fee.

(d) A skiff permit shall allow the permit holder to secure a skiff at the skiff dock designated on the skiff permit, on a first-come, first-served, space available basis.

(e) A skiff permit shall be valid for the same period of time as the permit in conjunction with which it is issued under (b) above.

(f) Skiff permits shall not be transferable.

(g) In order to maintain updated information with the division, each permit holder shall notify the division in writing, within 30 days of the change, of any changes to information required in Pda 609.02(b)(1)-(3).

Pda 604.05 Granting of Single-Use Pier Permits; Duration and Transferability.

(a) The division director or designee shall grant single-use pier permits only for transient commercial fishing vessels on a space available basis pursuant to Pda 606.03.

(b) The owner or operator of a transient commercial fishing vessel shall be permitted to apply for a single-use pier permit.

(c) A single-use pier permit shall allow the transient commercial fishing vessel to be secured to the business-use pier specified in the permit and to use division hoists on the pier, subject to the restrictions in Pda 603.

(d) A single-use pier permit shall be valid for a one-time use of the pier for the period of time needed to load or off load marine species, provided that the time period shall not exceed 12 hours. The permit may be renewed on a daily basis, subject to the payment of the required permit fee.

(e) A single-use pier permit shall not be transferable.

(f) Any person who qualifies for a single-use pier permit may make application for a permit by:

(1) Submitting an application as described in Pda 606.03 to the division; and

(2) Paying the single-use pier permit fee.

Pda 604.06 Granting of Annual Berthing Permits; Duration and Transferability.

(a) The division director or designee shall grant annual berthing permits for the Portsmouth pier berthing area pursuant to Pda 606.04.

(b) Only the owner or operator of a commercial fishing vessel who has obtained an annual pier use permit shall be permitted to apply for an annual berthing permit.

(c) Any person eligible under (b) above may make application for an annual berthing permit by:

(1) Submitting a completed application form as described in Pda 609.04 to the division; and

(2) Paying the annual berthing permit fee.

(d) An annual berthing permit shall allow a commercial fishing vessel to be secured, unattended and for any length of time during the permit term, in the Portsmouth pier berthing area at a location designated by the division in accordance with the LOA, width and draft of the vessel, and the potential for storms, wind, waves, tides, currents, and wash at the berthing location.

(e) The holder of an annual berthing permit shall be billed by the division for each quarterly period from January 1 to March 31, April 1 to June 30, July 1 to September 30, and October 1 to December 31.

(f) Annual berthing permits shall not be transferable.

(g) In order to maintain updated information with the division, each permit holder shall notify the division in writing, within 30 days of the change, of any changes to information required pursuant to Pda 609.04(b)(1)-(6).

(h) Modification of an annual berthing permit shall be in accordance with Pda 606.07.

Pda 604.07 Granting of Overnight Recreational-Use Pier Berthing Permits; Duration and ~~Transferability~~ Transferability.

(a) The division director or designee shall grant overnight berthing permits for a recreational-use pier berthing area pursuant to Pda 606.08.

(b) An overnight berthing permit shall allow a vessel to be berthed from 6:00 p.m. of one day to 6:00 p.m. of the following day.

(c) Any person may make application for an overnight berthing permit by:

(1) Submitting a completed application form as described in Pda 609.05 to the division; and

(2) Paying the overnight berthing permit fee.

(d) An overnight berthing permit shall allow a vessel to be secured, attended, overnight in the recreational-use pier berthing area at a location designated by the division in the accordance with the LOA, width and draft of the vessel, and the potential for storms, wind, waves, tides, currents, and wash at the berthing location.

(e) An overnight berthing permit shall be valid for the one night for which it was issued.

(f) Overnight berthing permits shall not be transferable.

Pda 604.08 Daily Parking at Hampton Harbor and Rye Harbor; Trailer Parking and Boat Launching.

(a) Upon receipt of payment of the appropriate fee established under rules of the authority and on a space available basis, the division shall issue, unless such issuance is prohibited by Pda 607.03, a daily parking ticket for:

(1) Vehicle only; ~~or~~,

(2) Combination vehicle and trailer; or,

(3) Buses carrying groups visiting a business that holds a pier use permit such as a whale watch operation, transportation service or a charter boat.

(b) Daily parking shall only be available at state-owned commercial piers and associated facilities located in Hampton Harbor and Rye Harbor.

(c) A daily parking ticket shall allow the holder to park one vehicle on the day of purchase at the location where the ticket was purchased.
~~A daily parking ticket shall allow the holder to park one vehicle on the day of purchase between sunrise and 11:59 p.m. in a general use parking area at the location purchased.~~

(d) Daily parking tickets are nontransferable and expire 30-minutes after the business or event the daily parking ticket holder was engaged in ends.
~~A daily combination parking ticket shall allow the holder to park one vehicle and one trailer in a general use parking area on the day of purchase between sunrise and 11:59 p.m. at the location where the ticket was purchased. The ticket holder shall also be allowed to launch and recover a vessel between sunrise and 11:59 p.m. at the boat launch area associated with that location.~~

(e) A daily combination parking ticket shall allow the holder to park one vehicle and one trailer in the general use parking area at Rye or Hampton Harbors on the day of purchase at the location where the ticket was purchased. The ticket holder shall also be allowed to launch and recover a boat at the boat launch area associated with that location.
~~Daily parking tickets shall be nontransferable.~~

(f) Daily combination parking tickets are nontransferable and expire 30-minutes after the business or event the daily combination parking ticket holder was engaged in ends.

(g) Daily Bus parking tickets shall allow the holder to park one bus in the general use parking area at Rye or Hampton Harbors on the day of purchase at the location where the ticket was purchased.

(h) Daily Bus parking tickets are nontransferable and expire 30-minutes after the business or event the daily combination parking ticket holder was engaged in ends.

Pda 604.09 Duration, Transferability, and Validity of Daily Seasonal Parking Permits at Hampton Harbor and Rye Harbor.

(a) The division director or designee shall grant daily seasonal parking permits and stickers for Hampton Harbor and Rye Harbor pursuant to Pda 606.09.

(b) A daily seasonal vehicle only parking permit shall allow the holder to park one vehicle in a general use parking area at the state-owned commercial pier and associated facilities specified in the permit between sunrise and 11:59 p.m. on any day during the season on a space available basis.

(c) A daily seasonal combination parking permit shall allow the holder to park one vehicle and one trailer in a general use parking area on any day during the season between sunrise and 11:59 p.m. at the state-owned commercial pier and associated facilities specified in the permit on a space available basis. The permit holder shall also be allowed to launch and recover a vessel between sunrise and 11:59 p.m. at the boat launch area associated with that location.

(d) Daily seasonal parking permits and stickers shall be nontransferable. Daily seasonal permits and stickers shall be valid only for the single vehicle specified in the seasonal parking permit application, unless the division has issued a replacement sticker under (f) below for a replacement vehicle. Each daily seasonal parking permit and sticker shall be marked with the vehicle registration number of the vehicle specified in the daily seasonal parking permit application.

(e) In order to maintain updated information with the division, each permit holder shall notify the division in writing, within 30 days of the change, of any changes to information required pursuant to Pda 609.06 (b)(1)-(6).

(f) If a vehicle for which a daily seasonal parking sticker was issued is replaced during the term of a permit, the division shall issue a replacement sticker upon:

(1) Written request of the permit holder;

(2) Provision of a copy of the replacement vehicle's registration, and

(3) Return of the daily seasonal parking sticker previously issued by the division.

Pda 604.10 Duration, Transferability, and Validity of Overnight Parking Permits for General Use Lots.

(a) The division director or designee shall grant overnight parking permits pursuant to Pda 606.10 on a space available basis.

(b) Overnight parking permits shall only be available at the state-owned commercial piers and associated facilities located in Hampton Harbor and Rye Harbor. Each permit issued shall specify the single state-owned commercial pier and associated facilities for which the permit is valid.

(c) Upon receipt of payment of the appropriate fee established under rules of the authority and on a space available basis, the division shall issue an overnight vehicle only parking permit allowing the parking

of one vehicle from 6:00 p.m. of one day to 6:00 p.m. of the following day for up to 6 consecutive nights during the season in a general use parking area at the state-owned commercial pier and associated facilities specified in the permit. Only one multi-night permit under this paragraph shall be issued for any one vehicle during the season. An overnight vehicle only parking permit shall be purchased on the day of use or, if applicable, on the initial day of use for 2 or more consecutive nights. There shall be no limitation on the number of overnight vehicle only parking permits purchased for non-consecutive nights.

