

**Virginia:** At a meeting of the Accomack County Wetlands Board, held in the  
Chambers of the Board of Supervisors on the 22<sup>nd</sup> day of May,  
2014, A.D.

**Members present:**

Mr. Earl B. Frederick, Chairman  
Mr. George H. Ward, Jr., Vice Chairman  
Mr. C. Lee Davis  
Mr. Gene Taylor  
Mr. T. Lee Byrd

**Staff present:**

Ms. Gracie A. Milbourne, Recording Secretary

**Others present:**

Mr. Hank Badger, VMRC  
Mr. Robert Cole, USACE

**Staff absent:**

Mr. David Fluhart, Secretary

**The meeting was called to order by Chairman Earl B. Frederick, and opened to a public hearing at 10 a.m. All applications are approved for a one-year period from the date of this hearing, unless specifically noted. All applicants, speakers and representatives are sworn in before the Board on the following wetlands applications:**

**This Board is aware of and complies as closely as possible with the objectives of the Virginia Marine Resource Commission's Wetlands Policy of No Net Loss.**

**1). MINUTES**

Mr. Ward made a motion to approve the minutes of the March 27, 2014 meeting with a correction to wording in Application # 2 (Change the term "dredging" to "grading"). Mr. Davis seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Davis, Mr. Taylor, and Mr. Byrd.

2). **NEW BUSINESS**

**1). An application from Tina L. Martin TR, VMRC# 2014-0319 for the installation of riprap on property along Finneys Creek, 23463 Holly Cove Road, near Onancock, Virginia. TM# 83D-1-8 et als**

Mr. Radak Juran, contractor, appeared before the Board to represent this application and described how this property has lost 25 feet of land and trees in last few years and stated how the proposed rip rap will connect to the neighbor's.

Mr. Robert Cole appeared and stated that he had no problem with this project and Mr. Hank Badger indicated that this project will have no impacts to vegetated wetlands.

After a brief discussion, Mr. Byrd made a motion to approve this application as presented. Mr. Davis seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Byrd, Mr. Davis, and Mr. Taylor.

**2). An application from Richard F. Hall, III, VMRC# 2014-0461 for the installation of: 1) a replacement bulkhead within an existing man-made boat basin; 2) maintenance dredge the man-made boat basin; 3) replace/install a new floating dock with access ramp; and 4) construct marsh toe protection on both the left and right side of the boat basin at 23855 Acorn Drive, Onancock Creek, near Onancock, Virginia. TM# 84-A-27**

Mr. Radak Juran, contractor, appeared before the Board to represent this application. He stated that the replacement bulkhead will be in front of the old one and estimated the marsh toe protection will go out in front of it approximately 40 feet.

Messrs. Davis and Ward asked Mr. Juran for the final distance of the marsh toe and the impacts to vegetated wetlands before beginning the project.

Further discussion indicated that there will be impacts to vegetated wetlands and revealed that only Item #4 of this application is within the local board's jurisdiction. Mr. Frederick shared the comments of Mr. David Fluhart that indicated no work in the basin is in this board's jurisdiction.

After a brief discussion, Mr. Byrd made a motion to approve this application with the provision that mitigation be paid for a maximum of 29 square feet of impact to vegetated wetlands. Mr. Davis seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Davis, Mr. Byrd, and Mr. Taylor.

**3). An application from Federal Highway Administration, VMRC# 2014-0552 for the repair of the north service road/berm that was damaged during Hurricane Sandy to pre-storm conditions, Refuge Service Road at the Chincoteague National Wildlife Refuge, Chincoteague, Virginia.**

Mr. Gary Rhodes appeared before the Board to represent this application. He explained that this application is for the repair of roadway and embankment areas from storm damage with no impacts to vegetated wetlands with all excavating during low tide.

After a brief discussion, Mr. Davis made a motion to approve this application as presented. Mr. Taylor seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Davis, Mr. Taylor, and Mr. Byrd.

**4). An application from Gerald Negley, VMRC# 2014-0527 for an after-the-fact permit to 1) remove several drainage culvert pipes within an earthen**

**berm; 2) relocate one culvert to another portion of the property and install a rip rap splash apron on the outfall side; 3) install a longer culvert pipe under an earthen access behind the bulkhead; and 4) install deadmen and tiebacks behind a currently serviceable bulkhead structure at 14005 Tarkill Road on Tarkill Creek, near Onancock, Virginia. TM# 90-A-25**

Ms. Ellen Grimes of Coastal Resource Management appeared before the Board to represent this application. She referred to the drawings and site plan to explain this after-the-fact project and where major culvert pipes were installed within an earthen berm to protect from erosive waves.

Mr. Gerald Negley appeared and discussed increasing the length of the culvert pipe to eliminate the fill dirt from being pushed down in the ditches as mentioned by the Army Corps. Mr. Robert Cole suggested removing the old pipe and replacing it with a longer one.

Ms. Grimes stated that marsh grass will be replanted and agreed to submit a 3-year maintenance plan for Mr. Negley.

After a lengthy discussion, Mr. Ward made a motion to approve Item #4 of this application with the provision that mitigation must be paid for 50 square feet of vegetated wetlands and recommended that phragmites monitoring be established for Item #1 and deemed Items 1, 2, and 3 outside this Board's jurisdiction. Mr. Taylor seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, Mr. Davis, and Mr. Byrd.

**ADJOURNMENT:**

Mr. Ward made a motion to adjourn at 11:00 a.m. Mr. Davis seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Davis, Mr. Taylor, and Mr. Byrd.

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Mr. Earl B. Frederick, Chairman