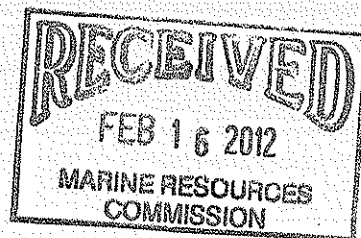


Howell, Beth (MRC)

From: Worrell, Justin (MRC)
Sent: Thursday, February 16, 2012 9:53 AM
To: Howell, Beth (MRC)
Subject: FW: Long Creek VMRC #11-1830 - Latest Survey
Attachments: SMFP52440512021511020.pdf

Please process as add. info.

From: Phillip J. Roehrs [mailto:PROehrs@vbgov.com]
Sent: Wednesday, February 15, 2012 11:22 AM
To: Worrell, Justin (MRC)
Cc: Michael W. Mundy; Rommel B. Tamayo
Subject: FW: Long Creek VMRC #11-1830 - Latest Survey



Justin,

Responses to your unnumbered requests for additional information from Monday:

- We do not have a readily available listing of each dredging of the channel under the former permit(s) – our records don't go back that far...pursuant to State Code. Basically portions of the channel are dredged about once every four years. Our best recollection is that dredging under #00-0057 occurred three times. The work has been done by City forces, using the dredge Rudee Inlet II, by the Corps of Engineers' contractors, and by our contractors (mechanical). The last cycle was done between December 12 and December 31, 2009, by the Corps of Engineers' contractor, Cottrell Construction, using a hydraulic dredge, involving approximately 1,900 feet of channel and removing approximately 4,500 cubic yards of shoaling. In the cycle prior to that the work was done by Salmons, in a mechanical format – dates and volumes unavailable, but the work was performed in the westernmost portion of the channel. I think prior to that the work was done by Virginia Marine Structures, in mechanical format, as a change order to a contract for dredging of the Municipal Marina, but that may have been done under the previous permit – prior to 2000. The City dredge performed the work once, prior to 2000, and placed the material hydraulically in Maple Street.
- The material is 'what it is', we don't put it in the channel, we remove it. Our experience has been that all material removed from Long Creek (proper) is suitable beach quality material. Only beach quality material will be retained at either placement area – Crab Creek or Maple Street. In the event that non-beach quality material is dredged, by necessity, and placed at either sand stockpile, the material will be later removed and disposed of, so as to maintain the quality of the material in the sand stockpiles. I'm happy to provide this information in response to your question, but remind you that our application is for navigational dredging – we are not seeking VRMC approval for subsequent activities that are outside of VMRC jurisdiction: please do not confuse a response to your question as 'information included in our application', this is beyond the scope of our application.
- The Crab Creek site is being requested, as it was permitted in the previous permit, to keep options open. The key reason is that since we typically perform Crab Creek maintenance each and every year, we consider that contractor as a viable candidate to perform shoaling removal in Long Creek, under a change order. Since they already have earth moving equipment at the Crab Creek stockpile, and a landing zone already established, it makes economic sense to have this option available. In addition, as you may know, we have given the Corps of Engineers a perpetual easement over Maple Street. In the event that the Corps is utilizing that site for Long Creek Canal Maintenance at the same time we need to do Long Creek (proper) maintenance, this additional placement site gives us the flexibility needed to accomplish the mission of navigational maintenance. It is my recollection that the dredging cycle previous to 2009 was performed by Salmons, as a change order to the last contract they had for Crab Creek, and that the material was placed at Crab Creek because a) the permit allowed

it, b) the work was at the westernmost end of the channel, almost equidistant to either Crab Creek or Maple Street, and c) Salmons already had a landing point established and earth moving equipment mobilized at Crab Creek.

