

Eastern Shore Regional Navigable Waterway Committee

ESRNWC October 20, 2022 Minutes

A meeting of the Eastern Shore Regional Navigable Waterways Committee was held on the 20th day of October, 2022 at 2:00 p.m. at The Enterprise Building, A-NPDC, 23372 Front Street, Accomac, VA 23301.

Members Present:

Accomack
John Joeckel, Chair
Danny Bowden

Northampton
Andy Dunton
Robert Harris

Members Absent

Donald Hart
William J. "Billy" Tarr
John Tavolaro
John Coker
Dixon Leatherbury
J.T. Holland

Others Present:

Jessica Steelman, A-NPDC
Clara Vaughn, US Representative Elaine Luria
Kim Huskey, Cherrystone Aqua Farms*
Michael Anderson, USACE Norfolk District*

*participated via the Zoom platform for facilitation & presentation purposes.

Eastern Shore Regional Navigable Waterway Committee

1. Call to Order:

Chairman John Joeckel called the meeting to order at 2:03 p.m. No quorum was met for this meeting.

2. Old Business:

NOAA –
None.

USACE –

Updates were provided by the Corps of Engineers Norfolk District for the following projects (details can be found in the ESRNWC 10/20/2022 Meeting Packet at <https://www.esvaplan.org/planesva/coastal-resources/regional-navigable-waterways-committee/>)

1. Chincoteague Inlet Federal Navigation Project
2. Chincoteague Harbor of Refuge Federal Navigation Project
3. Waterway on the Coast of Virginia (WCV) Federal Navigation Project
4. Tangier Channels Federal Navigation Project
5. Cedar Island, CAP, Section 204, Beneficial Uses of Dredged Material
6. General Investigation Studies (GI)
7. \$128,000 Reprogramming Action from Oyster Channel to Quinby Creek Channel

USCG –
None.

Congresswoman Luria Staff –

- The Treasury and the IRS has issued [six Notices](#) requesting public input on key climate and clean energy tax incentives in the IRA, so they can best divvy out it's implementation. **Deadline to reply is Nov. 4th**
- Future deadlines for IIJA programs can be found in the “*Calendar of Upcoming IIJA Funding Opportunities and Milestones*” column found [here](#).

A-NPDC Staff, Jessica Steelman, Coastal Planner –

- Budget (*end of Oct.*)
 - ⇒ Determine design budget for each channel
 - Folly Creek \$_____
 - Channel limits –
 - Channel volumes –
 - Nassawadox Creek \$_____ul> - Channel limits –
 - Channel volumes –
 - Red Bank Creek \$_____ul> - Channel limits –
 - Channel volumes –

Staff requested the Committee provide guidance on the above. Selection Committee to meet to provide guidance.

Eastern Shore Regional Navigable Waterway Committee

- Document placement sites (*end of Nov.*)
 - ⇒ Get consensus on placement areas for each creek to take into permitting and design
 - Staff and Selection Committee to develop a 1–2-page memo for contractor to use as an element of the basis of design so we can use what budget is available more efficiently
 - Next Steps: contractors will use this to develop scope of the topo/hydro survey

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2. King's Creek Post Mortem & Revisions

- Sent to all 9 contractors who requested bid packages
- Only 2 responses: *See attached memo, pgs 15-18*

