



**WETLANDS BOARD  
MINUTES**

CITY OF VIRGINIA BEACH  
10:09 AM  
CITY COUNCIL CHAMBER

MAY 21, 2018

**MEMBERS PRESENT:**

LEONARD JOHNSON, CHAIRMAN

JAMES T. VAIL, VICE CHAIR

NILS S. BAHRINGER  
STEPHEN B. BALLARD  
JASON BARNEY  
JOASHUA SCHULMAN  
PATRICK SHULER

**MEMBERS ABSENT:**

MOLLY P. BROWN

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**WETLANDS BOARD  
VIRGINIA BEACH, VIRGINIA  
PUBLIC HEARING MINUTES**

The May, 2018 Public Hearing for the Virginia Beach Wetlands Board was called to order by Leonard Johnson, Chairman, in the City Council Chamber, Virginia Beach, Virginia, at 10:09 AM, May 21, 2018.

Chairman Johnson welcomed all present, stated the responsible charge of the Wetlands Board, as delineated in the Virginia State Code and announced appeals are available through the Virginia Marine Resources Commission within ten (10) days of this Board's decision.

Approval expires one (1) year from the date it is granted. A permit is normally extended, but not an approval. Applicants are advised to obtain their permit within no more than thirty (30) days of their Hearing. Extensions must be requested before the expiration date.

The Chair acknowledged each applicant and/or agent for the applicant and administered the oath of truth and honor.

The slide presentation for each application site was rendered by Mr. Charles McKenna.

**RODNEY AND DONNA KOSANOVICH  
APPLICATION No. 2017-WTRA-00123**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3636 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Rodney and Donna Kosanovich** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 7-0 (VERBAL VOTE)**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**JOSHUA COOPER, ET. AL.**  
**APPLICATION No. 2017-WTRA-00066**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3644 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Joshua Cooper, et. al.**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7- 0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**WILLIAM B. MEREDITH, III**  
**APPLICATION No. 2017-WTRA-00092**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3660 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **William B. Meredith, III**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7-0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**WEI CHEN AND MIAN LI**  
**APPLICATION No. 2017-WTRA-00104**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3200 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Wei Chen and Mian Li** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7-0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**JEFF KUCZEK**  
**APPLICATION NO. 2017-WTRA-00110**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3324 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Jeff Kuczek** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7- 0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**



**TROY JAMISON AND RICHARD ELLIOT  
APPLICATION NO. 2017-WTRA-00117**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 2332 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Troy Jamison and Richard Elliot** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 7-0 (VOICE VOTE)**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**TRAMAR ENTERPRISES, LLC**  
**APPLICATION No. 2017-WTRA-00120**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 2560 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Tramar Enterprises, LLC** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 7-0 (VOICE VOTE)**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**ALLEN MARCOUX AND ANNE PELLETIER  
APPLICATION NO. 2017-WTRA-00121**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3656 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Allen Marcoux and Anne Pelletier** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7-0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson, Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**KIM MAGNANO**  
**APPLICATION No. 2017-WTRA-00122**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 2712 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Kim Magnano** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7-0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**CASEY AND DENISE ROBINSON  
APPLICATION NO. 2017-WTRA-00126**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 2848 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **Casey and Denise Robinson** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7- 0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**FREDERICK AND KARIN STAUDENMAYER  
APPLICATION No. 2017-WTRA-00127**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3356 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of Frederick and Karin Staudenmayer for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7-0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**R.J. VAN DIVENDER**  
**APPLICATION No. 2017-WTRA-00128**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3512 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **R.J. Van Divender** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7-0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**3556 SANDFIDDLER, LLC**  
**APPLICATION NO. 2017-WTRA-00129**

**PROJECT:** Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

**PROJECT LOCATION:** 3556 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** No Speaker

Upon Motion by Mr. Vail, seconded by Mr. Barney, the request of **3556 Sandfiddler, LLC** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE:** 7-0 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**



**CHARLES AND DIANA MARTIN  
APPLICATION No. 2018-WTRA-00280**

**PROJECT:** To construct a bulkhead involving wetlands

**PROJECT LOCATION:** 3433 Sandpiper Road, contiguous to Canal off North Bay

**SPEAKER:** FOR – R. Harold Jones, Sigma Environmental, Inc.

**This application was deferred from the February 2018 Public Hearing.**

Upon Motion by Mr. Vail, seconded by Mr. Barney, the application of **Charles and Dianna Martin** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. The proposed bulkhead height shall be limited to 2.5 feet NAVD 88.
2. Revised plans shall be submitted to Virginia Marine Resources Commission (VMRC) and shall ultimately be approved by the Department of Planning and Community Development prior to the issuance of a building permit.

No Net Loss of wetlands on this project was achieved by the payment of an in-lieu fee.

