

TENTATIVE AGENDA
MARINE RESOURCES COMMISSION
OCTOBER 26, 2021

** APPROVAL OF AGENDA.

1. MINUTES of previous meeting.
2. PERMITS (Projects over \$500,000.00 with no objections and with staff recommendation for approval).
3. CONSENT AGENDA ITEMS.
4. CLOSED MEETING FOR CONSULTATION WITH, OR BRIEFING BY, COUNSEL.
5. **LICENSE STATUS REVIEW**
6. **THOMAS BARTON, #21-1238**
Requests authorization to install and backfill 58 linear feet of replacement vinyl bulkhead a maximum of one-foot channelward of the existing bulkhead serving 37458 Bayside Drive adjacent to Chincoteague Bay in the Captain's Cove subdivision in Accomack County. This proposal requires a coastal primary sand dunes and beaches permit.
7. **AARON T. WEST, Oyster Planting Ground Application #2018-066**
Requests authorization to lease approximately 16 acres within Doctors Creek in Mathews County. The application is protested by a number of nearby highland property owners.
8. **RICHARD H. RAY and GREGORY S. OSTEEEN, Oyster Planting Ground Application #2019-033**
Request authorization to lease approximately 4.50 acres in Nassawadox Creek in Northampton County. The application is protested by a local waterman.
9. **PUBLIC COMMENTS**
10. **RECOMMENDATION**
Recommendations on funding requests from the Recreational and Commercial Fisheries License Funds.

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PAGE 2 ITEMS

A. NORFOLK NAVAL STATION, #21-0371

Requests authorization to place three (3) feet of sand and clay from on-site dredge material and two (2) feet of riprap as a contaminant cap over 144,300 square feet of the dredged side slopes of a petroleum, oils and lubricants (POL) contaminated area adjacent to Pier 11 South Berth at Naval Station Norfolk along the Elizabeth River in the City of Norfolk. Staff recommends approval including a special condition that turbidity curtains and oil booms shall be utilized during the duration of the work.

B. LYON SHIPYARD, #21-0332

Requests authorization to remove existing piers and a railway and construct a travel lift system consisting of a 30-foot wide by 200-foot long open-pile pier, a 20-foot wide by 186-foot long open-pile pier, and two (2) mooring dolphins. Additionally, 46,000 cubic yards of State-owned submerged land will be mechanically dredged to -24 feet MLW in the Eastern Branch of the Elizabeth River adjacent to the facility located at 1818 Brown Avenue in the City of Norfolk. Per §28.2-1206B of the Code of Virginia, as a commercial facility providing services related to the shipping of domestic or foreign cargo, the project is exempt from payment of rents and royalties, except for the portion of the project which includes removal of bottom material. Staff recommends a one-time dredging royalty of \$27,600.00 for the dredging of 46,000 cubic yards at a rate of \$0.60 per cubic yard and a special condition that turbidity curtains shall be utilized during the removal of underwater piles and dredging.

C. U.S. ARMY CORPS OF ENGINEERS, #12-0255

Requests authorization to modify their existing permit to increase the amount of sandy dredged material placement in the nearshore placement area west of the Uppards between the -5 and -8 foot mean low water contours from 5,000 cubic yards to 65,000 cubic yards. This dredged material will originate from the maintenance dredging of the Tangier Federal Channel in Accomack County.

D. PACK BROTHERS HOSPITALITY, #21-1071

Requests authorization to construct and redevelop the marina at Fort Monroe to include a full marina replacement, a living shoreline, offshore floating concrete breakwaters, a bulkhead replacement no more than two feet channelward of the existing failing bulkhead, a marina building with an appurtenant pool and pool deck constructed on piles, and a 90-room hotel and adjacent promenade deck constructed on piles over State-owned submerged land at property (McNair Drive) adjacent to the James River in the City of Hampton. The proposed hotel facility will encroach upon 28,108 square feet of State-owned bottom and the new marina will encroach upon 67,055 square feet of State-owned bottom. Staff recommends approval including the following special condition that turbidity curtains shall be utilized during the removal of underwater piles, demolition of existing structures, and the driving of new concrete piles. The project is exempt from rents and royalties as the owner of the property is the Fort Monroe Authority, which is a political subdivision of the Commonwealth.

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PAGE 3 ITEMS

A. MAGNUS ERIKSSON, #20-1194

Requests after-the-fact authorization to retain approximately 430 linear feet of a 12-foot wide base quarry stone riprap revetment installed channelward of an existing bulkhead prior to obtaining the necessary VMRC permit at property situated along Moran Creek, located at 335 Redwood Lane in Lancaster County. Staff recommends approval with triple permit fees of \$900.00 assessed to the applicant, and a civil charge of \$10,000.00 assessed to the agent/contractor, Delta Marine Construction, who prepared the application and installed the revetment. The applicant and contractor have agreed to the aforementioned fees in lieu of further enforcement action.

VMRC DOES NOT DISCRIMINATE AGAINST INDIVIDUALS WITH DISABILITIES; THEREFORE, IF YOU ARE IN NEED OF REASONABLE ACCOMMODATIONS DUE TO A DISABILITY, PLEASE ADVISE MICHELE GUILFORD (757-247-2206) NO LATER THAN FIVE WORK DAYS PRIOR TO THE MEETING DATE AND IDENTIFY YOUR NEEDS.

FISHERY MANAGEMENT ITEMS WILL IMMEDIATELY FOLLOW THE HABITAT MANAGEMENT PROJECTS ON THIS AGENDA.