

Eastern Shore Regional Navigable Waterways Committee

Meeting Minutes

October 17, 2024

A meeting of the Eastern Shore Regional Navigable Waterways Committee was held on October 17, 2024, at 3:00 p.m. at the Enterprise Building, A-NPDC, 23372 Front Street; Accomac, Virginia 23301.

Members Present:

Donald Hart, Accomack
William "Billy Joe" Tarr, Accomack
John Tavoraro, Accomack
George "Danny" Bowden, Accomack
Brenden Kettner, Accomack
John Coker, Northampton
J. T. Holland, Northampton*
Robert Harris, Northampton
Andy Dunton, Northampton, Chairman

Members Absent:

Dixon Leatherbury, Northampton

Others Present:

Kellen Singleton, A-NPDC
Faith Lewis, A-NPDC
Cameron Evans, Tangier
Edward Winslow, Kilmon Cove
Rachel Harley, Rocket Lab
Ira Brotman, Moffatt & Nichol*
Jennifer Goodrum, Rocket Lab*
Joe McMahon, USACE*
Albert Grimes, USCG*
Don Smith*

*Participated via Zoom/Phone

1. Call to Order

Chairman Dunton called the October 17, 2024 meeting to order at 3:03 p.m.

2. Public Participation

There was no public participation. Chairman Dunton noted the importance of continuing to engage with the community for feedback and input on local waterway projects.

3. Committee Attendance Record

The committee reviewed the FY2025 attendance record. Mem. Tavolaro motioned to adopt the attendance record, seconded by Mem. Tarr. The motion carried unanimously.

4. June 20, 2024 Meeting Minutes

Adoption of the June 20, 2024 minutes was requested. It was noted that Kenneth Osmolenski attended the June Quarterly Meeting rather Edward Winslow as recorded.

Mem. Coker made the motion to adopt the June 2024 minutes with correction noted, seconded by Mem. Bowden, the motion was carried.

5. ESRNWC Projects Financial Status Report

Staff presented the Financial Status Report as of October 17, 2024. The following was noted: The VPA Balance for Kings Creek as of October 17, 2024 is \$993,058.92, Nassawadox Creek: \$2,205,933.72, Folly Creek: \$102,680.94, and Red Bank Creek: \$99,506.53.

Committee members acknowledged the report and thanked staff for maintaining clear and transparent financial oversight.

6. October 17, 2024 Staff Report

Staff and Mr. Ira Brotman, PE, updated the committee on Kings Creek - Phase 2, Nassawadox Creek - Phase 1B, Nassawadox Creek - Phase 2, Folly Creek - Phase 1B, Red Bank Creek - Phase 1B, the Eastern Shore Dredge Material Management Initiative, the September 3rd USACE held public informational meeting in Saxis on the Pocomoke Sound Oyster Restoration initiative, the September 30th Chesapeake Bay Foundation (CBF) and the Community of Tangier Island hosted resilience and adaptation discussion, as well as the ongoing esvawaterways.com website reboot effort.

VMRC staff expressed continued opposition to the Nassawadox Creek nearshore berm disposal plan. Alternative strategies, including upland placement and collaboration with Tangier Island for beneficial use, were discussed. Staff has requested a public hearing of the issue at the next subsequent VMRC Board meeting. Staff is preparing a case to present at the December VMRC board commission meeting.

Folly Creek permitting efforts are advancing, with survey data being finalized. A timber mat layout to minimize wetland impacts is proposed. Staff is working to identify upland placement sites with current efforts prioritizing contractor sourced material disposal.

Collaboration continues with environmental groups to integrate dredged material into migratory bird habitat restoration concerning the Red Bank Creek project and efforts to develop a beneficial use approach to sustain nearby coastal bird habitats.

Mem. Holland thanked staff for the thorough updates and emphasized the need for timely action to resolve material management challenges.

7. Rocket Lab Neutron Rocket Launch at Wallops Island – Dredging Needs

Staff introduced the upcoming launch of Rocket Lab's Neutron Rocket at Wallops Island, scheduled for 2025. Rachel Harley and Jennifer Goodrum, representatives from Rocket Lab, outlined the critical need for dredging and dock improvements to accommodate the marine transport of rocket components, which are too large for road, rail, or air transport, with a diameter of 25 feet. The Mid-Atlantic Regional Spaceport (MARS) dock was identified as the most viable offloading site; however, it requires significant dredging to support large vessels.

