

**Eastern Shore Regional Navigable Waterways Committee**

**Meeting Minutes**

**April 17, 2025**

A meeting of the Eastern Shore Regional Navigable Waterways Committee was held on April 17, 2025, 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 Tavolaro, Accomack  
George "Danny" Bowden, Accomack  
J. T. Holland, Northampton\*  
Robert Harris, Northampton  
Andy Dunton, Northampton, Chairman

Members Absent:

Brenden Kettner, Accomack  
John Coker, Northampton  
Dixon Leatherbury, Northampton

Others Present:

Kellen Singleton, A-NPDC  
Randy Owen, VMRC  
Emily Hein, VIMS  
Jen Peterman, USACE Norfolk  
LT Chase Rodriguez, USCG Sector VA  
BM1 Cody Coleman, USCG Chincoteague  
CPO Amanda Monroe, USCG Wachapreague  
Randy Owen, VMRC\*  
Emily Hein, VIMS\*  
Ira Brotman, Moffatt & Nichol\*  
Don Smith, Kilmon Cove\*  
Tom Burkett, VCR-LTER\*  
Mike Steelman, Seaduce, LLC\*  
Kim Huskey, Cherrystone\*

\*Participated via Zoom/Phone

## **1. Call to Order**

Chairman Dunton called the April 17, 2025 meeting to order at 3:00 PM and welcomed members, guests, and representatives from the United States Coast Guard (USCG) in attendance.

## **2. Public Participation**

There was no public participation.

## **3. Committee Attendance Record**

The Committee reviewed the FY2025 Attendance Record. Chmn. Dunton thanked members for their continued commitment to the Committee's work and acknowledged that schedule conflicts occasionally arise. Remote participation by individual members was discussed.

Mem. Tarr made the motion to adopt Code of Virginia § 2.2-3708.3. "Meetings held through electronic communication means; situations other than declared states of emergency" remote participation by individual members policy, seconded by Mem. Harris, the motion was carried.

Staff will incorporate the relevant policy language into ESRNWC By-Laws and present to the Committee at next quarterly meeting.

The group discussed upcoming term expirations on June 30, 2025. Mem. Hart and Tarr both communicated their willingness to remain on the Committee.

## **4. October 17, 2024 and January 30, 2025 Meeting Minutes**

Adoption of the October 17, 2024 and January 30, 2025 minutes was requested. Mem. Tavolaro made the motion to adopt October 17, 2024 and January 30, 2025 minutes, seconded by Mem. Harris, the motion was carried.

## **5. ESRNWC Projects Financial Status Report**

Staff presented the financial status of ongoing ESRNWC projects as of March 31, 2025. The following balances were reported: Kings Creek – \$993,144.77; Nassawadox Creek – \$2,189,364.25; Folly Creek – \$65,533.12; and Red Bank Creek – \$90,158.23. Staff noted that due to cost savings on the recently completed Kings Creek Phase 2 project, significant funds remain available. Staff has request VPA authorization to reallocate remaining funds to the Nassawadox Creek project due to unexpected cost increases related to the upland disposal plan at Tangier Island.

## 6. January 30, 2024 Staff Report

Staff provided updates on active and upcoming projects:

Kings Creek (Phase 2): Construction concluded November 2, 2023. A total of 22,888 CY of material was removed and beneficially reused at the Cape Charles beach. Final demobilization was completed by Michel's Construction, with \$993,144.77 remaining in the project budget. A request for VPA WMF fund transference was made as part of the ANPDC's FY26 Waterway Maintenance Fund Request. Staff is awaiting VPA June 2025 determination. Administrative close-out will follow fund transference.

Nassawadox Creek (Phase 1B): Staff provided a comprehensive update on recent developments. At its January 28, 2025 meeting, the Virginia Marine Resources Commission (VMRC) reviewed and denied the permit application submitted for the Nassawadox Creek dredging project, which proposed installation of six Aids to Navigation and overboard disposal of ~24,200 cubic yards of dredged material into the Chesapeake Bay. The Commission cited adverse environmental impacts from overboard disposal and the project's failure to adequately consider upland or beneficial use alternatives, including use at Tangier Island. The application must also address impacts to submerged aquatic vegetation (SAV) using the VIMS 2019–2023 SAV composite layer. This shift significantly increases project costs due to the need for barge and truck transportation. Updated total costs estimates for the Tangier Upland Disposal are \$4.191M. Additional funding for the effort have been requested in the ANPDC FY26 Waterway Maintenance Fund Request and Application for FY26 Virginia Port Authority Waterway Maintenance Fund. Staff addressed and presented to the Tangier Island Town Council at their April 15, 6 PM Town Council Meeting concerning the upland disposal plan. A pre-application meeting with VMRC, VIMS, USACE, and DEQ staff is being coordinated the week of Monday, April 28 to discuss potential dredge material transport and disposal site surveying, selection, and logistics.

Mr. Brotman updated the group on material mobilization logistic planning. The timeline will be determined by future surveying as well as regulatory review and permitting. Wetland delineation and surveying are necessary to move forward. Barge unloading and capacity also will affect the implementation timeline. Mem. Tavolaro advised the insured stewardship of the material to the Town of Tangier after disposal. The group discussed the planned transfer of ownership of the material to the Town of Tangier and incorporating associated language in the permitting.

Folly Creek (Phase 1B): A draft JPA was completed, including sediment data, a draft DMMP, and permit figures. Preparation for Phase 2 and funding applications is underway.