(d) Upon receipt of payment of the appropriate fee established under rules of the authority and on a space available basis, the division shall issue an overnight combination parking permit allowing parking from 6:00 p.m. of one day to 6:00 p.m. of the following day for up to 6 consecutive nights during the season for a vehicle and trailer, including the right to launch and recover the vessel from the boat launch associated with the state-owned commercial pier and associated facilities specified in the permit. Only one multi-night permit under this paragraph shall be issued for any one trailer during the season. An overnight combination parking permit shall be purchased on the day of use, or, if applicable, on the initial day of use for 2 or more consecutive nights. There shall be no limitation on the number of overnight combination parking permits purchased for non-consecutive nights.

(e) Overnight parking permits shall be nontransferable. Each overnight parking permit shall be marked with the vehicle registration number of the vehicle specified in the overnight parking permit application.

Pda 604.11 Duration, Transferability, and Validity of Seasonal Overnight Parking Permits for Seasonal Overnight Parking at Hampton Harbor and Rye Harbor.

(a) The division director or designee shall grant seasonal overnight parking permits and stickers for Hampton Harbor and Rye Harbor pursuant to Pda 606.11.

(b) A seasonal overnight vehicle only parking permit shall allow the holder to park one vehicle for any period of time at any time during the season, on a space available basis, in the Hampton Harbor or Rye Harbor general use parking area.

(c) Seasonal overnight parking permits and stickers shall be nontransferable. Seasonal overnight parking permits and stickers shall be valid only for the single vehicle specified in the seasonal overnight permit application, unless the division has issued a replacement sticker under (e) below for a replacement vehicle. Each seasonal overnight parking permit and sticker shall be marked with the vehicle registration number of the vehicle specified in the seasonal overnight parking permit application.

(d) In order to maintain updated information with the division, each permit holder shall notify the division in writing, within 30 days of the change, of any changes to information required pursuant to Pda 609.10(b)(1)-(6).

(e) If a vehicle for which a seasonal overnight parking sticker was issued is replaced during the term of a permit, the division shall issue a replacement sticker upon:

(1) Written request of the permit holder;

(2) Provision of a copy of the replacement vehicle's registration; and

(3) Return of the seasonal overnight parking sticker previously issued by the division.

PART Pda 605 WAIT LISTS

Pda 605.01 Wait List Applications for Vessel Storage or Annual Berthing Permits.

(a) The division shall establish and maintain wait lists in accordance with (b) and (c) below for:

(1) Any area at a state-owned commercial pier or associated facilities designated by the division for vessel storage when the division determines that the storage area is at capacity; or

(2) Annual berthing permits for the Portsmouth business-use pier, when the division determines that the Portsmouth business-use pier is at capacity for annual berthing permits.

(b) A person seeking to be placed on a vessel storage wait list shall obtain a vessel storage wait list application form:

(1) In person, from the:

a. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

c. Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842; or

(2) By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(c) A person seeking to be placed on an annual berthing permit wait list shall obtain an annual berthing permit wait list application form:

(1) In person, from the:

a. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801; or

b. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

(2) By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(d) The applicant shall provide the information required on the wait list application form, as provided in Pda 609.08 or Pda 609.09.

(e) The applicant shall attach to the application the vessel storage wait list fee or annual berthing permit wait list fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

Pda 605.02 Placement on Wait Lists.

(a) The division shall place the applicant's name on the wait list for:

(1) Vessel storage at the storage area that the applicant has indicated on the wait list application, if the applicant has paid the vessel storage wait list fee(s), or

(2) An annual berthing permit at the Portsmouth business-use pier, if the applicant has paid the annual berthing permit wait list fee.

(b) No wait list applicant shall be listed more than once on a vessel storage or annual berthing permit wait list.

(c) The applicant's position on the wait list shall be determined by the date and time a completed wait list application is received by the division, with the earliest received application being placed higher on the list for the requested storage area or for berthing at the Portsmouth business-use pier.

Pda 605.03 Wait List Procedures.

(a) For purposes of this section, "written notice" means notice sent by certified mail~~, return receipt requested~~.

(b) The following procedures shall apply to the vessel storage wait list(s):

(1) The division shall maintain separate vessel storage wait lists for summer storage and winter storage for each storage area. Summer storage shall last from May 1 to October 31, and winter storage shall last from November 1 to April 30.

(2) When a vessel storage location becomes available at a storage area, the division director or designee shall send written notice to the first 5 persons on the wait list for that storage area that a vessel storage location(s) might be available. Each person contacted shall indicate his or her interest in entering into a storage agreement with the division within 10 days of the receipt of written notice by the division. If the number of storage location(s) available exceeds the number of persons expressing an interest in a storage location, the division director or designee shall send written notice to the next 5 persons in order of priority on the wait list. For purposes of this paragraph, wait lists shall be divided into groups of 5 according to placement on the wait list, and mailings shall be sent out in groups of 5, or, if there are fewer than 5 persons in a group, to each person in the group;

(3) The division director or designee shall notify the person highest on the wait list contacted under (2) above who expressed a timely interest in entering into a storage agreement with the division. If that person does not enter into a storage agreement with the division within 10 days following notification by the division under this subparagraph, the division director or designee shall follow the procedures in (2) above and send written notice to persons on the wait list in order of priority; and

(4) Any person on a vessel storage wait list offered an opportunity to enter into a storage agreement with the division, and who does not enter into such an agreement within 10 days as provided in (3) above, shall not be offered a second opportunity to enter into an agreement with the division for 180 days from the date of expiration of the 10-day period. Although the division director or designee shall not offer the wait list applicant an opportunity to enter into a storage agreement during this 180-day period, the wait list applicant shall retain his or her position on the applicable wait list. If a wait list applicant refuses a second opportunity to enter into a storage agreement for the requested storage area, the wait list applicant shall be removed from the wait list.

(c) The following procedures shall apply to the annual berthing permit wait list:

(1) When a berthing location becomes available at the Portsmouth business-use pier, the division director or designee shall send written notice to the first 5 persons on the annual berthing permit wait list that a berthing location(s) might be available. Each person contacted shall indicate his or her interest in obtaining an annual berthing permit within 10 days of the receipt of written notice by the division. If the number of berths available exceeds the number of persons expressing an interest in a berthing permit, the division director or designee shall send written notice to the next 5 persons in order of priority on the wait list. For purposes of this paragraph, wait lists shall be divided into groups of 5 according to placement on the wait list, and mailings shall be sent out in groups of 5, or, if there are fewer than 5 persons in a group, to each person in the group;

(2) The division director or designee shall notify the person highest on the wait list contacted under (1) above who expressed a timely interest in obtaining an annual berthing permit that the person may file an annual berthing application for the available berthing location. The person shall complete an initial annual berthing permit application;

(3) The division director or designee shall review and process the application in accordance with Pda 606 and Pda 607, and

(4) Any person on an annual berthing permit wait list offered an opportunity to apply for an annual berthing permit pursuant to this section, and who refuses the opportunity, shall not be offered a second opportunity to obtain a berthing permit for 180 days from the date of refusal. Although the division director or designee shall not offer the berthing permit wait list applicant an opportunity to apply for a berthing permit during this 180-day period, the berthing permit wait list applicant shall retain his or her position on the berthing permit wait list. If a berthing permit wait list applicant refuses a second opportunity to obtain a berthing permit, the berthing permit wait list applicant shall be removed from the wait list.

(d) A person's name on a vessel storage wait list or annual berthing permit wait list shall be removed from the list:

(1) When the wait list applicant, in writing, requests the division to remove his or her name from the list;

(2) When a vessel storage wait list applicant enters into a storage agreement with the division;

(3) When an annual berthing permit wait list applicant is granted an annual berthing permit;

(4) If the wait list applicant fails to submit a completed wait list reapplication and wait list fee or late fee in accordance with Pda 605.04 on or before the deadline specified in Pda 605.04; or

(5) If an annual berthing permit wait list applicant refuses 2 opportunities to obtain an annual berthing permit in accordance with (b)(4) or (c)(4) above.