Eastern Shore Regional Navigable Waterway Committee

ESRNWC Dredging Projects Status Report																																					
VPA Award	Project Name	Status	Major Contract Deadlines	Notes																																	
FY20	Kings Phase 1	Closed																																			
FY20	Quinby Phase 1	Closed																																			
FY21	Nassawadox Phase 1A	Closed																																			
FY21	Red Bank Phase 1A	Closed																																			
FY21	Folly Creek Phase 1A	Closed																																			
FY21	Hungars Creek Phase 1A	Closed																																			
FY21	Wachapreague Phase 1	Closed																																			
FY22	Kings Phase 2	In progress	<table border="1"> <thead> <tr> <th colspan="3">Transfer of Funds to FY22 Kings Phase 2 <i>*Pending VPA final approval</i></th> </tr> </thead> <tbody> <tr> <td>Quinby 1A</td> <td>\$ 27,136.74</td> <td></td> </tr> <tr> <td>Kings 1</td> <td>\$ 68,377.12</td> <td></td> </tr> <tr> <td>Hungars 1A</td> <td>\$ 9,314.07</td> <td></td> </tr> <tr> <td>Wachapreague 1A</td> <td>\$ 125,536.93</td> <td></td> </tr> <tr> <td>Hungars 1B</td> <td>\$ 103,000.00</td> <td></td> </tr> <tr> <td></td> <td>\$ 333,364.86</td> <td></td> </tr> <tr> <td>Original MOU</td> <td>\$ 822,000.00</td> <td></td> </tr> <tr> <td>New Total</td> <td>\$ 1,155,364.86</td> <td></td> </tr> <tr> <td><i>Contractor</i></td> <td><i>\$ 1,055,364.86</i></td> <td></td> </tr> <tr> <td><i>Admin</i></td> <td><i>\$ 100,000.00</i></td> <td></td> </tr> </tbody> </table>	Transfer of Funds to FY22 Kings Phase 2 <i>*Pending VPA final approval</i>			Quinby 1A	\$ 27,136.74		Kings 1	\$ 68,377.12		Hungars 1A	\$ 9,314.07		Wachapreague 1A	\$ 125,536.93		Hungars 1B	\$ 103,000.00			\$ 333,364.86		Original MOU	\$ 822,000.00		New Total	\$ 1,155,364.86		<i>Contractor</i>	<i>\$ 1,055,364.86</i>		<i>Admin</i>	<i>\$ 100,000.00</i>		<p>11/18 Revision #1 completed and sent to Selection Committee</p> <p>by 11/29 Selection Committee provides feedback on 1st revision</p> <p>12/2 Staff incorporates feedback & sends to NoCo and CC</p> <p>by 12/9 NoCo and CC provide any feedback on revised bid package</p> <p>12/12 Staff shares feedback with Selection Committee & makes final revisions; share final RFP with committee and post to eVA</p> <p>1/3/23 Prebid Meeting @ 1PM</p> <p>1/12 RFP closes @ 11:59PM</p>
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			<p>1/13 Bid Reading @ 11AM</p> <p>1/20 Selection Committee meets to discuss scoring criteria</p> <p>1/27 Selection Committee scores submitted to staff for calculating</p> <p>1/31 Selection Committee meets to review overall scores, determine, and announce award recipient</p> <p>February Contract negotiations in progress</p> <p>March Contract executed</p> <p>June 16 Contract start date (TOY restraint 1/1-6/15 annually)</p>	
FY22	Nassawadox Phase 1B	In progress	<p>October 2022</p> <ol style="list-style-type: none"> 1. Determine design budget 2. Identify preferred channel limits and volumes <p>November 2022</p> <ol style="list-style-type: none"> 3. Determine placement site 4. Meet w/ USACE <p>December 2022</p> <ol style="list-style-type: none"> 5. Scope hydro survey limits 6. Hydro survey of beneficial use area <p>January 2023</p> <ol style="list-style-type: none"> 7. Preapplication meeting <p>February 2023</p> <ol style="list-style-type: none"> 8. 30% design & construction docs 9. Draft permit <p>March 2023</p> <ol style="list-style-type: none"> 10. Final permit <p>April – June 2023 Agency review of permit</p> <p>July 2023 (<i>earlier if permit is approved sooner</i>)</p> <ol style="list-style-type: none"> 11. 90% design & construction documents <p>August 2023</p> <ol style="list-style-type: none"> 12. Final design & construction documents for bid package 	<p>All dredge projects by M&N are set up on the same timeline, but subject to differences based upon surveys, agency meetings, etc. as projects move forward.</p> <p>Public engagement/ stakeholder meetings will be scheduled and facilitated.</p>
FY22	Red Bank Phase 1B	In progress	See above	See above
FY22	Folly Creek Phase 1B	In progress	See above	See above

Eastern Shore Regional Navigable Waterway Committee

Status of VPA \$5M Waterways Grant Supplemental

- Fund administration is still TBD due to ongoing discussions regarding budget language; updates forthcoming from Melissa Fularon.

Community Flood Preparedness Fund (CFPF)

- Eastern Shore Regional Community Resilience Plan - \$375,000 awarded; match waived
 - Next steps forthcoming upon receipt of award contract package

VIMS Cedar Island

- Stantec is continuing work on the modeling; a lot of compiling and smoothing topography and bathymetry data, then calibrating the model with wave, tide, and current data.
- Re: NFWF awarded grant – VIMS Office of Sponsored Programs is discussing with NFWF some legal language in the contract; additional updates forthcoming. Ahead of schedule with original proposed start date of January.

John Joeckel, Chair

Jessica Steelman, Secretary

Date