- The City owns the placement area in fee title. The City also owns a perpetual easement between the placement area and the water. I have previously provided you a copy of the settlement agreement between the City and the Levines that established these ownerships. The easement is specifically for dredging operations, and no permission is required by Marina Shores for the City to exercise its rights in the easement. A copy of the plat, recorded in Virginia Beach Circuit Court, in plat book 2538 at page 964 is attached. The City owns Parcels A & B in fee, and owns an easement over Parcel C.
- There are no immediate plans for the sand stockpiled at Crab Creek, but it is planned to ultimately be placed on a public beach. At this time we consider this stockpile as a coastal emergency resource, but it could be also used for routine beach replenishment in the future.
- Our typical contract allows only weekday work, daylight hours. That's our intention. However, the contractor is free to request a deviation – night work or weekends. If requested we will evaluate the needs and the impacts and make our decision in the best public interest. The offloading areas, and treatments, for each site are depicted on the application. Additional contract parameters, or tasks, will be full restoration of the shoreline and the easement area at the completion of the work.
- The offloading would be nearly identical to what occurred recently at Crab Creek. The contractor's scow will be moved to shore, the material will be removed from the scow and placed, temporarily, well above mean high water, and then moved to the stockpile with front end loaders or other appropriate earth moving equipment. The E&S measures are shown on the application.
- We periodically perform hydrographic surveys of the waterway, and monitor the formation of shoals. In addition, we rely on our boaters to report shoaling. Once a shoal has reached the point of restricting safe navigation, we consider remedies – either by contracting, using our own plant, or asking the Corps to add it to their Long Creek Canal contract. I believe we have formally bid the project at least once, but because of the relatively small volume of work, we are in a better position to add the work to the Crab Creek contract by change order, or, solicit quotations under an RFP format (issue an abbreviated solicitation called a Request for Proposals (which carries all the weight and requirements (bonds, insurance, compliance with law) of a full bid contract)), attempt to get three quotes, and award to the lowest qualified quoter. We use before and after hydrographic surveys, performed by our own staff, as the method and basis of payment. Permit adherence is built into the contract – by inclusion of the permits in the contract with specific language requiring compliance.

Please let me know if you need any further information. As we have been receiving reports of shoaling and groundings from citizens in the western portion of the channel, we look forward to the earliest possible consideration by the Commission. Thank you.

Phill Roehrs, P.E.
Water Resources Engineer
City of Virginia Beach
Public Works Engineering
757-385-8985

From: Rommel B. Tamayo
Sent: Monday, February 13, 2012 11:23 AM
To: Phillip J. Roehrs; Michael W. Mundy
Cc: Rebecca L. Lear
Subject: FW: Long Creek VMRC #11-1830 - Latest Survey

There is a possibility of presenting this permit to the Commission if the questions noted below are addressed, otherwise, it won't be til March.

Rommel B. Tamayo, P.E.
City of Virginia Beach
Public Works Engineering/Water Resources
Phone: 757-385-4511
Fax: 757-385-5668
Email: rtamayo@vbgov.com

From: Rommel B. Tamayo
Sent: Monday, February 13, 2012 11:13 AM
To: 'Worrell, Justin (MRC)'
Subject: RE: Long Creek VMRC #11-1830 - Latest Survey

Justin - thanks for taking the time to put this together...I will provide answers following receipt.

Rommel B. Tamayo, P.E.
City of Virginia Beach
Public Works Engineering/Water Resources
Phone: 757-385-4511
Fax: 757-385-5668
Email: rtamayo@vbgov.com

From: Worrell, Justin (MRC) [<mailto:Justin.Worrell@mrc.virginia.gov>]
Sent: Monday, February 13, 2012 10:30 AM
To: Rommel B. Tamayo
Subject: RE: Long Creek VMRC #11-1830 - Latest Survey

Rommel,

As we discussed last week, and pursuant to some of the specific protests and questions I'm receiving, please address the following questions regarding this proposal and the past permit history:

- Provide the number of times the Long Creek municipal channel was dredged under Permit #00-0057. Include the specific dates of activity, the contractor's name, type of dredging, approximate length of channel section, and approximate amounts removed.
- Verify that only beach quality sand was dredged and offloaded during those events, and confirm that only beach quality sand will be dredged and offloaded under this proposal
- Explain why the Lynnhaven Inlet Placement Site at Crab Creek has been identified as a potential disposal site for this activity. Has the Crab Creek site ever been utilized as a disposal site for the dredging of Long Creek?
- Provide legal documentation giving the City the right to access and utilize the Maple Street site for disposal. Explain if Marina Shores needs to grant the City permission to specifically access the potential offloading site (beach area) directly adjacent to mean low water along Long Creek. Survey plats or other mapping documents should be provided to further identify the legal access area.
- Provide the details regarding the City's plan to remove the recently placed dredged sand from the Lynnhaven Inlet Placement Site. Are there any immediate plans to utilize that material for nearby beach nourishment?
- Provide the weekly days and hours of operation for any future dredging and offloading associated with this proposal. Include any additional dredging or offloading parameters that the City would require the contractor to follow.
- If mechanical dredging / offloading were permitted, please detail how the offloading would occur at the Maple Street access area and comment on the site protection and E & S measures that would be taken.
- Explain the general process under the past permit (#00-0057) that the City used to identify areas that needed maintenance dredging, and the further surveying and contractor bidding process that followed.

Please forward this information at your earliest convenience. I'm finding that most of the protestants are combining this application request with the earlier City of VB / Marina Shores proposal. I've been able to resolve many of those concerns, but there are still a few questions and concerns that need further information.

Feel free to call me if you have questions.

Justin D. Worrell
Environmental Engineer
Habitat Management Division
Virginia Marine Resources Commission
(757) 247-8063 telephone
(757) 247-8062 fax

From: Rommel B. Tamayo [mailto:RTamayo@vbgov.com]
Sent: Friday, February 10, 2012 3:02 PM
To: Worrell, Justin (MRC)
Subject: RE: Long Creek VMRC #11-1830 - Latest Survey

Sorry second shoaling area on same page....under the Great Neck Road bridge.

Rommel B. Tamayo, P.E.
City of Virginia Beach
Public Works Engineering/Water Resources
Phone: 757-385-4511
Fax: 757-385-5668
Email: rtamayo@vbgov.com

From: Rommel B. Tamayo
Sent: Friday, February 10, 2012 2:54 PM
To: 'Worrell, Justin (MRC)'
Subject: RE: Long Creek VMRC #11-1830 - Latest Survey

Yes.

Rommel B. Tamayo, P.E.
City of Virginia Beach
Public Works Engineering/Water Resources
Phone: 757-385-4511
Fax: 757-385-5668
Email: rtamayo@vbgov.com

From: Worrell, Justin (MRC) [mailto:Justin.Worrell@mrc.virginia.gov]
Sent: Friday, February 10, 2012 2:52 PM
To: Rommel B. Tamayo
Subject: RE: Long Creek VMRC #11-1830 - Latest Survey

ADDITIONAL INFO
REVISION

I see a couple of spots of 6 and 7 feet on sheet 2. Is that the only "shoaled" area at this time?

Justin D. Worrell
Environmental Engineer
Habitat Management Division
Virginia Marine Resources Commission
(757) 247-8063 telephone
(757) 247-8062 fax

From: Rommel B. Tamayo [<mailto:RTamayo@vbgov.com>]
Sent: Friday, February 10, 2012 2:44 PM
To: Worrell, Justin (MRC)
Subject: Long Creek VMRC #11-1830 - Latest Survey

Justin – as you requested, attached is the latest survey...this is the same survey that was provided on January 13, 2012.

Have a good weekend!

Rommel B. Tamayo, P.E.
City of Virginia Beach
Public Works Engineering/Water Resources
Phone: 757-385-4511
Fax: 757-385-5668
Email: rtamayo@vbgov.com

ADDITIONAL INFO
REVISION