Pda 605.04 Wait List Reapplications.

(a) An applicant who seeks to remain on a wait list(s) shall reapply annually by March 1 of each year by submitting a wait list application in accordance with Pda 605.01 and payment of the wait list fee, or within 10 business days after March 1 by submitting a wait list application in accordance with Pda 605.01 and payment of the wait list late fee.

(b) The division shall mail a wait list application form once annually on or before January 15 to each applicant on a wait list, to the address specified by the applicant on the wait list application, or, if none is specified, to the applicant's permanent address.

(c) If an undeliverable wait list application form is returned to the division, the division shall not re-mail the form. The wait list applicant shall be responsible for timely reapplication without receipt of a reapplication notice from the division.

Pda 605.05 Notification of Changes in Wait List Information. In order to maintain updated information with the division, any person on a wait list shall notify the division in writing, within 30 days of the change, of any change of address or telephone number.

Pda 605.06 - REPEALED

PART Pda 606 PERMIT APPLICATIONS; PROCESSING OF APPLICATIONS

Pda 606.01 Annual Pier Use Permit, Application Requirements; Processing.

(a) An applicant for an annual pier use permit shall:

(1) Obtain an annual pier use permit application form:

a. In person, from the:

1. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

2. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

3. Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842, or

b. By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(2) Provide the information required on the annual pier use application form, as provided in Pda 609.01(b), (d), and (e), and

(3) Attach to the application the following:

a. If the vessel described on the application is a commercial fishing vessel, a photocopy of:

1. The applicant's New Hampshire or other state registration for a commercial vessel,

2. The New Hampshire fish and game department saltwater fishing license or New Hampshire fish and game department commercial lobster license, if any, of the

applicant, or, if the applicant is a business entity, of at least one officer or one member of the business entity; and

3. The applicant's New Hampshire marine species wholesale license, if applicable,

b. If the vessel described on the application is a commercial cargo vessel, a photocopy of the applicant's New Hampshire or other state registration for a commercial vessel,

c. If the vessel described on the application is a charter boat, a photocopy of the vessel's New Hampshire or other state registration and U.S. Coast Guard merchant mariner's license for the operator;

d. If the applicant seeks to obtain a business-use pier vehicle sticker(s), a photocopy of the vehicle registration for each vehicle, ~~and~~

e. The Annual Hoist Safety Acknowledgement Sheet with the applicants signature acknowledging they agree to follow the requirements related to safe operation of division hoists and that they have made their crewmembers aware of the requirements ; and

~~e~~f. Payment of the annual pier use permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH,"

(b) The applicant or the applicant's duly authorized officer or member shall sign the application.

(c) Upon receipt of the application form by the division, the division director or designee shall verify that:

(1) The applicant has provided all applicable information and documentation required under Pda 609.01;

(2) The application has attached the documentation required under (a)(3) above;

(3) The vessel information on the New Hampshire or other state registration or federal documentation is the same vessel information provided on the application;

(4) The annual pier use permit fee is paid, provided that the check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH" and is attached to the application;

(5) There is no reason to deny the application under Pda 607.02, and

(6) The applicant has signed the application.

(d) Within 30 days of receipt of the application by the division, the division director or designee shall grant or deny the application consistent with the provisions of Pda 607.

(e) If the applicant is granted an annual pier use permit under Pda 607, the division director or designee shall:

(1) Issue an annual pier use permit to the applicant,

(2) Issue a vehicle sticker(s), if requested under Pda 604.03(a),

(3) Sign and date the permit(s), and

(4) Mail a photocopy of the permit(s) to the applicant at the address specified by the applicant on the permit application, or, if none is specified, to the applicant's permanent address.

Pda 606.02 Skiff Permit; Application Requirements; Processing

(a) A holder of a mooring permit for a mooring located in Portsmouth Harbor, Rye Harbor, or Hampton Harbor who is applying for a skiff permit for a skiff dock located at a state-owned commercial pier in the harbor where the mooring is located shall:

(1) Obtain a skiff permit application form:

a. In person, from the:

1. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

2. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

3. Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842; or

b. By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(2) Provide the information required on the skiff permit application form, as provided in Pda 609.02(b), and

(3) Attach to the application the following:

a. A photocopy of the mooring permit; and

b. Payment of the skiff permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH,"

(b) The applicant or the applicant's duly authorized officer or member under (a) above shall sign the application.

(c) Upon receipt of the application form from an applicant under (a) above by the division, the division director or designee shall verify that:

(1) The applicant has provided all applicable information required under Pda 609.02;

(2) The applicant has attached the documentation required under (a)(3) above;

(3) The skiff permit fee is paid, provided that the check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH" and is attached to the application;

(4) There is no reason to deny the application under Pda 607.02; and

(5) The applicant has signed the application.

(d) Within 30 days of receipt of an application under (a) above by the division, the division director or designee shall grant or deny the application consistent with the provisions of Pda 607.

(e) If the applicant is granted a skiff permit under Pda 607, the division director or designee shall:

(1) Issue a skiff permit and skiff sticker to the applicant;

(2) Sign and date the permit; and

(3) Mail a photocopy of the permit to the applicant at the address specified by the applicant on the permit application, or, if none is specified, to the applicant's permanent address.

Pda 606.03 Single-Use Pier Permit; Application Requirements; Processing

(a) Only the owner or operator of a transient commercial fishing vessel shall be eligible to apply for a single-use pier permit.

(b) Prior to or immediately upon securing a vessel to a business-use pier, an applicant for a single-use pier permit shall make an oral application by providing the information required in Pda 609.03(a) to the division either:

(1) By telephone in accordance with signage posted by the division at business-use piers that displays the telephone number(s) of the division, or

(2) In person to the division at the pier.

(c) If the applicant contacts the division by telephone, the division director or an employee of the division shall allow the applicant to secure the vessel to the pier after the division director or employee verifies the accuracy of the information relating to the vessel operator and vessel provided under (b) above.

(d) Once the vessel is secured to the pier, the applicant shall:

(1) Display to the division director or employee of the division:

a. The applicant's New Hampshire or other state registration for a commercial vessel;

b. The New Hampshire fish and game department saltwater fishing license or New Hampshire fish and game department commercial lobster license, if any, of the applicant, or, if the applicant is a business entity, of at least one officer or one member of the business entity; and

c. The applicant's New Hampshire marine species wholesale license, if applicable;

(2) Make payment of the single-use pier permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH," and

(3) Sign the application form.

(e) Upon receipt of a signed application and tender of the single use pier permit fee, the division director or employee shall grant or deny the application consistent with the provisions of Pda 607.

(f) If the applicant is granted a single-use pier permit under Pda 607, and meets the requirements of (d) above, the division director or employee shall:

(1) Enter the time of day and date that the permit was granted on the permit;

(2) Sign the permit, and

(3) Issue a single-use pier permit to the applicant.

Pda 606.04 Annual Berthing Permit; Application Requirements; Processing

(a) An applicant for an annual berthing permit shall:

(1) Obtain an annual berthing permit application form:

a. In person, from the:

1. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801; or

2. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

b. By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(2) Provide the information required on the annual berthing permit application form, as provided in Pda 609.04(b), and

(3) Attach to the application the following:

a. A copy of the applicant's annual pier use permit;

b. Payment of the annual berthing permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH,"

(b) The applicant or the applicant's duly authorized officer or member shall sign the application.

(c) Upon receipt of the application form by the division, the division director or designee shall verify that:

(1) The applicant has provided all applicable information and documentation required under Pda 609.04;

(2) The applicant has attached the documentation required under (a)(3) above;

(3) The vessel information on the New Hampshire or other state registration or federal documentation is the same vessel information provided on the application;

(4) The annual berthing permit fee is paid, provided that the check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH" and is attached to the application;

(5) A berth is available at the Portsmouth pier berthing area;

(6) There is no reason to deny the application under Pda 607.02; and

(7) The applicant has signed the application.

(d) Within 30 days of receipt of the application by the division, the division director or designee shall grant or deny the application consistent with the provisions of Pda 607.

