

ACCOMACK COUNTY WETLANDS MINUTES OF December 13, 2018

At a meeting of the Accomack County Wetlands Board held on the 13th day of December 2018 in the Accomack County Administration Building Board Chambers, Room #104, in Accomac, Virginia.

1. CALL TO ORDER

MEMBERS PRESENT AND ABSENT

Wetland Board Members Present

Mr. Earl Frederick, Chairman

Mr. George H. Ward, Jr., Vice Chairman

Mr. T. Lee Byrd

Mr. Timothy Getek

Mr. David Montgomery, Alternate

Others Present:

Mr. G. Christian Guvernator IV, PE, Director Environmental Programs

Ms. Chontese Ridley, Environmental Programs Permit Specialist

Mr. Hank Badger, Virginia Marine Resources Commission (VMRC)

DETERMINATION OF A QUORUM

There being a quorum, Chairman Frederick called the meeting to order at 10:00 a.m.

2. ADOPTION OF AGENDA

On a motion made by Mr. Getek and seconded by Mr. Ward, the Wetlands Board voted to unanimously adopt the agenda as amended.

3. MINUTES

A. November 15, 2018

On a motion made by Mr. Byrd and seconded by Mr. Getek, the Wetlands Board voted to approve the minutes of the November 15, 2018 meeting.

4. NEW BUSINESS

A. Gail Beard – VMRC# 2018 – 1776

To replace rip-rap stone along the 85 feet of eroding shoreline. The property is located on Chincoteague Island, VA 23336, Tax Map #30A7-A-3.

Ellen Grimes, Coastal Resource Management, appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. Mr. Frederick asked Ms. Grimes to fill the board in on this project. Ms. Grimes said the project was located on the western side of North Main Street on Chincoteague Island. The applicant wishes to install a rip-rap seal like structure with no fill behind it. The north side will tie into a bulkhead side and the south side of the sill will have a 10 feet return wall. Ms. Grimes also added that they would be trying to avoid all the wetlands behind the proposed rip-rap. There will be enough water filtered through the sill to feed and nourish the marsh.

Ms. Grimes stated that this is done being done to keep the water out, but to keep some of the erosion from happening to the marsh toe. She also talked about the old 6x6 structures there saying they would be removed. Mr. Ward confirmed with Ms. Grimes that were in fact going to be removed. Mr. Frederick said he spoke with Ms. Beard and said she was under the impression the pilings were to be left in. Ms. Grimes said the pilings could be left in, but they would be hard to work around. She also added that she would tell the applicant that the pilings should be removed. Due to it being hard to

work around the piling with the rock, keeping the pilings might affect the integrity of the structure. Mr. Byrd said that in the motion they would assume that the pilings will be out. Mr. Frederick also added that Mrs. Beard said the person who sold her the lot told her to never remove those pilings.

Mr. Frederick said he was surprised to hear Ms. Grimes state they were going to use some of the smaller rubble as quarry material in the sill. He also went on to add that Mrs. Beard told him that Ellen advised her that was a bad idea. Ms. Grimes cleared it up by saying she told Mrs. Beard that it would be a bad idea to use concrete instead of quarystone. Mr. Frederick said there were no restrictions on using concrete rubble, but there were restrictions on the size you have to break them down to in order to use. In this case quarystone will be used. Mr. Frederick asked if using the rubble would affect structure and if there would be enough mass on top of it. Ms. Grimes said it would not affect it and that there would be enough weight on it.

Mr. Ward asked if the filter cloth would be going on top of the rubble and Ms. Grimes responded no, it will be under it. He then added that he thought the smaller pieces would jeopardize the integrity of the filter cloth. Ms. Grimes said that is how it is supposed to be built, (smaller stone with larger stone on top of it).

Mr. Getek asked if they would be working from the landside or the seaside. Ms. Grimes said landside. Mr. Getek then asked if it would be sufficient during storm surges and if there would be enough nutrients coming across to maintain the vegetative wetlands behind the rip-rap? Ms. Grimes said yes. The lot is low and if the water does flow through with will flow around. Mr. Ward added that no rip-rap is water proof so the water will flow through.

Mr. Frederick said this might be a good site for a living shore line, but Ms. Grimes said she thought the living shore line would be battered here. She said it would make more sense in the area if other residents were going to do the same versus having one isolated structure. Mr. Ward and Mr. Getek spoke on the wave action in the area concluding that a living shoreline would not be the best fit.

Mr. Byrd asked if there would be any mitigation. Ms. Grimes said no. A discussion then ensued amongst the board members on the amount of non-vegetative and vegetative wetlands stated in the application. Ms. Grimes said there would be no mitigation and that the applicant would pay the mitigation fee. She also added that 25 square feet was non-vegetative and 20 square feet was vegetative.

Mr. George Badger, (VMRC), was sworn in by Chairman Frederick. Mr. Frederick asked Mr. Badger if he would like to confirm the 20 square feet of vegetative wetlands, (mostly under the return). Mr. Badger said the estimate was reasonable.

Mr. Ward asked about the property line and Ms. Grimes explained that the map was from the county's Accomap mapping system which is not always accurate. Mr. Badger asked about mitigation being done on site. Ms. Grimes said there is no option to do it on site. Ms. Grimes also said, as Mrs. Beard's agent, that Mrs. Beard would pay the fee.

On a motion made by Mr. Getek and seconded by Mr. Ward, the Wetlands Board voted to issue a permit (valid for (1) year) to Gail Beard – VMRC# 2018 – 1776 To replace rip-rap stone along the 85 feet of eroding shoreline with one modification:

- 1. 20 sq. ft. that needs to be put in for mitigation*
- 2. Removal of existing pilings*

The property is located on Chincoteague Island, VA 23336, Tax Map #30A7-A-3.