**VOTE: 7-0 (VOICE VOTE)**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**ALPHA OMEGA FARM, INC., ET. AL.  
APPLICATION No. 2018-WTRA-00004**

**PROJECT:** To dredge for maintenance of a farm canal involving wetlands

**PROJECT LOCATION:** 2585 West Landing Road contiguous to West Neck Creek

**SPEAKER:** FOR – Carl Eason, Attorney and Robert Simon, Waterfront Consulting, Inc.

**This application was deferred from the February and March 2018 Public Hearings.**

Carl Eason, Attorney for the applicant, presented Two (2) Exhibits. These exhibits are on file with the City of Virginia Beach Planning Department.

Upon Motion by Mr. Vail, seconded by Mr. Barney, the application of **Alpha Omega Farm, Inc., et. al.**, was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. On the application drawings, the location of Mean High Water shall be depicted and clearly labeled.
2. City defined tidal wetlands impacts shall be revised in the application narrative and the additional impact table provided by the agent to reflect the 4635 square feet of vegetated, and 3452 square feet non-vegetated.
3. No net loss of wetlands shall be achieved by purchase of one-half acre of credit in the Davis Wetlands Mitigation Bank.

**VOTE:** 5- 1 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Joashua Schulman,  
James T. Vail

**MEMBERS VOTING NAY:**

Leonard Johnson

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

Patrick Shuler

Mr. Shuler abstained due to a business conflict.

**WILLIAM BUTLER**  
**APPLICATION No. 2018-WTRA-00039**

**PROJECT:** To construct a bulkhead involving wetlands

**PROJECT LOCATION:** 3309 Sandpiper Road, contiguous to Canal off North Bay

**SPEAKER:** FOR – R. Harold Jones, Sigma Environmental, Inc.

Upon Motion by Mr. Vail, seconded by Mr. Barney, the application of **William Butler** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. A revised site plan shall be submitted showing the landward limits of fill. The landward limits of backfill shall match grade at elevation 3.5 in NAVD 88 datum.
2. Revised site plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and ultimately approved by the Department of Planning and Community Development prior to the issuance of a building permit.

No Net Loss of wetlands on this project was achieved by the use of on-site compensation.

**VOTE: 7-0 (VOICE VOTE)**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**KAREN HAYNES**  
**APPLICATION No. 2018-WTRA-00060**

**PROJECT:** To remove riprap, regrade, and construct riprap involving wetlands

**PROJECT LOCATION:** 341 West Chicksaw Road, contiguous to Canal of Eastern Branch of the Elizabeth River

**SPEAKER:** **FOR** – Richard Calvert, Calvert Marine

Upon Motion by Mr. Vail, seconded by Mr. Barney, the application of Karen Haynes was **APPROVED, AS SUBMITTED.**

No net loss of wetlands on this project shall be achieved by payment of a Wetlands Mitigation Bank.

**VOTE: 6-1 (VOICE VOTE)**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Joashua Schulman,  
Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

Leonard Johnson

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**TOM LAIDLAW**  
**APPLICATION No. 2018-WTRA-00059**

**PROJECT:** To install a bulkhead involving wetlands  
**PROJECT LOCATION:** 812 Close Avenue, contiguous to Canal to Lake Rudee  
**SPEAKER:** FOR – Richard Calvert, Calvert Marine

Upon Motion by Mr. Vail, seconded by Mr. Shuler, the application of **Tom Laidlaw** was **APPROVED, AS SUBMITTED.**

No Net Loss of wetlands on this project was achieved by the use of an in-lieu fee.

**VOTE:** 6- 1 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Joashua Schulman,  
Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

Leonard Johnson

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

**LINKHORN ASSOCIATES, LLC**  
**APPLICATION No. 2018-WTRA-00013**

**PROJECT:** To construct an outfall and splash apron involving wetlands

**PROJECT LOCATION:** 4401 Bonney Road, contiguous to Thalia Creek

**SPEAKER:** FOR – Brian Owen, MSA, P.C.

Upon Motion by Mr. Vail, seconded by Mr. Ballard, the application of **Linkhorn Associates, LLC**, was **APPROVED, AS SUBMITTED**.

No Net Loss of wetlands on this project was achieved by the use of an in-lieu fee.

**VOTE:** 5- 1 (VOICE VOTE)

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Joashua Schulman,  
Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

Leonard Johnson

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**

Jason Barney

Mr. Barney abstained due to a business conflict.

**CITY OF VIRGINIA BEACH PUBLIC WORKS  
APPLICATION NO. 2018-WTRA-00027**

- PROJECT:** To dredge a drainage ditch involving wetlands
- PROJECT LOCATION:** Located between Nider Boulevard and Shore Drive Intersection contiguous to Little Creek Cove
- SPEAKERS:** **FOR** – Mark Jones, Stormwater Operations Manager – Public Works and Becky Bump, resident who lives near Chubb Lake

Vice Chair Vail read the following document and asked that the letter become a part of the record:

1. A letter dated May 5, 2018, addressed to Mr. Justin Worrell, Environmental Engineer, Sr., Virginia Marine Resources Commission, Habitat Management Division, 2600 Washington Avenue, Newport News, VA 23607, and signed by Lyle Varnell, Associate Director for Advisory Services, Virginia Institute of Marine Science.