(e) If the applicant is granted an annual berthing permit under Pda 607, the division director or designee shall:

(1) Issue an annual berthing permit to the applicant;

(2) Sign and date the permit(s); and

(3) Mail a photocopy of the permit(s) to the applicant at the address specified by the applicant on the permit application, or, if none is specified, to the applicant's permanent address.

Pda 606.05 Annual Berthing Permit Initial Applications; When Fee Returned. Any person holding a pier use permit and seeking an annual berthing permit shall submit a completed initial annual berthing permit application form in accordance with Pda 606.04. If the division determines that there are no berthing locations available, the division shall return the applicant's initial application form and annual berthing permit application fee, and the applicant may file an annual berthing permit wait list application in accordance with Pda 605.

Pda 606.06 Annual Berthing Permit Applications for Holders of Permits for Berths

(a) No later than 21 days before the expiration of an annual berthing permit, the division shall mail annual berthing permit applications to current annual berthing permit holders. The division shall pre-enter all of the permit holder's information on the permit application relating to the applicant and the vessel, as provided on the applicant's current permit, except the date the applicant is required to specify when signing the application.

(b) Applications shall be mailed to the permit holder at the address specified by the permit holder on the annual berthing permit then in effect, or, if none is specified, to the permit holder's permanent address.

(c) Any applicant filing an annual berthing permit application in accordance with this section shall return a completed application with the required information, documentation, and permit fee to the division's office no later than 14 days before expiration of the permit then in effect. Failure to meet the application deadline, whether or not the applicant received an application form with information pre-entered by the division, shall result in a denial in accordance with Pda 607, unless the applicant files a completed application with the required information, documentation, permit fee, and late application fee within 10 business days after the date on which the permit application was due. An applicant who fails to comply with the regular deadline or the late application deadline shall not submit an application under this section, but may make an application pursuant to Pda 606.04, including possible placement on a wait list under Pda 605.

(d) Failure to meet the late application deadline, including submission of all materials as specified in (c) above, shall result in denial of the application in accordance with Pda 607.02.

(e) If an application is in compliance with Pda 606.04 and the division grants a permit under Pda 607, the division shall mail, by first class mail, a photocopy of the permit to the annual berthing permit applicant within 10 business days of permit issuance. The mailing shall be sent to the annual berthing permit applicant at the address specified by the applicant on the annual berthing permit application, or, if none is specified, to the applicant's permanent address.

Pda 606.07 Annual Berthing Permit Application; Alteration of Information Relating to Vessel Prohibited; Modification of Permit; Correction of Certain Incorrect Pre-entered Information.

(a) When a current annual berthing permit holder makes an application for an annual berthing permit pursuant to Pda 606.06, the applicant shall not alter information pre-entered on the application by the division relating to the vessel. If any pre-entered information relating to the vessel identified in the permit in such an application requires revisions, or if the applicant has a newly-acquired vessel, the applicant shall follow the procedures in (b) below.

(b) An annual berthing permit shall be modified by substitution of a modified or replacement vessel for the vessel identified in the permit if the following conditions are met:

(1) The permit holder provides to the division, at least 10 days before berthing a modified or replacement vessel in the location assigned under the berthing permit:

a. Written notice of any changes to vessel information under Pda 609.04(b)(7); and

b. If there is a new registration for the vessel, a copy of such registration;

(2) The division director or designee determines that the berth assigned in the berthing permit can accommodate the modified or replacement vessel; and

(3) The permit holder pays to the division an amount equal to the difference in the amount, if any, that the permit fee for the modified permit would exceed the permit fee paid for the original permit.

(c) The expiration date of a permit modified under (b) above shall be the same as the originally issued permit.

(d) If any pre-entered information as specified in (e) below is incorrect, the applicant shall make the necessary correction(s) on the application form. The applicant shall return the signed and completed application, the permit fee, and the vessel registration, on or before the deadline specified in Pda 606.05. All applications pursuant to Pda 606.06 shall be returned to the division on or before the deadline specified in Pda 606.06.

(e) The applicant shall correct, on the application form, any pre-entered incorrect information relating to the following:

(1) Any typographical or apparent clerical error, provided that no change to vessel information shall be considered correction of a typographical or clerical error; or

(2) An applicant's name, address, business, or contact information as described in Pda 609.04(b)(1)-(6).

Pda 606.08 Overnight Recreational-Use Pier Berthing Permit; Application Requirements; Processing.

(a) An applicant for an overnight recreational-use pier berthing permit shall:

(1) Obtain an overnight recreational-use pier berthing permit application form:

a. In person, from the:

1. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

2. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

3. Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842; or

b. By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(2) Provide the information required on the overnight recreational-use pier berthing permit application form, as provided in Pda 609.05(b); and

(3) Attach to the application the following:

a. A copy of the current New Hampshire or other state registration for the vessel, unless the vessel is not required to be registered;

b. A photograph of the vessel, if the vessel is not required to be registered; and

c. Payment of the overnight recreational-use pier berthing permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH,"

(b) The applicant or the applicant's duly authorized officer or member shall sign the application.

(c) Upon receipt of the application form by the division, the division director or designee shall verify that:

(1) The applicant has provided all applicable information and documentation required under Pda 609.05;

(2) The applicant has attached the documentation required under (a)(3) above;

(3) The vessel information on the New Hampshire or other state registration or federal documentation is the same vessel information provided on the application;

(4) The overnight recreational-use pier berthing permit fee is paid, provided that the check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH" and is attached to the application;

(5) A berth is available at the recreational-use pier berthing area;

(6) There is no reason to deny the application under Pda 607.02; and

(7) The applicant has signed the application.

(d) If the application is received during normal business hours, the division director or designee shall grant or deny the application as expeditiously as possible, not to exceed 24 hours, consistent with the provisions of Pda 607.

(e) If the applicant is granted an overnight recreational-use pier berthing permit under Pda 607, the division director or designee shall:

(1) Issue an overnight recreational-use pier berthing permit to the applicant, specifying the dates and times for which the permit is valid;

(2) Sign and date the permit; and

(3) If the applicant:

a. Has requested that the permit be mailed, mail a photocopy of the permit to the applicant at the address specified by the applicant on the permit application, or, if none is specified, to the applicant's permanent address; or

b. Is present when the division completes the processing of the application, deliver the permit to the applicant.

Pda 606.09 Daily Seasonal Parking Permit; Application Requirements; Processing.

(a) Daily seasonal parking permits shall only be available for the state-owned commercial piers and associated facilities located at Hampton Harbor and Rye Harbor. Each permit issued shall specify the single state-owned commercial pier and associated facilities for which the permit is valid.

(b) An applicant for a daily seasonal parking permit shall:

(1) Obtain a daily seasonal parking permit application form:

a. In person, from the:

1. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

2. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

3. Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842; or

b. By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(2) Provide the information required on the daily seasonal parking permit application form, as provided in Pda 609.06(b); and

(3) Attach to the application the following:

a. A photocopy of the registration of the vehicle for which the applicant wishes to receive a daily seasonal parking permit; and

b. Payment of the daily seasonal parking permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(c) Upon receipt of the application form by the division, the division director or designee shall verify that:

(1) The applicant has provided all applicable information and documentation required under Pda 609.06(b);

(2) A copy of the current state vehicle registration is attached to the application for the vehicle for which the applicant wishes to receive a daily seasonal parking permit;

(3) The daily seasonal parking permit fee is paid for vehicle only or for combination vehicle and trailer, provided that the check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH" and is attached to the application;

(4) There is no reason to deny the application under Pda 607.02; and

(5) The applicant has signed the application.

(d) Within 30 days of receipt of the application by the division, the division director or designee shall grant or deny the application consistent with the provisions of Pda 607.

(e) If the applicant is granted a daily seasonal parking permit under Pda 607, the division director or designee shall:

(1) Issue a daily seasonal parking permit to the applicant specifying the date(s) of the season for which the permit is valid and marked with the vehicle registration number of the vehicle identified in the permit application;

(2) Issue a daily seasonal parking sticker marked with the vehicle registration number of the vehicle identified in the application;

(3) Sign and date the permit; and

(4) If the applicant:

a. Has requested that the permit be mailed, mail a photocopy of the permit to the applicant at the address specified by the applicant on the permit application, or, if none is specified, to the applicant's permanent address; or

b. Is present when the division completes the processing of the application, deliver the permit to the applicant.

