MEMORANDUM

TO: MPCBPAA

FROM: Lewie Lawrence, Director of Regional Planning

DATE: March 10, 2010

RE: Special March 11th PAA Meeting

This announcement serves as notice to call a special meeting of the Public Access Authority on Friday, March 11th, 2011 at or about 11:00 a.m. No quorum was present at the February 11th meeting. As such, a special meeting will be held in the MPPDC Regional Board Room in Saluda. Lunch will be provided.

The purpose of this meeting is to discuss Shallow Water Dredging and pending legal issues. The agenda has been consolidated to address only the most essential of items.

If you have any questions, please call (804-758-2311) or e-mail (LLawrence@mpppc.com) me at your convenience.

AGENDA

1. Welcome and Introductions
2. Approval of December 2010 Minutes
3. Financial Report
4. Public Comment
5. Legal Issue: CELCP ROW (Virginia Code §2.2-3711 Subparagraph 7)
6. Shallow Water Dredging
   a. Adoption of Proposed Project Outline
   b. Discussion and action on identified receiving areas
   c. Discussion of Private Benefit from Public Trust Dredge Sediment
7. Working Waterfront Focal Area: Program Suspended
   a. Impact Perrin Creek project
   b. Limit dialog on regulatory and tax relief for working waterfront
8. Other Business
9. Chairman Observations
10. Next Meeting
11. Adjourn
1. Welcome and Introductions  
The Middle Peninsula Chesapeake Bay Public Access Authority held its meeting in the Middle Peninsula Planning District Commission Board Room in Saluda, Virginia, at 11 a.m. on December 10, 2010.  
Chairman Louise Theberge called the meeting to order. Members and Alternates present were Terri E. Hale, King William County Assistant County Administrator; Steve Whiteway, Mathews County Administrator; Carlton Revere, Middlesex County Board of Supervisors; Doris Morris, King & Queen County; Trent Funkhouser, Town of West Point; Don Richwine, Town of Urbanna. Also present was Lewis Lawrence, Director of Regional Planning MPPDC

2. Approval of October 2010 Minutes  
Chairman Louise Theberge requested a motion to approve the October 2010 minutes. Mr. Carlton Revere moved that the minutes be approved. Ms. Hale seconded the motion. Motion carried by unanimous vote.

3. Financial Report  
Chairman Louise Theberge requested a motion to approve the October 2010 Revenue and Expenditure Report. Mr. Whiteway moved that the Report be approved. Mr. Funkhouser seconded the motion. Motion carried by unanimous vote.

4. Public Comment  
None

5. Shallow Water Dredging Master Plan Scope of Work Discussion  
Mr. Lawrence reported that a finalized cost sharing agreement between the Middle Peninsula Chesapeake Bay Public Access Authority and the Army Corps of Engineers to conduct a study of the dredging and sediment management issues across the Middle Peninsula has been signed and executed. Mr. Lawrence reports that he has negotiated $10,000 in sediment management study services from Scott Hardaway, VIMS. These services will reduce the local match requested by $10,000.

Overall the plan will include (1) the current cost of maintaining a shallow water dredging & sediment management plan (ie. How is the project?), (2) a matrix of information including the physical, operational, financial and usage characteristics of the dredging sites as well as the sediment needs for certain sites, and (3) the Pros and Cons of funding scenarios. The project should be complete within 6 months

6. Hall Donation  
Mr. Lawrence advised that the donation from Mr Conrad hall has been completed. There are several residents in the Moon area who have expressed some reservation about a public access facility. Mr Lawrence continues to meet with area residents to discuss the donation.
Mr. Carlton Revere moved that a management plan be developed for the Hall donation, with the first step being the formation of a stakeholder subcommittee of the PAA to discuss how the gift should be used and managed. Trent Funkhouser seconded the motion. Motion carried by unanimous vote.

7. Sportsman Hunt Club Update
Mr. Lawrence shared that the Sportsman hunt club has completed it contractual obligation for habitat improvements on the clay tract. The club has requested to renew the agreement under the same terms. Staff has administratively addressed this request.

8. Delegate Morgan Draft Legislation
Mr. Lawrence discussed various proposed legislative ideas suggested by Delegate Morgan. Discussed the utility of a working waterfront easement on waterfront infrastructure versus open land (Maine uses easements to protect the working waterfront). Discussed creating a tax credit or tax relief program to keep real-estate tax rate commensurate with the use of the waterfront. Discussed amending PAA enabling authority to allow for the transfer of VDOT piers, wharf and docks to the PAA should a locality desire such. Interest was expressed in establishing a clear nexus between job creation and legislative relief.

Mr. Lawrence shared that Darrel Miller, a practicing forester from Essex has been place under a contract for services to facilitate the harvest of Browne Tract trees in King and Queen. Mr Miller is working with local property owners seeking a right of way for harvesting the trees.

10. General rules for Use of PAA Lands-
An open discussion was held concerning rules for using PAA lands. It was suggested that a disclaimer be added to the introduction section indicating that it is the responsibility of visitors to determine what set of rules govern winch PAA holding they are visiting. No alcohol consumption as well as a disclaimer to respect the rights of adjoining property owners be added to the public behavior section and the audio devices section was suggested by Mr Whiteway and Mr Richwine. Subject to these changes, a motion was made by Mr Trent Funkhouser to accept proposed rules for use of PAA lands. Mr. Carleton Revere seconded the motion.

