

TENTATIVE AGENDA

VIRGINIA MARINE RESOURCES COMMISSION

SEPTEMBER 24, 2002

** CALL TO ORDER

** INVOCATION AND PLEDGE OF ALLEGIANCE

** APPROVAL OF AGENDA

1. APPROVAL OF MINUTES – August 27, 2002
2. PERMITS (Projects over \$50,000 with no objections and with staff recommendation for approval – see **Pages Three and Four.**)
3. **RICKY EDGERTON, #02-0452**, requests authorization to construct a 42-foot long by 16-foot wide private, non-commercial, open-sided boathouse adjacent to his property situated along Chisman Creek in York County. The project is protested by an adjoining property owner and nearby residents.
4. **M. BLANTON WHITLOW, #02-0893**, requests after-the-fact authorization to retain and complete a 170-foot long by 8-foot wide and 4-foot high riprap marsh toe stabilization revetment. Approximately 3,000 square feet of subaqueous bottom will be backfilled and planted with *Spartina alterniflora* plugs.
5. **LEE DALE SHORES PROPERTY OWNERS ASSOCIATION, #02-0990**, requests authorization to construct a 42-foot long, by 6-foot wide, L-head extension and install three (3) associated mooring piles onto an existing 190-foot long, open-pile, timber, community pier adjacent to their property situated along Barrett's Creek in Northumberland County. The project is protested by Dr. Stephen Radcliffe an adjacent property owner.
6. **TOM EVELYN, #00-0519**, requests after-the-fact authorization to retain a previously constructed and unauthorized 11-foot by 25-foot roof/deck, with railing and stairs over the applicants existing private, non-commercial, open-pile pier, as well as a request to extend a previously authorized and constructed concrete boat ramp an additional 15 feet channelward, at the applicant's property situated along the Pamunkey River in New Kent County.
7. **LARRY BRYANT, #02-1643**, requests after-the-fact authorization to retain a previously constructed 19-foot by 19-foot roof structure over the channelward T-head of the applicant's non-commercial, private, open-pile pier at his property situated along the James River in the City of Suffolk.

8. **JAMES CITY COUNTY DIVISION OF PARKS AND RECREATION, #02-1176**, requests authorization to construct one (1) 8-foot by 12-foot open-pile pier; one (1) 10-foot by 12-foot open-pile pier; two (2) 6-foot by 10-foot open-pile piers; one (1) 8-foot by 16-foot open-pile tending pier and to construct a 20-foot by 24-foot tiered canoe and kayak launch ramp at the Powhatan Creek Water Access Park. The project is protested by a number of local residents.
 9. **DISCUSSION:** Request by Ebb Tide Nursery and Waters Edge Nursery to harvest Spartina alterniflora seed heads from State-owned marshes in the Great Gap and Middle Gap areas of Upshur Bay, southeast of the Town of Quinby in Accomack County. The seeds will be used to generate plants used in shoreline stabilization and mitigation/compensation projects.
 10. **DISCUSSION:** Request from the Rappahannock Preservation Society to retrieve an "oyster reef module," previously deployed at the Steamer Rock artificial oyster reef on Public Ground near Mosquito Point along the Rappahannock River. The stated reasons for the request are to obtain an accurate count of oyster and oyster spat set, the removal of 10 oysters for disease testing, and to determine the cost and feasibility of using the reef site as an "oyster reef module inoculation facility."
 11. **OYSTER GROUND:** Request by David Ira Smith, Sr., of Willis Wharf for a 40+ acre assignment in Hog Island Bay. Mr. Smith has requested a formal hearing on the staff decision to deny the assignment applied for.
 12. **PUBLIC COMMENTS**
 13. **PUBLIC HEARING:** Proposed Amendments to Regulation 4 VAC 20-720-10 et seq., "*Pertaining to Restrictions on Oyster Harvest*" to establish oyster harvest areas, catch limits, times, and seasons for 2002-2003.
 14. **PUBLIC HEARING:** Proposed Amendments to Regulation 4 VAC 20-430-10 et seq., "*Pertaining to the Marking and Minimum Mesh Size of Gill Nets.*"
 15. **PUBLIC HEARING:** Proposed amendments to Regulation 4 VAC 20-754-10 et seq., "*Pertaining to Importation of Fish, Shellfish or Crustacea.*"
 16. **RECOMMENDATIONS OF THE RECREATIONAL FISHING ADVISORY BOARD**
- ** **DATE OF NEXT COMMISSION MEETING: OCTOBER 22, 2002**
- ** **ADJOURNMENT**

- 2A. BROAD BAY CANAL ASSOCIATION, #02-1280**, requests authorization to maintenance dredge approximately 1,725 cubic yards of bottom material, on an annual basis, to restore maximum navigable depths of minus four feet (-4.0') at mean low water at their properties situated along Broad Bay in Virginia Beach. Recommend all dredged material be removed to an approved upland area and suitably contained in such a manner as to prevent its re-entry into State waters.
- 2B. COLONIAL NATIONAL HISTORIC PARK, #02-0932**, requests authorization to install a series of breakwater and sill structures consisting of Class II and Class III graded riprap with associated fill and wetland plantings impacting up to 29,436 square feet of State-owned subaqueous bottomland within Powhatan Creek, Back River, The Thorofare, and the James River adjacent to Jamestown Island and Colonial Parkway in James City County. The project purpose is to stabilize and protect eroding shorelines that are impacting, or have the potential to impact, significant archaeological sites. Recommend a time-of-year restriction from December 15 to July 15 of each year for any work proposed within 1,300 feet of an active bald eagle nesting site as identified by the Department of Game and Inland Fisheries.
- 2C. MARINE RESOURCES COMMISSION, #97-1807**. Fisheries Management Division requests to modify their existing permit authorizing the construction of a circular reef within a 1,000-foot radius of Newport News Middle Ground Light, in the lower James River. Specifically requested is an alteration of the requirement for a 5-foot maximum profile height for all reef structures. Instead, they request a condition to require the maintenance of a minimum 12-foot clearance between mean low water and the top of the reef material.
- 2D. COCKRELL'S MARINE RAILWAY, #02-0940**, requests authorization to upgrade an existing 30-slip commercial marina to accommodate 139 wetslips and 30 dry slips by constructing a new 610-foot long pier and a 346-foot long pier, extending two (2) existing piers, erecting a 145-foot long by 94-foot wide closed-ended boathouse, install 150 linear feet of toe scour riprap revetment at the base of a failing bulkhead, install 220 linear feet of marsh toe stabilization, and dredge 1,100 cubic yards of State-owned submerged lands adjacent to their property situated along the Little Wicomico River in Northumberland county. Staff recommends a royalty in the amount of \$495.00 for the new dredging at \$0.45 per cubic yard, and an annual royalty of \$1,316.70 for the encroachment over 26,334 square feet of State-owned subaqueous land at a rate of \$0.05 per square foot.
- 2E. ROANOKE GAS COMPANY, #02-1198**, requests authorization to install, by the directional drill method, 107 linear feet of natural gas pipeline beneath the Roanoke River in Roanoke County. Recommend a royalty in the amount of \$107.00 for the encroachment under State-owned subaqueous land at a rate of \$1.00 per linear foot.

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- 2F. U. S. ARMY CORPS OF ENGINEERS, #02-1280,** requests authorization to place up to 150,000 cubic yards of suitable sandy dredged material annually in an unconfined manner on the downdrift beach lying north of Rudee Inlet in Virginia Beach.