Pda 606.10 Overnight Parking Permit; Application Requirements; Processing.

(a) An applicant for an overnight parking permit shall:

(1) Obtain an overnight parking permit application form:

a. In person, from the:

1. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

2. Rye Harbor Marine Facility, 1870 Ocean Blvd , Rye, New Hampshire, 03870, or

3. Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842; or

b. By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(2) Provide the information required on the overnight parking permit application form, as provided in Pda 609.07(b), and

(3) Attach to the application the following:

a. A photocopy of the registration of the vehicle for which the applicant wishes to receive an overnight parking permit; and

b. Payment of the overnight parking permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(b) Upon receipt of the application form by the division, the division director or designee shall verify that:

(1) The applicant has provided all applicable information required under Pda 609.07 (b),

(2) Space is available in the general use parking area for the type of permit applied for;

(3) A copy of the current state vehicle registration is attached to the application for the vehicle for which the applicant wishes to receive an overnight parking permit;

(4) The overnight parking permit fee is paid for vehicle only or for combination vehicle and trailer, provided that the check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH" and is attached to the application;

(5) There is no reason to deny the application under Pda 607.02, and

(6) The applicant has signed the application.

(c) If the application is received during normal business hours, the division director or designee shall grant or deny the application as expeditiously as possible, not to exceed 24 hours, consistent with the provisions of Pda 607.

(d) If the applicant is granted an overnight parking permit under Pda 607, the division director or designee shall:

(1) Issue an overnight parking permit to the applicant, specifying the date(s) for which the permit is valid;

(2) Sign and date the permit; and

(3) If the applicant:

a. Has requested that the permit be mailed, mail a photocopy of the permit to the applicant at the address specified by the applicant on the permit application, or, if none is specified, to the applicant's permanent address; or

b. Is present when the division completes the processing of the application, deliver the permit to the applicant.

Pda 606.11 Seasonal Overnight Parking Permit; Application Requirements; Processing

(a) Only the holder of a mooring permit for a mooring located in Hampton Harbor or Rye Harbor shall be permitted to apply for a seasonal overnight parking permit at Hampton Harbor or Rye Harbor.

(b) An applicant for a seasonal overnight parking permit shall:

(1) Obtain a seasonal overnight parking permit application form:

a. In person, from the:

1. Division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

2. Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

3. Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842, or

b. By sending a request in writing, including a self-addressed, stamped envelope to the division office at the following address:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(2) Provide the information required on the seasonal overnight parking permit application form, as provided in Pda 609.10(b), and

(3) Attach to the application the following:

a. A photocopy of the registration of the vehicle for which the applicant wishes to receive a seasonal overnight parking permit; and

b. Payment of the seasonal overnight parking permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(c) Upon receipt of the application form by the division, the division director or designee shall verify that:

(1) The applicant has provided all applicable information required under Pda 609.10(b),

(2) A copy of the current state vehicle registration is attached to the application for the vehicle for which the applicant wishes to receive a seasonal overnight parking permit;

(3) The applicant is the holder of a valid mooring permit for Hampton Harbor or Rye Harbor;

(4) The seasonal overnight parking permit fee is paid for vehicle only, provided that the check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH" and is attached to the application;

(5) There is no reason to deny the application under Pda 607.02; and

(6) The applicant has signed the application.

(d) Within 30 days of receipt of the application by the division, the division director or designee shall grant or deny the application consistent with the provisions of Pda 607.

(e) If the applicant is granted a seasonal overnight parking permit under Pda 607, the division director or designee shall:

(1) Issue a seasonal overnight parking permit to the applicant, specifying the date(s) of the season for which the permit is valid and marked with the vehicle registration number of the vehicle identified in the permit application;

(2) Issue a seasonal overnight parking sticker marked with the vehicle registration number of the vehicle identified in the application;

(3) Sign and date the permit; and

(4) If the applicant:

a. Has requested that the permit be mailed, mail a photocopy of the permit to the applicant at the address specified by the applicant on the permit application, or, if none is specified, to the applicant's permanent address; or

b. Is present when the division completes the processing of the application, deliver the permit to the applicant.

PART Pda 607 GRANT OR DENIAL OF PERMIT APPLICATION, REVOCATIONS, HEARINGS

Pda 607.01 Annual Pier Use Permit, Skiff Permit, Single-Use Pier Permit, Annual Berthing Permit; Overnight Recreational-Use Pier Berthing Permit, Daily Seasonal Parking Permit, Overnight Parking Permit; and Seasonal Overnight Parking Permit. Applications under Pda 606 for annual pier use permits, skiff permits, single-use pier permits, annual berthing permits, overnight recreational-use pier berthing permits, daily seasonal parking permits, overnight parking permits, and seasonal overnight parking permits shall be granted unless denied by the division in accordance with Pda 607.02.

Pda 607.02 Reasons for Denial of Application.

(a) The director shall deny a permit application for an annual pier use permit, skiff permit under Pda 604.04, single-use pier permit, annual berthing permit, overnight recreational-use pier berthing permit, daily seasonal parking permit, overnight parking permit, or seasonal overnight parking permit if the applicant:

(1) Is not a qualified applicant under Pda 604.02(b), Pda 604.04(b), Pda 604.05(b), Pda 604.06(b), or Pda 606.11(a), as applicable;

(2) Has not included the required permit fee;

(3) Has not provided the required information and documentation under Pda 609 for the type of permit applied for;

(4) Has provided materially false information on the application form or to a representative of the division, or has provided materially false or invalid information in any of the documentation required under Pda 606 or Pda 609;

(5) Has failed to:

a. Timely pay any fees or other costs due the authority or the division under RSA 12-G:42-53 or rules adopted thereunder and such fees or other costs remain due and payable at the time the application is filed;

b. Timely pay any fines assessed under RSA 12-G:52 or RSA 12-G:52-a and such fine or fines remain due and payable at the time the application is filed; or

c. Obey any lawful order of the division director, the chief harbor master, the deputy chief harbor master, a harbor master, or an assistant harbor master and full compliance with such lawful order remains outstanding at the time the application is filed;

(6) Has not signed the application; or

(7) Failed to submit a complete application in accordance with any application filing deadline established under Pda 606.

(b) The division director shall deny a permit application for an annual pier use permit, single-use pier permit, annual berthing permit, or overnight recreational-use pier berthing permit if the division determines that the vessel cannot be safely secured at the pier or the berth, taking into consideration the LOA, width, and draft of the vessel, the strength of the particular pier, and the potential for storms, wind, waves, tides, currents, and wash at the proposed location.

(c) The division director shall deny a permit application for an annual berthing permit at the Portsmouth pier berthing area or an overnight recreational-use pier berthing permit at a recreational-use pier berthing area if no berth is available to accommodate the applicant's vessel.

(d) The division director shall deny a permit application for a daily seasonal parking permit if, on 2 or more occasions during 2 out of the 5 immediately preceding seasons, the applicant had a daily seasonal parking permit or daily seasonal parking sticker revoked for violation of Pda 604.09(d).

(e) The division director shall deny a permit application for a seasonal overnight parking permit if the applicant:

(1) Is not the holder of a valid mooring permit for Hampton Harbor or Rye Harbor; or

(2) On 2 or more occasions during 2 out of the 5 immediately preceding seasons, had a seasonal overnight parking permit or seasonal overnight parking sticker revoked for violation of Pda 604.11(e).

Pda 607.03 Daily and Overnight Parking Restrictions. Parking at associated facilities shall be subject to the following restrictions:

(a) Parking shall be available on a space available basis only in the appropriate parking area(s) of the general use parking lot;

(b) No overnight parking shall be allowed that would violate any provision of Pda 604.10;

(c) Parking shall not be available to any person who has failed to:

(1) Timely pay any fees or other costs due the authority or the division under RSA 12-G:42-53 or rules adopted thereunder and such fees or other costs remain due and payable at the time the purchase is attempted or the application for a permit is made;

(2) Timely pay any fines assessed under RSA 12-G:52 or RSA 12-G:52-a and such fine or fines remain due and payable at the time the purchase is attempted or the application for a permit is made; or

(3) Obey any lawful order of the division director, the chief harbor master, the deputy chief harbor master, a harbor master, or an assistant harbor master and full compliance with such lawful order remains outstanding at the time the purchase is attempted or the application for a permit is made.

