

AGENDA

MARINE RESOURCES COMMISSION

NOVEMBER 26, 2002

1. **MINUTES** of previous meeting.
- ** **APPROVAL OF MINUTES.**
2. **PERMITS** (Projects over \$50,000 with no objections and with staff recommendation for approval).
3. **SUNSET DEVELOPMENT, L.L.C., #02-0361.** Commission review on appeal of the Virginia Beach Wetlands Board's March 18, 2002, after-the-fact decision and restoration order pertaining to a request to retain, as constructed, a single-family residence with concrete driveway, gravel parking area and timber decks involving a coastal primary sand dune and beach in Virginia Beach.
4. **HUGH DELAUNEY:** Commission review on appeal by the property owner of a September 2002 enforcement action for impacts to a jurisdictional primary coastal sand dune situated along the Chesapeake Bay in the City of Norfolk.
5. **INLAND HARBOR PROPERTY OWNERS ASSOCIATION, #99-2313,** requests a modification to a previously issued permit for authorization to construct a 32-foot long continuous height extension to an existing timber jetty, and to dredge 130 cubic yards of sandy bottom material to provide depths of minus six (-6) feet at mean low water adjacent to property situated at the mount of Warehouse Creek in Northumberland County.
6. **NEWELL'S BOAT WORKS, INC., #02-1324,** requests authorization to install 313 linear feet of bulkhead, 84 linear feet of riprap and to dredge to minus five (-5) feet below mean low water, with some areas to minus seven (-7) feet below mean low water, adjacent to their facility situated along Scotts Creek in the City of Portsmouth.
7. **TANGIER OIL COMPANY, #01-0588,** requests after-the-fact authorization to retain a 12-foot by 7-foot gas shed, a 14-foot extension to the new fuel pier, and to retain the old fuel pier which was to be removed along Mail Boat Harbor in the Town of Tangier.
8. **ROBERT S. HUMPHRIES, #02-1556,** requests after-the-fact authorization to retain 115 linear feet of replacement vinyl bulkhead aligned a maximum of two (2) feet channelward of a deteriorated wooden bulkhead, and authorization to construct an additional 110 linear feet of replacement bulkhead adjacent to his property situated along Meachim Creek in Middlesex County.

9. **ATAACK PROPERTIES, #02-0441**, requests authorization to construct a community boatramp 16 feet in width, extending approximately 12 feet channelward of mean low water, adjacent to their property situated along the Rappahannock River in Richmond County. The ramp is for the private use of a new six (6) lot subdivision. The project is protested by an adjacent property owner.
10. **ARMY CORPS OF ENGINEERS, #02-1648**, requests authorization to place up to 200,000 cubic yards of dredged material from the maintenance of Sloop Channel and North Channel, part of the WCV, in Accomack County, upon two previously used spoil sites in Hog Island Bay. Wetlands and Subaqueous permits are required.
11. **ARMY CORPS OF ENGINEERS, #02-0523**, requests a modification to their previously issued permit to allow for the use of a sidecast dredge to remove a shoal in the entrance channel portion of the Rudee Inlet Federal Project Channel in the City of Virginia Beach.
12. **PUBLIC COMMENTS:**
13. **PUBLIC HEARING:** Proposed amendments to Regulation 4 VAC 20-252-10 et seq., "Pertaining to the Taking of Striped Bass," to allocate the coastal striped bass fishery quota.
14. **PUBLIC HEARING:** Proposed amendments to Regulation 4 VAC 20-720-10 et seq., "Pertaining to Restrictions on Oyster Harvest," to improve the reporting of oyster harvests.
15. **PUBLIC HEARING:** Proposed amendments to Regulation 4 VAC 20-754-10 et seq., "Pertaining to Importation of Fish, Shellfish, or Crustacea," to establish requirements for the importation of hard clam seed from South Carolina and Florida.
16. **PUBLIC HEARING:** Proposed amendments to Regulations 4 VAC 20-950-10 et seq., "Pertaining to Black Sea Bass," to establish management measures and allocation of quota for the 2003 and 2004 commercial fisheries.
17. **American Shad:** Proposed 40 percent reduction in the 2003 coastal intercept fishery. Request for public hearing.
18. **Red Drum:** Establishment of 2003 possession and size limit restrictions. Request for public hearing.