Mark Jones, Stormwater Operations Manager with Public Works, provided the Board with a presentation book. The presentation book is on file with the City of Virginia Beach Planning Department.

Upon Motion by Mr. Vail, seconded by Mr. Ballard, the application of the **City of Virginia Beach Public Works** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. Immediately prior to commencement of work, comprehensive examination for turtle/animal life be conducted, and all animals relocated to appropriate nearby habitats.
2. Attempts should be made to the maximum extent practicable to relocate the existing diverse vegetation from the vegetated wetlands island other than Phragmites, to a City-owned wetland area.
3. Staff recommends that the Board accept on-site mitigation by excavation of the existing wetlands as proposed, to a top elevation still within the intertidal zone.
4. Submission of a post dredge survey to verify the areas of excavation and elevations of wetlands mitigation. Any over excavation on the post dredge survey resulting in a loss of wetlands will then be compensated by filling in the area with sand to the appropriate elevation.

No Net Loss of wetlands on this project was achieved by the use of on-site compensation.

**VOTE: 7-0 (VOICE VOTE)**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Stephen B. Ballard, Jason Barney, Leonard Johnson,  
Joashua Schulman, Patrick Shuler and James T. Vail

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Molly P. Brown

**MEMBERS ABSTAINING:**



May 5, 2018

Mr. Justin D. Worrell  
Environmental Engineer, Sr.  
Habitat Management Division  
Virginia Marine Resources Commission  
2600 Washington Avenue  
Newport News, VA 23607

Dear Mr. Worrell:

The following comments summarize the requested evaluation of the proposed improvements to a tidal drainage waterway (City of Virginia Beach (the City), VMRC #17-1508) by the Virginia Institute of Marine Science Office of Research and Advisory Services. Our assessment included a review of all available joint permit application documents and observations from an April 18<sup>th</sup> site visit.

The City proposes to improve drainage upstream of Little Creek Cove by increasing the cross-sectional area of the tidal tributary connecting the Cove and the upstream watershed through dredging of the nonvegetated areas within the waterway, removal of an island characterized by a diverse vegetated wetlands community (approximately 2,200 square feet), and increasing the width of the waterway by removal of vegetated wetlands along the length of both banks (estimated to be an additional 1,650 square feet). It is noteworthy that although the proposed dredging will facilitate greater drainage potential, the application documentation does not include information on the necessity of vegetated tidal wetlands removal to achieve the required reduction of hydrological friction and increased flow. Flow and volume calculations supporting drainage requirements would provide more robust information upon which to base a decision on the fate of tidal vegetated wetlands, and we recommend consideration of developing these metrics. It may be feasible to achieve drainage objectives without sacrificing wetland vegetation, or at least reducing vegetated wetland losses.

Absent these data, certainty on the need for the loss of tidal vegetated resources cannot be assured. Historical photographs provide evidence that the island began forming in at least 2006. Since that time it has developed into a healthy, diverse, and mature vegetated wetland. The banks of this waterway also support wetland vegetation and appear to be dominated, at least at this time during the growing season, by common reed (*Phragmites australis*). Vegetated tidal wetlands provide estuarine habitat and water quality improvement functions, and these benefits are likely to extend beyond the footprint of this proposed project. However, due to the landscape position and distance to Bay waters through a highly channelized flow corridor characterized by culverts with grated covers, the beneficial functions provided by these wetlands may be slightly compromised as compared to similar habitats in more natural settings and hydrological connections. If low elevation weirs are also structural parts of the culverts then habitat accessibility would be limited, thus further compromising wetland functions.

If the dredging as proposed is deemed necessary, the design of the dredge cut may promote slumping of additional riparian wetlands. This would result in additional adverse impacts to vegetated tidal wetlands beyond those estimated by direct removal. Due to this and the uncertainties described

above, we consider it constructive from a marine environmental perspective for the City to revisit the proposed project to refine the drainage volume needs and identify potential channel modification approaches that can reduce or eliminate vegetated wetland losses. If this is not considered a desirable approach to the proposed project, we recognize that the City has offered to compensate via an in-lieu fee for loss at 1:1. Should this be deemed acceptable, we further recommend incorporating all vegetated tidal wetland losses into this ratio. If our estimates of total losses are not considered accurate or acceptable, then we recommend that the City refine their calculations to include the wetlands along the banks.

During the April 18<sup>th</sup> site visit turtles were observed occupying the marsh island, likely either sliders (*Trachemys* sp.) or cooters (*Pseudemys* sp.). If dredging is allowed we recommend that a comprehensive examination of the area for animal life be conducted immediately prior to commencement of work, and all animals relocated to appropriate nearby habitats.

Please do not hesitate to contact me if you have questions.


Sincerely,



Lyle Varnell  
Associate Director for  
Advisory Services

At 11:58 AM, the May 21, 2018, Public Hearing of the Virginia Beach Wetlands Board was adjourned by Chairman Leonard Johnson.

The comments of the Planning Department are on file with the City of Virginia Beach Planning Department.



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Jennifer A. Grundler  
Deputy City Clerk II



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Chairman Leonard Johnson