11. Other Business- A discussion was held regarding Mr Robert Normans assertion of a prescriptive right of way. Staff continues to discuss the issue with NOAA staff to determine the federal interest and position.

12. Chairman Observations -None

13. Next Meeting-
The next meeting of the Middle Peninsula Chesapeake Bay Public Access Authority is scheduled for Friday, February 11, 2011 at 11:00pm.

13. Adjournment
Chairman Louise Theberge requested a motion to adjourn the meeting. Mr. Funkhouser moved that the motion be approve; Mr. Whiteway, seconded the motion. Meeting was adjourned.
# Revenue and Expenditure Report by Project

**Middle Peninsula Planning District Commission**

**Period** 07/01/10 to 01/31/11

<table>
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<th>Project Code &amp; Description</th>
<th>Budget</th>
<th>Prior Year</th>
<th>Current</th>
<th>YTD</th>
<th>Proj Tot</th>
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## Revenues

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## Expenses

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<th>Total Expenses</th>
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IN-PROGRESS REVIEW (IPR #1)
DRAFT NOTES

Date: 11 February 2011

Project: Regional Shallow-Draft Dredging and Sediment Management Plan

Sponsor: Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA)

Participants

Lewie, please fill in

Doug Stamper, Corps of Engineers

Mark Mansfield, Corps of Engineers

General Notes

Mark Mansfield provided an overview of what the study will consist beginning with a brief overview of the study authority which is Section 22 of the Water Resources Development Act of 1974 (Public Law 93-251), as amended. Mark also indicated that a similar effort is being undertaken in partnership with the Northern Neck Chesapeake Bay Public Access Authority (NNCBPAA) and that information from both plans will be of use to help public policy makers and decision makers in terms of effective and efficient management of shallow draft dredging and sediments within both the MPCBPAA and the NNCBPAA.

Mark provided a map (Enclosure 1) that depicts the 17 federal shallow draft dredging projects located with the 6 Counties (Essex, Gloucester, King William, King & Queen, Mathews, and Middlesex) comprising the MPCBPAA study area. Discussion ensued about the need for the MPCBPAA members to determine the (up to) 17 shoreline (sediment) sites for the Corps to use in the evaluations. Mark also provided a draft table of contents (Enclosure 2) for conduct of the study and asked that it be approved for usage in the draft report.

The group then discussed several examples of potential study products related to one key area potential improvements to efficiency and effectives (the potential types of savings that may result from innovative mobilization and demobilization efforts for dredging and/or shoreline projects. Lewie Lawrence requested that the Corps ensure that to the extent possible for the study to be written in a way that provides the utility of usage for the provision of “rules of thumb” that non-federal dredging projects/needs may have as tools to help future decision makers.

The next IPR will be held approximately 1 month from today’s date and monthly thereafter at a time convenient to MPCBPAA members, whether in person or via conference call.
# Regional Shallow-Draft Navigation and Sediment Management Plan
## For the Middle Peninsula of Virginia

**TABLE OF CONTENTS**

**BACKGROUND**

**EXISTING CONDITIONS**
- Shallow Draft Navigation
  - Physical Characteristics
  - Financial Characteristics
  - Usage Characteristics
  - Federal Authorizations and Policies
- Shoreline Protection
  - Physical Characteristics
  - Financial Characteristics
  - Usage Characteristics
  - Federal Authorizations and Policies

**PROBLEMS, NEEDS, AND OPPORTUNITIES**
- Shallow-Draft Navigation
- Shore Protection

**POTENTIAL SOLUTION SETS**
- Federal Participation Alternatives
- State Participation Alternatives
- Local Participation Alternatives
- Combination Alternatives

**CONCLUSIONS**

**APPENDIX A (EXISTING CONDITIONS)**
**APPENDIX B (AUTHORIZING LEGISLATION)**
**APPENDIX C (DEFINITIONS OF KEY WORDS, PHRASES, AND CONCEPTS)**
Shoreline Protection Needs

Locations within the Middle Peninsula Identified to Receive dredging spoil
Hoskins Creek

Receiving location: from Rt 360 bridge to Jones Point
Rappahannock River
Receiving location: Smith Mount Landing to Paynes Island
Aberdeen Creek
Receiving location: Shoreline 1 mile north and south
Mattaponi River
Receiving location: 1 mile up and down river
Pamunkey River
Receiving location: 1 mile up and down river
Davis Creek

Receiving location: refer to the Mathews County Regional Sediment Management Plan
Horn Harbor

Receiving location: *refer to the Mathews County Regional Sediment Management Plan*
Queens Creek

Receiving location: *refer to the Mathews County Regional Sediment Management Plan*
Winter Harbor

Receiving location: refer to the Mathews County Regional Sediment Management Plan
Milford Haven

Receiving location: refer to the Mathews County Regional Sediment Management Plan
Broad Creek
Receiving location: 1 mile up and down river
Jackson Creek
Receiving location: 1 mile up and down creek
Locklies Creek
Receiving location: 1 mile up and down creek
Mill Creek

Receiving location: 1 mile up and down creek
Parrofts Creek
Receiving location: 1 mile up and down creek
Urbanna Creek
Receiving location: from Rose Gill to 1 mile upriver
Whitings Creek
Receiving location: 1 mile up and down creek