5. OTHER BUSINESS

A. Living Shoreline Waiver (Tom Mooney – VMRC# 2018 – 1682)

22191 India Lane

Install 277 linear feet of Ready Reef system at marsh toe, backfill w/ clean sand at 10:1 & plant marsh grasses. There will be an impact to 100 square feet of vegetated tidal wetlands, and 1,060 square feet of non-vegetated tidal wetlands impact. Net gain of 800 sq. ft. of wetlands.

Mr. Chris Guvernator, Environmental Programs, was sworn in by Chairman Frederick. Mr. Guvernator wanted to summarize what was talked about at the last meeting, (Living Shoreline and request for a Group 2 general permit waiver). He stated that he worked with VMRC and the applicant's agent and determined that the project does meet the qualifications. A form letter was created and shown to the board. This wavier, according to Mr. Guvernator, is what he believed was needed from his department to send to VMRC. He also added that he's talking to the agent/applicant to be able to go out and look as it is being constructed. Mr. Guvernator said his department would be keeping an eye on it.

Mr. Getek asked how this type of property is taxed. Mr. Guvernator said due to it not needing a building permit it will never be accessed, but that he would look into it.

Mr. Badger added that the only thing holding up this project now is VMRC. He was not aware that VMRC had to notify the adjacent property owners. Other than that, Mr. Badger said it should be okay.

Mr. Ward questioned the applicant having this open to the public. Mr. Guvernator said he did not have any information on it, and that it was something the applicant was looking into it for a financial credit.

B. T. Getek – Scientific Meeting Overview

Mr. Getek attended some scientific meetings and wanted to share his findings with the board.

a. Emerging Contaminants - Susan Richardson, Univ. South Carolina, - August 2018

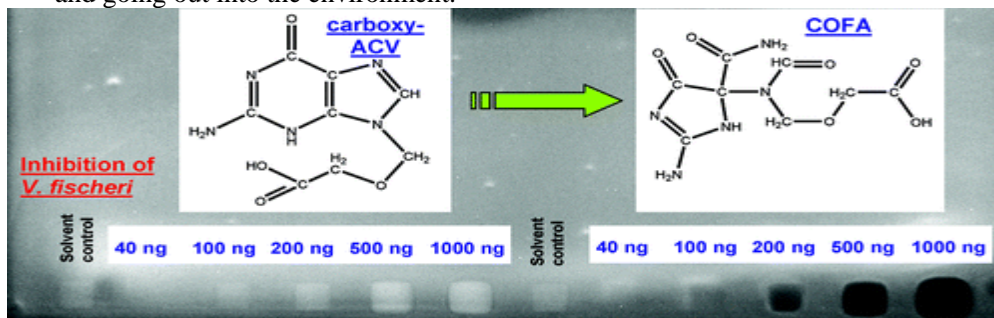
Some of the topics were:

- PFAs, (Perfluorooctanesulfonic acid)
- 1,4-Dioxane
- Drugs (Non-Degradable)
- Disinfectant By Products

Issues Discussed:

- Concern with Drugs (Antibiotics/Antivirals) causing resistance to bacteria and viruses
 - ACYCLOVIR (HIV Antiviral): Non-Degradable
 - Carboxy-Acylovir (COFA): Not removed by oxygenation followed by Graphite Activation.

Some of the products that we take in are not being degraded through the water treatment process and going out into the environment.



- Wetlands
 - People are creating artificial wetlands to help get rid of the various toxic compounds. Mr. Getek also added that wetlands are the liver of the environment.
 - Chemical processes being studied at varying levels in soils of wetlands
 - Photolysis
 - Oxidation

- Microbial
- Mineralization

A discussion ensued on this topic and systemic products led by Mr. Byrd. These artificial wetlands are being developed near sewer waste systems and are an alternative to mechanical/chemical purification; they decontaminate difficult compounds, and help regain lost wetlands.

b. VIMS Meeting – Virginia Barrier Islands – November 9th

Funds Dedicated to Cedar Island Project - Coastal Manager: Ann Phillips

Topics discussed:

- Virginia Barrier Islands Each Unique
- Develop Understanding of Dune Movement
- Consider Role of Marshes in Island Migration
- Develop Socio-Economic Protocol
- Software Program to Predict Future

Mr. Getek added that funds had been dedicated to the Cedar Island Project to maintain the marsh to keep it from continuing to go into the ocean/bay. When trying to protect the sand dunes it might be more important to build barriers or infrastructure on the bayside to maintain that dune.

c. What do the wetlands do?

- Protect Wildlife/Human Habitat
- Detoxifies Environment
- Protects Barrier Islands
- Carbon Sink for taking CO₂ out of the environment

A discussion ensued led by Mr. Frederick about the sand, if you do not have much marsh behind a dune, sand rolling over into tidal creek.

C. Review of 2019 Meeting Schedule

Ms. Ridley led the discussion stating that were a few months, (July, November, & December), where the meeting dates are moved up, but other than that the meetings are all held on the 4th Thursday of the month.

The dates for those months were set for:

- July 18th
- November 21st
- December 19th

NEXT MEETING

The next Wetlands Board meeting is scheduled for Thursday, January 24, 2019 at 10:00 a.m. in the Accomack County Board Chambers, Room 104, in Accomac.

6. ADJOURNMENT

On a motion made by Mr. Byrd and seconded by Mr. Ward, the Wetlands Board voted to adjourn the meeting.

The meeting was adjourned at 11:54 a.m.

Earl Frederick, Chairman

Chontese Ridley, Environmental Permit Specialist