Pda 607.04 Revocation of Permit.

(a) The director shall revoke an annual pier use permit, skiff permit, annual berthing permit, recreational-use pier berthing permit, single-use pier permit, overnight parking permit, daily seasonal parking permit, or seasonal overnight parking permit for any of the following reasons, as applicable to the type of permit:

(1) The permit was transferred in violation of Pda 604.02(g), Pda 604.04(f), Pda 604.05(e), Pda 604.06(f), Pda 604.07(f), Pda 604.08(e), Pda 604.09(d), Pda 604.10(e), or Pda 604.11(c);

(2) A vehicle sticker was transferred to another person or vehicle in violation of Pda 604.03(c), 604.09(d), or Pda 604.11(c);

(3) The applicant has provided materially false information on the application form or to a representative of the division, or has provided materially false or invalid information in any of the documentation required under Pda 609;

(4) The permit holder's use of the pier or associated facilities is in violation of the law, including any rule set forth in Pda 600, presents an imminent and substantial threat to human health, public safety, or the environment, or is likely to result in immediate and substantial damage to division property;

(5) The permit holder has failed during the term of the permit to:

a. Timely pay any fees or other costs due the authority or the division under RSA 12-G:42-53 or rules adopted thereunder and such fees or other costs remain due and payable for more than 30 days;

b. Timely pay any fines assessed under RSA 12-G:52 or RSA 12-G:52-a and such fine(s) remain due and payable for more than 30 days; or

c. Obey any lawful order of the division director, the chief harbor master, the deputy chief harbor master, a harbor master, or an assistant harbor master and full compliance with such lawful order remains outstanding for more than 30 days;

(6) The permit holder ceases to have any ownership interest in a vessel identified in the permit holder's permit;

(7) The permit holder returned the permit to the division in accordance with Pda 607.07;

(8) The permit holder did not provide the written notification to the division required under Pda 607.07(a);

(9) The permit holder failed to provide the notifications required by Pda 604.02(k), Pda 604.04(g), Pda 604.06(g), Pda 604.09(e), or Pda 604.11(d), as applicable; or

(10) Following prior written notification from the division that a sticker is incorrectly displayed, the permit holder failed to display a parking sticker as specified in Pda 603.04(h)

(b) The division director shall provide notice and opportunity for a hearing before revocation of an annual pier use permit, annual berthing permit, skiff permit, single-use pier permit, daily seasonal parking permit, overnight parking permit, or seasonal overnight parking permit.

(c) Revocation of a pier use permit shall invalidate any annual berthing permit or business-use pier vehicle stickers issued in connection with the pier use permit.

(d) Revocation of a mooring permit shall invalidate any skiff permit or seasonal overnight parking permit issued in connection with the mooring permit.

Pda 607.05 Hearings; Notice of Denial.

(a) Any hearing required pursuant to Pda 607.04 shall be held by the director or designee.

(b) If a permit is denied under Pda 607.02 or revoked under Pda 607.04(b) after notice and opportunity for a hearing, notice of the denial or revocation and the reason(s) therefor shall be sent to the applicant in writing within 10 working days of the decision.

Pda 607.06 Removal of Vessel from Berth if Annual Berthing Permit Revoked. Within 10 days of receipt of a notice of revocation of an annual berthing permit pursuant to Pda 607.05(b), or, if the applicant or annual berthing permit holder files a request for reconsideration pursuant to Pda 608, within 10 days of receipt of a notice of decision under Pda 608.03(b), the vessel for which the annual berthing permit was issued shall be permanently removed from its berth. If the vessel is not removed by 11:59 p.m. on the tenth day following the receipt of such notice, a representative of the division shall arrange for the removal of the vessel from its berth. The owner of the vessel shall be responsible for any costs incurred by the division in removing the vessel from its berth.

Pda 607.07 Written Notification and Return of Permit Required in Certain Circumstances.

(a) A permit holder shall provide written notification to the division within 15 days of the sale or other disposition of the vessel for which a pier use permit or annual berthing permit has been issued; or

(b) A person required under (a) above to provide written notification to the division shall return the permit to the division within 15 days of the event requiring notification under (a) above.

PART Pda 608 RECONSIDERATION

Pda 608.01 Reconsideration; Who May Petition. Any holder of an annual pier use permit, skiff permit, single-use pier permit, annual berthing permit, daily seasonal parking permit, overnight parking permit, or seasonal overnight parking permit issued under Pda 600 whose permit was revoked by the division director pursuant to Pda 607.04 and any applicant for an annual pier use permit, skiff permit, single-use pier permit, annual berthing permit, overnight recreation-use pier berthing permit, daily seasonal parking permit, overnight parking permit, or seasonal overnight parking permit whose application was denied by the division director pursuant to Pda 606.01(d), Pda 606.02(d), Pda 606.03(e), Pda 606.04(d), Pda 606.06(e), Pda 606.08(d), Pda 606.09(d), Pda 606.10(c), or Pda 606.11(d) may petition the division director for reconsideration pursuant to Pda 608.

Pda 608.02 Requirements for Petition for Reconsideration. A petition for reconsideration shall:

(a) Specify the date of the challenged decision;

(b) Specify every reason that the action taken by the division director was unlawful or unreasonable, including any error of law or error of fact;

(c) Include as an attachment a copy of the application or request that was denied or failed to receive approval; and

(d) Include any new or additional information relevant to the matter proposed for reconsideration.

Pda 608.03 Reconsideration by Division Director.

(a) A petition for reconsideration by the division director shall be filed with the division director within 10 days from receipt of notice of:

(1) Revocation of a permit pursuant to Pda 607.04; or

(2) Denial of a permit pursuant to Pda 606.01(d), Pda 606.02(d), Pda 606.03(e), Pda 606.04(d), Pda 606.06(e), Pda 606.08(d), Pda 606.09(d), Pda 606.10(c), Pda 606.11(c), or Pda 606.10(d).

(b) The division director shall review a petition for reconsideration within 10 days of receipt and notify the petitioner of his or her decision on whether to grant or deny the petition within 5 business days of review.

(c) When making a decision on a petition for reconsideration, the division director shall consider any new or additional information relevant to the matter under reconsideration that was not available:

(1) In a permit denial proceeding, when the application in question was submitted; or

(2) In a permit revocation proceeding, when the decision to revoke a permit was rendered.

(d) The division director shall grant a petition for reconsideration if the division director finds it more likely than not that the decision was based on an error of law or fact or lacked facts that could reasonably sustain the decision.

(e) The division director shall deny a petition for reconsideration if the petition for reconsideration was not timely filed in accordance with (a) above, or the division director finds it more likely than not that the decision was not based on any error of law or that there were facts reasonably sustaining the decision.

PART Pda 609 FORMS

Pda 609.01 Annual Pier Use Permit Application Form.

(a) Each person seeking an annual pier use permit shall complete an annual pier use permit application form provided by the division and:

(1) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870; or

c. The main office of the Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842; or

(2) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(b) The applicant shall provide the following information on the annual pier use permit application form:

(1) The applicant's full legal name;

(2) If the vessel described in the application is a commercial fishing vessel, the name and address of the applicant's commercial fishing business;

(3) If the vessel described in the application is a commercial cargo vessel, the name and address of the applicant's commercial cargo business;

(4) If the vessel described in the application is a charter boat, the name and address of the applicant's charter boat business;

(5) If the applicant is an owner or operator of an off-site business, the reasons the applicant needs to use the facilities of a business-use pier and which facilities the applicant needs to use;

(6) The applicant's mailing address, if different from the permanent address;

(7) Which address the applicant requests be used as the correspondence address by the division, if different from the permanent address;

(8) The applicant's type of business organization;

(9) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Business fax number, if the applicant has a business fax number;

d. Emergency telephone number; and

e. Cell telephone number, if different from permanent telephone number;

(10) The applicant's e-mail address, if the applicant has an e-mail address; and

(11) The following information pertaining to the vessel, if any:

a. Vessel name;

b. New Hampshire or other state registration number;

c. Federal documentation number, if applicable;

d. Vessel LOA;

e. Vessel width;

f. Vessel draft;

g. Vessel color; and

h. Type of vessel.