Ms. Harley emphasized the urgency of completing the dredging and infrastructure improvements by mid-2025 to meet the launch timeline and noted potential regulatory and seasonal restrictions that could delay progress. She highlighted the project's economic and strategic benefits, including job creation, increased regional visibility in the aerospace industry, and greater demand for local services. Coordination with federal agencies such as the VPA, USACE, and VMRC, as well as local stakeholders, will be essential to minimize disruptions and advance the project efficiently.

The committee acknowledged the importance of the project and tasked staff with engaging Rocket Lab representatives to refine dredging plans and explore beneficial opportunities. Staff will also initiate discussions with stakeholders to address permitting requirements.

8. Nassawadox Creek Phase 1A/B – Kilmon Cove

Edward Winslow, Kilmon Cove Dredging Committee Co-Chair spoke to the Committee concerning the interim efforts of Killmon Cove residents to address the area's limited waterway access. Residents are concerned about the long-term environmental damage to Kilmon Cove due to sediment buildup at the entrance to the cove. This buildup of material at the entrance has reduced salt water flow entering and exiting the cove thereby severely impacting fish, wildlife and native vegetation in the cove as well as significantly impacting waterway navigability.

Mr. Winslow thanked staff and members for their ongoing assistance requesting the committee to include Kilmon Cove as part of the upcoming Nassawadox Creek dredging project. Chmn. Dunton expressed the committee's shared concern and willingness to technically aid and coordinate with the group and affected residents also noting that the current project scope as designed and budgeted does not comprise of the Kilmon Cove area.

9. Nassawadox Creek Phase 1B – Material Management Plan

Staff updated the committee on challenges with the material management plan for Nassawadox Creek Phase 1B. VMRC and VIMS continue to oppose the proposed nearshore berm placement, citing sediment quality concerns and classifying it as typical overboard disposal rather than beneficial use. Staff presented alternative options, including upland placement, which is more permittable but nearly doubles project costs, and potential collaboration with Tangier Island for shoreline restoration, which has strong local support but requires further logistical planning.

To address these challenges, the committee emphasized the need to build a strong case for the December VMRC commission hearing. Key arguments will highlight the project's public interest benefits, such as improved navigation, safety, and economic impacts, while addressing environmental concerns. Mem. Harris motioned to proceed with the current nearshore berm strategy while preparing additional evidence and arguments for the hearing. Mem. Tarr seconded, and the motion carried unanimously. Staff was tasked with compiling sediment data, strengthening public interest arguments, and assessing feasible alternatives.

Vice Mayor Cameron Evans of Tangier Island emphasized the island's urgent need for dredged material to support shoreline protection. He expressed community support for collaboration with ESRNWC and outlined the island's ongoing efforts to secure additional funding for land restoration.

The committee expressed support for Tangier Island and committed to maintaining ongoing communication.

10. Folly Creek Phase 1B

Staff provided an update on Folly Creek Phase 1B, detailing the proposed layout for transfer sites as developed in collaboration with the contractor. The plan includes the use of timber mats to minimize wetland impacts during dredging and sediment transfer operations, ensuring environmental compliance while maintaining project efficiency. Staff also highlighted the contractor's experience with similar small-scale dredging projects and noted that survey data would guide final placement decisions to reduce potential disruptions to the area.

Mem. Coker motioned to proceed with the Folly Creek project as proposed, with Mem. Bowden seconding the motion. The motion was carried unanimously.

11. USACE Presentation on Tangier Island Beneficial Use Project

Joe McMahon, Operations Project Manager at the USACE Norfolk District, delivered a presentation on the Tangier Federal Navigation Project, highlighting its historical significance since its authorization in 1919 and its critical role as a subsistence harbor for Tangier Island. He outlined

recent funding allocations from FY22 and ongoing efforts to evaluate beneficial use alternatives for dredged material. Plans include using sediment for shoreline stabilization and habitat restoration, which align with regional sediment management strategies and federal goals to enhance ecological resilience.

Mr. McMahon provided an overview of next steps, including stakeholder engagement, permitting processes, and leveraging partnerships with local and state agencies to ensure long-term success. He emphasized the importance of collaboration to achieve sustainable navigation and environmental outcomes. The committee expressed gratitude for his insights and recognized the relevance of his approach to their own material management challenges.

12. Norfolk District Update for the ESRNWC – 10/17/24

The Norfolk District Update for the ESRNWC was presented to the committee by staff. There was no discussion.

13. Next Meeting

The next meeting is scheduled for January 16, 2025 at 3:00 p.m. at the A-NPDC, 23372 Front Street, Accomac, Virginia 23301.

14. Adjournment

Mem. Tarr made the motion to adjourn. Seconded by Mem. Holland, the motion was carried unanimously.

The meeting was adjourned at 5:09 p.m.

Andy Dunton, Chairman

Kellen Singleton, Secretary