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19. **Tautog:** Establishment of 2003 possession and size limit restrictions. Request for public hearing.
20. **Recommendations of the Recreational Fishing Advisory Board.**
21. **Oyster Hand Scrape: Report of Committee examining weight limits.**
22. **Report on status of Temples Bay oyster area.**

(PERMITS: Projects over \$50,000 with no objections and with staff recommendation for approval)

- 2A. HARVEY A. DREWER, II, #02-1813**, requests authorization to establish a site for aquaculture activities in Fishing Creek, a tributary to Pocomoke Sound southwest of the Town of Saxis. The applicant proposes to occupy a 22-acre area above his oyster ground lease, with anchored aquaculture floats and bags, for the commercial grow-out of cultured shellfish. Recommend an annual royalty in the amount of \$4,791.60 for the encroachment over 958,320 square feet of State-owned subaqueous land at a rate of \$0.005 per square foot.
- 2B. NATIONAL PARK SERVICE, #02-0930**, requests authorization to construct and backfill 1,130 linear feet of vinyl replacement bulkheading situated adjacent to the causeway from Chincoteague Island to Assateague Island along Assateague Channel and Sheepshead Creek in Accomack County. The project is part of roadway and pedestrian access improvements at Assateague Island National Seashore.
- 2C. CITY OF VIRGINIA BEACH, #96-0083**, requests a modification to their previously issued permit to allow for the addition of a 100' by 150' turning basin at the mouth of Crab Creek to improve navigation at their *Lynnhaven Boat Ramp and Beach Facility* situated along Crab Creek in Virginia Beach.
- 2D. HUDGINS POINT ESTATES CONDOMINIUM OWNERS ASSOCIATION, #97-1285**, requests authorization to modify their existing permit to allow paving of the parking area with an associated storm water management plan so as to reduce runoff into Cobbs Creek from the paved area during normal conditions.
- 2E. CITY OF WAYNESBORO, #02-1855**, requests authorization to install a sewer pipe under 90 linear feet of the South River. Recommend standard instream construction conditions.
- 2F. CITY OF NORFOLK, #02-1774**, requests authorization to install 645 linear feet of steel sheetpile bulkheading adjacent to their property situated along Knitting Mill Creek.
- 2G. PATRICIA M. CONNER, ET AL, #01-0240**, requests authorization to dredge up to 80,000 cubic yards of sand annually from an area 1,150 feet in length by 75 feet in width to a variable depth of no more than 4-6 feet below ordinary low water from the Staunton (Roanoke) River in Halifax and Charlotte Counties. Recommend a time of year restriction from April 15 through June 30 of each year. Recommend a royalty of \$0.40 per cubic yard for a total of up to \$32,000.00 per year.

- 2H. J. R. THARPE TRUCKING COMPANY, INC., #01-1236**, requests authorization to excavate up to 1,000 cubic yards of sand annually from State-owned subaqueous lands within the Staunton (Roanoke) River, adjacent to their property in Charlotte County. Recommend a royalty of \$0.40 per cubic yard for a total of up to \$400.00 per year.
- 2I. J. R. THARPE TRUCKING COMPANY, INC., #02-1945**, requests authorization to excavate up to 8,000 cubic yards of sand annually from State-owned subaqueous lands within the Staunton (Roanoke) River in Charlotte and Halifax Counties. Recommend a royalty of \$0.40 per cubic yard for a total of up to \$3,200.00 per year.
- 2J. CITY OF LYNCHBURG, #02-1800**, requests authorization to install, by open-trench method, 150 linear feet of an e-inch water line and a 4-inch electric conduit located a minimum of 24-inches beneath the existing streambed of the James River near the confluence of Blackwater Creek in the James River. Recommend standard instream construction practices.