Red Bank Creek (Phase 1B): Staff reported continued collaboration with The Nature Conservancy (TNC) on beneficial reuse opportunities to restore marsh and nesting bird habitat. The committee discussed the current dredging needs of the waterbody and available funding. Chmn. Dunton updated the group concerning Red Bank Creek's current condition and the lack of an

immediate dredging need. Mem. Holland advised that Red Bank Phase 1B funds be transferred to the Nassawadox Creek effort.

Mem. Holland made a motion to transfer the current balance of Red Bank Phase 1B to Nassawadox Creek Phase 1B, seconded by Mem. Harris the motion was carried.

Staff will reach out to Northampton County and Waterway Maintenance Fund administration to execute transfer of funds.

Eastern Shore Dredged Material Management Initiative (VPA FY25): ANPDC staff updated the Committee on collaborative planning efforts with the Middle Peninsula PDC (MPPDC). A draft MOU is under review by MPPDC staff. Staff will draft Project Management Plan following MPPDC-ANPDC service agreement.

Staff in addition updated the committee on the Cape Henry Federal Navigation Channel Maintenance Dredging, US Coast Guard Proposed Changes Marking Metompkin Channel, and the Rocket Lab Neutron Rocket Dredging and Launch at Wallops Island which is moving forward. On March 28 US Congressional staff, Virginia General Assembly members, and state agency staff met for a project update from the Virginia Port Authority and Rocket Lab. The Virginia Port Authority-Rocket Lab requests authorization to dredge the approximately 5,300 foot long and varying width Sloop Gut Channel to a maximum depth of minus 7-feet below mean lower low water and would result in the removal of approximately 59,042 cubic yards (633,356 square feet) of dredged material.

Chmn. Dunton advised that the committee submit a media notice to the public concerning marker removal and the effect on public safety.

Mem. Harris made a motion to draft and distribute a media notice to the public concerning US Coast Guard marker removal and the effect on public safety, seconded by Mem. Harris the motion was carried.

Chmn. Dunton updated the group on the Cedar Island Project regarding the securement of a non-federal partner for the effort. The non-federal partner will be responsible for 35% of the projects funding. Chmn. Dunton will meet with Bill Frisk, TNC, concerning the topic.

Chmn. Dunn introduced Mr. Steelman, Seaduce LLC. Mr. Steelman updated the group on his efforts to secure local dredging capacity including his involvement with a previous dredge unit acquisition opportunity and current capacity to fulfill corresponding staffing demands requesting the that the committee explore the feasibility of regional dredging services private-public partnership.

The group discussed past collaborative efforts by the Middle Peninsula Planning District Commission to purchase a dredge unit, the "Miss Katie" project in Dare County, North Carolina - a successful example of how collaboration between public and private entities can bring about

essential dredging services, dredge unit maintenance costs, and current legislative efforts concerning dredging funding and capital expenditures. Committee members recommended a more thorough analysis of the financials before further planning on the subject.

Chmn. Dunton welcomed staff from the US Coast Guard in attendance. Lt. Rodriguez introduced herself to the group. Coast guardsmen updated the committee on regional maintenance schedules, available Coast Guard assets, Cape May transportation logistics, as well as public feedback and concerns including in-progress maintenance scheduled for completion next week.

Chmn. Dunton thanked the Coast Guard representatives for their responsiveness and advocacy for the region. Chief Monroe updated the group on Wachapreague Station staff numbers and scheduled mission. The group discussed Coast Guard shallow water craft assets, Wachapreague boating safety concerns prior to the Flounder Tournament and the corresponding Coast Guard maintenance efforts. Mem. Hart thanked Coast Guard representatives for their hard work and advocacy in Wachapreague.

Lt. Rodriguez advised the committee to submit Private Aids to Navigation (PATON) Joint Permit Applications as a unified committee. Chief Warrant Officer Brisson is the primary contact for USCG District Five PATON requests. Mr. Burkett requested that the committee consider submitting a waterway user input request reestablishing East-West markers out of Oyster Harbor detailing that all piling markers from the mouth to Cobb Island have been removed. Chief Monroe will investigate the issue. BM1 Coleman elaborated on the Notice to Mariners protocol if discrepancies are found. Albert Grimes is the USCG primary contact for removal list and concerns.

**7. Nassawadox Creek Phase 1B – Material Management Plan**

N/A

**8. FY26 Waterway Maintenance Fund Request**

Staff updated the committee on the \$2.0M transfer and additional funding requested in the ANPDC FY26 Waterway Maintenance Fund Request and Application for FY26 Virginia Port Authority Waterway Maintenance Fund noting that new funding is limited this year due to a Middle Peninsula Planning District Commission emergency request.

**9. Fifth District Broadcast/Local Notice to Mariners**

N/A

**10. Norfolk District Update for the ESRNWC – 1/30/25**

Ms. Peterson, USACE, took questions concerning the Tangier Upland disposal effort and coordination opportunities with USACE. Joe McMahon is the primary contact concerning Tangier Island dredging and maintenance.

**11. Next Meeting**

The next meeting is scheduled for August 21, 2025 at 3:00 p.m. at the A-NPDC, 23372 Front Street, Accomac, Virginia 23301.

**12. Adjournment**

Mem. Tarr motioned to adjourn, seconded by Mem. Harris the motion was carried. There being no further business, the meeting was adjourned at 4:46 PM.

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Andy Dunton, Chairman

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Kellen Singleton, Secretary