(c) The applicant shall attach the documentation required under Pda 606.01(a)(3).

(d) The applicant shall provide the registration number for each vehicle for which a business-pier vehicle use sticker is sought as provided in Pda 604.03.

(e) If the application is for the use of a business-use pier by a vessel, the applicant shall indicate whether or not the applicant desires a skiff permit.

(f) By his or her signature, the applicant shall certify the following:

"I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that my pier use permit may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(g) The applicant shall sign and date the application.

Pda 609.02 Skiff Permit Application Form.

(a) Each person seeking a skiff permit under Pda 604.04(b) shall complete a skiff permit application form provided by the division and:

(1) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

c. The main office of the Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842; or

(2) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(b) The applicant shall provide the following information on the skiff permit application form:

(1) The applicant's full legal name;

(2) The applicant's permanent address;

(3) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Cell telephone number, if different from permanent telephone number; and

d. An emergency contact telephone number.

(c) The applicant shall attach the documentation required under Pda 606.02(a)(3).

(d) By his or her signature, the applicant shall certify the following:

"I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that my skiff permit may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(e) The applicant shall sign and date the application.

Pda 609.03 Single-Use Pier Permit Application Form.

(a) The single-use pier permit application form shall require the division director or an employee of the division to enter the following information provided by an applicant under Pda 606.03(b):

(1) The applicant's full legal name;

(2) The applicant's permanent address;

(3) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Cell telephone number, if different from permanent telephone number; and

d. An emergency contact telephone number;

(4) The following information pertaining to the vessel and registration and identification numbers:

a. Vessel name;

b. New Hampshire or other state registration number, or federal documentation number, as applicable;

c. The identification number(s) for any applicable fishing permits held by the applicant;

d. Vessel LOA;

e. Vessel width;

f. Vessel draft;

g. Vessel color; and

h. Type of vessel, and

(5) The reason(s) the applicant wishes to use the pier.

(b) The form shall require the division director or an employee of the division to verify that the applicant has displayed the documentation required under Pda 606.03(d)(1).

(c) By his or her signature, the applicant shall certify the following:

"I certify that the statements and information in this application are to the best of my knowledge and belief true, accurate and complete. I am aware that my pier use permit may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(d) The applicant shall sign and date the application.

Pda 609.04 Annual Berthing Permit Application Form.

(a) Each person seeking an annual berthing permit shall complete an annual berthing permit application form provided by the division and:

(1) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801; or

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

(2) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors

555 Market Street
Portsmouth, NH 03801

(b) The applicant shall provide the following information on the annual berthing permit application form:

(1) The applicant's full legal name;

(2) The name and address of the applicant's commercial fishing business;

(3) The applicant's mailing address, if different from the permanent address;

(4) Which address the applicant requests be used as the correspondence address by the division, if different from the permanent address;

(5) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Business fax number, if the applicant has a business fax number;

d. Emergency telephone number; and

e. Cell telephone number, if different from permanent telephone number;

(6) The applicant's e-mail address, if the applicant has an e-mail address; and

(7) The following information pertaining to the vessel:

a. Vessel name;

b. New Hampshire or other state registration number;

c. Federal documentation number, if applicable;

d. Vessel LOA;

e. Vessel width;

f. Vessel draft;

g. Vessel color; and

h. Type of vessel.

(c) The applicant shall attach the documentation required under Pda 606.04(a)(3).

(d) By his or her signature, the applicant shall certify the following:

"I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that my annual berthing permit or placement on an annual berthing permit wait list may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(e) The applicant shall sign and date the application.

Pda 609.05 Overnight Recreation-Use Pier Berthing Permit Application Form.

(a) Each person seeking an overnight recreational-use pier berthing permit shall complete an overnight recreational-use pier berthing permit application form provided by the division and:

(1) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

c. The main office of the Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842, or

(2) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(b) The applicant shall provide the following information on the overnight recreational-use pier berthing permit application form:

(1) The applicant's full legal name;

(2) The applicant's permanent address;

(3) The applicant's mailing address, if different from the permanent address;

(4) Which address the applicant requests be used as the correspondence address by the division, if different from the permanent address;

(5) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Business fax number, if the applicant has a business fax number;

d. Emergency telephone number; and

e. Cell telephone number, if different from permanent telephone number;

(6) The dates of the overnight for which the overnight recreational-use pier berthing permit is sought; and

(7) The following information pertaining to the vessel:

a. Vessel name;

b. New Hampshire or other state registration number;

c. Federal documentation number, if applicable;

d. Vessel LOA;

e. Vessel width;

f. Vessel draft;

g. Vessel color; and

h. Type of vessel.

(c) The applicant shall attach to the application the following:

(1) A copy of the current New Hampshire or other state registration for the vessel, unless the vessel is not required to be registered;

(2) A photograph of the vessel, if the vessel is not required to be registered; and

(3) Payment of the overnight recreational-use pier berthing permit fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH,"

(d) By his or her signature, the applicant shall certify the following:

"I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that my berthing permit may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(e) The applicant shall sign and date the application.

Pda 609.06 Daily Seasonal Parking Permit Application Form.

(a) Each person seeking a daily seasonal parking permit shall complete a daily seasonal parking permit application form provided by the division and:

(1) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

c. The main office of the Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842, or

(2) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(b) The applicant shall provide the following information on the daily seasonal parking permit application form:

(1) The applicant's full legal name;

(2) The applicant's permanent address;

(3) The applicant's mailing address, if different from the permanent address;

(4) Which address the applicant requests be used as the correspondence address by the division, if different from the permanent address;

(5) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Business fax number, if the applicant has a business fax number;

d. Emergency telephone number; and

e. Cell telephone number, if different from permanent telephone number;

(6) The applicant's e-mail address, if the applicant has an e-mail address;

(7) The state registration number of the vehicle for which the applicant wishes to receive a daily seasonal parking permit;

(8) The type of daily seasonal parking permit applied for, which shall be:

a. Vehicle only; or

b. Combination; and

(9) The state-owned commercial pier and associated facilities for which the daily seasonal permit is requested.

(c) The applicant shall attach:

(1) A photocopy of the current New Hampshire or other state registration for the vehicle listed on the permit application; and

(2) The daily seasonal parking permit fee for vehicle only or for vehicle and trailer, provided that a check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(d) By his or her signature, the applicant shall certify the following:

(1) "I hereby certify that I either own or lease the vehicle described in this application," and

(2) "I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that my daily seasonal parking permit may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(e) The applicant shall sign and date the application.

Pda 609.07 Overnight Parking Permit Application Form.

(a) Each person seeking an overnight parking permit shall complete an overnight parking permit application form provided by the division and:

(1) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801; or

(2) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

c. The main office of the Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842.

(b) The applicant shall provide the following information on the overnight parking permit application form:

(1) The applicant's full legal name;

(2) The applicant's permanent address;

(3) The applicant's mailing address, if different from the permanent address;

(4) Which address the applicant requests be used as the correspondence address by the division, if different from the permanent address;

(5) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Business fax number, if the applicant has a business fax number;

d. Emergency telephone number; and

e. Cell telephone number, if different from permanent telephone number;

(6) The type of overnight parking permit applied for, which shall be:

a. Vehicle only; or

b. Combination vehicle and trailer;

(7) The state registration number of the vehicle for which the applicant wishes to receive a overnight parking permit; and

(8) The dates for which the overnight parking permit is sought.

(c) The applicant shall attach:

(1) A photocopy of the valid state registration for the vehicle listed on the permit application, and

(2) The overnight parking permit fee, provided that a check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(d) By his or her signature, the applicant shall certify the following:

(1) "I hereby certify that I either own or lease the vehicle described in this application," and

(2) "I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that my overnight parking permit may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(e) The applicant shall sign and date the application.

Pda 609.08 Vessel Storage Wait List Application Form

(a) Each person seeking to be placed on the division's summer or winter vessel storage wait list shall complete an application form provided by the division and:

(1) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

c. The main office of the Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842, or

(2) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(b) The applicant shall provide the following information on the wait list application form:

(1) The applicant's full legal name;

(2) The applicant's permanent or home address;

(3) The applicant's permanent or home telephone number;

(4) Type of vessel for which storage is sought, indicating sail or power;

(5) The LOA, width, and draft of the vessel;

(6) Whether the applicant is applying for summer storage, winter storage, or both; and

(7) The desired vessel storage location(s).

