



**NEW KENT COUNTY
WETLANDS/BEACHES & CHESAPEAKE BAY BOARD MEETING
THURSDAY, DECEMBER 6, 2018 AT 6:00 PM
COUNTY ADMINISTRATION BUILDING BOARD ROOM
MINUTES**

A MEETING OF THE NEW KENT COUNTY CHESAPEAKE BAY PRESERVATION BOARD WAS HELD ON THE 6TH DAY OF DECEMBER IN THE YEAR TWO THOUSAND EIGHTEEN IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING IN NEW KENT, VIRGINIA, AT 6:00 P.M.

IN RE: ROLL CALL

Attendance:

Mr. Julian Ward	Present
Ms. Jean Street	Absent
Mr. Lyle Gleason	Present
Mr. John Bragg	Present
Mr. Wakie Howard	Absent
Ms. Sarah Richardson	Present

Also present:

Mr. Justin Stauder, Director of Environmental
Mrs. Gail Carey, Administrative Assistant, Environmental Department
Mr. Corey Gray, Stantec
Ms. Jacey Hamelman, Stantec
Mr. John Mulligan, Dominion Energy
Mr. Randy Owen, VMRC

The meeting was called to order at 6:00 PM and a quorum was established.

IN RE: DECLARATION OF POLICY FROM THE LAWS OF VIRGINIA

Chairman Bragg read the Declaration of Policy from the laws of Virginia relating to the Marine Resources of Virginia and the New Kent County Code relating to Chesapeake Bay regulations.

IN RE: APPROVAL OF MINUTES

A motion was made by Mr. Gleason and seconded by Mr. Ward to approve the September 6, 2018 minutes. The Board members were polled and the motion was passed.

IN RE: NEW BUSINESS VMRC 2018-1495

Mr. Stauder introduced permit 2018-1495 and turned the floor over for the applicants to present. Mr. Gray mentioned to the Board members that the current permit was similar to the permit that was reviewed earlier in the year, 2018-0019. The difference between the two permits was the rebuilding of the tower structures instead of just foundation work. Mr. Gray provided a project overview which consisted of the following: Rebuild nine (9) existing towers and approximately 1.7 miles of transmission line with towers 229-234, located in New Kent County; Rebuilt towers will be offset south of the existing towers.

The description of the project is as follows: Build temporary construction access; drive piles for foundations; encapsulate piles and install foundation caps; erect new towers; pull conductor and shield wires; remove existing towers and piles; remove temporary construction access and restore to pre-construction conditions. Towers will be supported by four (4) legs with pile foundations; each foundation will utilize four (4) 24-inch hollow steel piles; excavate into wetlands three to four feet deep to assist with pile encapsulation sleeve; cofferdams and dewatering through filter bag; soil stockpiles will be placed in a rock box or similar device; excavations will be back-filled with soil from stock-piles; estimated construction time will be 12 months from June 2019 to May 2020. Construction access: weight displacing mat system similar to Emtek; 40-foot cross beams on 14-foot-wide runners, with a driving surface elevated above the marsh to minimize disturbances to the marsh soil.

Jurisdictional Area Impacts: Temporary impacts are a result from the cofferdam excavation and will impact approximately 3,053 square feet of tidal wetlands. Permanent impacts, as a result from the installation of foundation pilings and will impact approximately 197 square feet of tidal wetlands. Any losses as a result of permanent impacts will be compensated through purchasing wetlands credits. The wetlands credits will be purchased through a bank.

Phragmites Control: One small (0.6 acre) colony of common reed (Phragmites Australis) at Tower 229 was observed during the SJV survey; treatment will be applied prior to construction; mats will be new or certified clean and 'free from invasive';

wash vehicles and equipment before bringing on-site; disturbance will be restored to match original grade and revegetated with native seed mix; if additional phragmites is observed during construction, herbicide control actions will be taken as soon as practical.

Mr. Mulligan added old structures, piles and foundations will also be removed.

Mr. Owen confirmed to Mr. Bragg that the phragmites control plan would be acceptable with the VMRC.

Mr. Bragg questioned if the application included a plan that specifically identified the amount of square feet which would be under the New Kent County permit approval.

Mr. Stauder informed Mr. Bragg that the amount under the New Kent County approval would be 197 square feet.

Mr. Bragg inquired if the 197 square feet was acceptable with Dominion Energy.

Mr. Mulligan confirmed that the amount of square feet (197) was acceptable with Dominion Energy. Mr. Mulligan also requested for the Wetlands Board to include a 'no net loss' in their motion, as well as mention the purchase of credits to compensate for impacts, to which Mr. Bragg agreed.

Mr. Bragg then inquired if the Board had any further questions for the applicants or staff.

Mrs. Richardson commented that the application appeared to be clear.

Mr. Gleason commented that the amount mentioned, 197 square feet was a precise number, given the size of the project and then questioned if it would actually be 197 square feet.

Mr. Bragg inquired if the applicants would like to increase the amount of square feet from 197 to allow extra leeway.

Mrs. Richardson stated she did not think anyone from the county staff would be going on site and measuring the amount of square feet.

Mr. Mulligan informed the Board members although the project is big, the size of the pilings is 'set in stone' and according to the numbers the result was 197 square feet.

Mr. Owen stated that the project was self-mitigating and he believed that the number of 197 square feet was more than sufficient.

Mr. Mulligan stated he felt confident the 197 square feet was a good number.

Mr. Bragg then read to the Board the Staff Recommendations which included the following: Applicant is proposing removing existing towers and replacing them with new (towers); Existing towers were originally constructed in 1967 and have reached the end of usable life span; Currently, there exists critical structural deficiencies that are impractical to repair due to safety concerns, environmental impacts, significant costs, and need repair to maintain continuous use. This type of project is linear in nature and utility based. The Board has historically reviewed and approved similar projects.

Staff recommends approval, along with an invasive-species management control plan for the project area.

Mr. Mulligan stated the other good thing is, since the old is being removed, the whole net loss – there will be some wetlands gained back, so the number of 197 square feet will more than suffice.

Mr. Owen added that the applicants will more than meet the net loss since they will be revegetating the area which, for 50 to 60 years, had concrete piles.

Mr. Gleason made a motion for the application to be approved as submitted, along with the mitigation purchase, 197 square feet of wetlands, as well as a phragmites control plan.

Mrs. Richardson seconded the motion.

The members were polled and the motion was passed.

As there were no members of the public present, no Public Hearing was held.

IN RE: ADJOURNMENT

A motion to adjourn the meeting was made at 6:30 PM by Mr. Bragg and all were in favor.

Respectfully submitted,

Gail Carey, Recording Secretary