(c) The applicant shall attach:

(1) A copy of the current New Hampshire or other state registration for the vessel, unless the vessel is not required to be registered;

(2) A photograph of the vessel, if the vessel is not required to be registered; and

(3) The vessel storage wait list fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(d) The applicant shall sign and date the application.

Pda 609.09 Annual Berthing Permit Wait List Application Form

(a) Each person seeking to be placed on the division's annual berthing permit wait list shall complete an application form provided by the division and:

(1) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801; or

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

(2) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801

(b) The applicant shall provide the following information on the wait list application form:

(1) The applicant's full legal name;

(2) The applicant's permanent or home address;

(3) The applicant's permanent or home telephone number;

(4) The type of vessel for which an annual berthing permit is sought, indicating sail or power; and

(5) The LOA, width, and draft of the vessel.

(c) The applicant shall attach:

(1) A copy of the current New Hampshire or other state registration for the vessel, unless the vessel is not required to be registered;

(2) A photograph of the vessel, if the vessel is not required to be registered; and

(3) The annual berthing permit wait list fee, provided that fees paid in the form of a check or a money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(d) The applicant shall sign and date the application.

Pda 609.10 Seasonal Overnight Parking Permit Application Form

(a) Each person seeking a seasonal overnight parking permit shall complete an overnight parking permit application form provided by the division and:

(1) Mail the completed application to:

Pease Development Authority
Division of Ports and Harbors
555 Market Street
Portsmouth, NH 03801; or

(2) Deliver the completed application to:

a. The division office located at 555 Market Street, Portsmouth, New Hampshire, 03801;

b. The main office of the Rye Harbor Marine Facility, 1870 Ocean Blvd., Rye, New Hampshire, 03870, or

c. The main office of the Hampton Harbor Marine Facility, 1 Ocean Blvd., Hampton, New Hampshire, 03842.

(b) The applicant shall provide the following information on the seasonal overnight parking permit application form:

(1) The applicant's full legal name,

(2) The applicant's permanent address;

(3) The applicant's mailing address, if different from the permanent address;

(4) Which address the applicant requests be used as the correspondence address by the division, if different from the permanent address;

(5) The applicant's telephone number(s) including:

a. Business telephone number;

b. Home telephone number;

c. Business fax number, if the applicant has a business fax number;

d. Emergency telephone number; and

e. Cell telephone number, if different from permanent telephone number;

(6) The applicant's e-mail address, if the applicant has an e-mail address;

(7) The state registration number of the vehicle for which the applicant wishes to receive a seasonal overnight parking permit; and

(8) The season for which the seasonal overnight parking permit is sought.

(c) The applicant shall attach:

(1) A photocopy of the valid state registration for the vehicle listed on the permit application, and

(2) The seasonal overnight parking permit fee for vehicle only, provided that a check or money order is made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA-DPH."

(d) By his or her signature, the applicant shall certify the following:

(1) "I hereby certify that I either own or lease the vehicle described in this application," and

(2) "I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that my seasonal overnight parking permit may be withdrawn by the Pease Development Authority for submitting false statements or information or omitting required statements or information."

(e) The applicant shall sign and date the application.

PART Pda 610 PERMIT FEES

REVISION NOTE:

Pda 610, including the schedule of fees in Pda 610.02, adopted by the Pease Development Authority, are exempt from RSA 541-A pursuant to RSA 541-A:21, I(n) and RSA 12-G:53, III and IV. See RSA 12-G:53, III and RSA 541-A:21, I(n) for the extent of the Authority's exemption from RSA 541-A.

Document #8322, effective April 8, 2005, contained Part Pda 610 except for the schedule of fees at the end of Pda 610.02. This schedule of fees first became effective on October 7, 2005. Effective March 8, 2006, the schedule was amended to add the Vessel Storage Wait List Fee, the Vessel Storage Wait List Renewal Fee, and the Vessel Storage Wait List Renewal Late Fee. Effective January 1, 2008, the schedule was amended to add the Seasonal Overnight Parking Permit - Vehicle Only Fee. The amended schedule was filed under Document #9050.

Pda 610.01 Fee Schedule

(a) Following adoption of a Pda 600 fee schedule, Pda 600 fees shall remain in effect until new fees are adopted in accordance with (b) below. At least once a year the division director shall review the schedule of Pda 600 fees. If the division proposes to modify Pda 600 fees, the process shall be as described in (b) below.

(b) The following shall govern the adoption of Pda 600 fee schedules:

(1) The division director shall prepare a proposed schedule of Pda 600 fees;

(2) The division director shall publish a notice in at least 2 newspapers of general circulation of the availability of the proposed schedule of Pda 600 fees;

(3) Within 30 days of publication of notice pursuant to (2) above, any person may submit to the division director written comments regarding the proposed schedule of Pda 600 fees;

(4) Within 60 days of publication of notice pursuant to (2) above, the division director shall submit the proposed schedule of Pda 600 fees to the authority for review and approval;

(5) The authority may:

a. Adopt the approved schedule of Pda 600 fees;

b. Adopt the approved schedule of Pda 600 fees in part; or

c. Adopt the approved schedule of Pda 600 fees in part and modify the schedule in part;

(6) The Pda 600 fees adopted by the authority shall take effect on January 1 of the following year or 5 days after adoption by the authority, whichever is earlier, unless the authority specifies an alternate effective date that is at least 5 days after the date of adoption by the authority; and

(7) Once adopted by the authority, the schedule of Pda 600 fees shall be made available to any person who requests a copy.

Pda 610.02 Types of Fees. The following types of fees shall be set by the schedule of fees determined under Pda 610.01:

(a) Annual pier use permit fee,

(b) Skiff permit fee,

(c) Skiff sticker replacement fee,

(d) Business-use pier vehicle sticker replacement fee,

(e) Single-use pier permit fee,

(f) Daily parking ticket fee for vehicle only;

(g) Daily parking ticket fee for combination vehicle and trailer;

(h) Daily parking ticket for bus;

(~~hi~~) Seasonal parking permit fee for vehicle only;

(~~ij~~) Seasonal parking permit fee for combination vehicle and trailer;

(~~jk~~) Seasonal parking sticker replacement fee;

(~~kl~~) Overnight parking permit fee for vehicle only;

(~~lm~~) Overnight parking permit fee for combination vehicle and trailer;

(~~mn~~) Berthing permit fee;

(~~no~~) Berthing permit application late fee under Pda 606.06;

(~~op~~) Berthing permit wait list fee;

(~~pq~~) Berthing permit wait list renewal fee;

(~~qr~~) Berthing permit wait list renewal late fee;

(~~rs~~) Vessel storage wait list fee, per storage area;

(~~st~~) Vessel storage wait list renewal fee, per storage area;

(~~tu~~) Vessel storage wait list renewal late fee, per storage area;

Pda 610.03 Waiver of Fees, Official Government Business

(a) "Government agency" means any department, commission, board, institution, bureau, office, court, legislative body, or other entity, by whatever name called, established in the constitution, statutes, session laws, or executive orders of the local, state, or federal government.

(b) Fees under Pda 600 shall not be waived for any type of applicant for or holder of a permit issued pursuant to Pda 600 or any user of state-owned commercial piers or associated facilities, except in accordance with (c) below.

(c) Any fee required under Pda 600 for any permit, sticker, or use of the commercial piers or associated facilities shall be waived by the division for any government agency, or employee or agent of any government agency, conducting official business. Any employee or agent of a government agency seeking a waiver of fees pursuant to Pda 610.03 shall:

(1) Identify the government agency that he or she is representing;

(2) Display:

a. A government-issued photo identification card that identifies the person as an employee or agent of the government agency; or

b. A government issued identification card that identifies the person as an employee or agent of the government agency and a photo identification card; and

(3) Identify the nature of the official business of the government agency that such employee or agent will be conducting at the commercial pier or associated facilities.

Pda 610.04 Fees Nonrefundable, Payment of Fees

(a) All Pda 600 fees shall be nonrefundable, except as provided in Pda 606.05.

(b) The fee(s) paid by check or money order shall be made payable to "Pease Development Authority, Division of Ports and Harbors" or "PDA - DPH."