



May 24, 2018

Ms. Scharlene Floyd
U.S. Army Corps of Engineers
803 Front Street
Norfolk, VA 23510-1096

Ms. Sherri Kattan
Department of Environmental Quality
5636 Southern Blvd.
Virginia Beach, VA 23462

**Re: Permit Modification #5 – Permanent Wharf
Lesner Bridge Replacement Project, Virginia Beach, VA
NAO 2007-3405, VWP Permit 12-1169, MAP Job # 11111**

Dear Mmes. Floyd and Kattan,

In response to our March 30, 2018 meeting and your request for additional information, we are providing important support data for the referenced permit extension and modification.

At the last meeting it was agreed that, based on the prolonged construction schedule and staggered permit expirations, the COE and DEQ permit extension requests were timely and well received. Subsequently, on March 30th, the COE issued an extension of its permit which is now valid until May, 2022. The City is also requesting an extension of the DEQ permit through 2022.

Meanwhile, the City reaffirmed its request and basis for modifying the permit to allow the wharf (necessary for the bridge construction) to remain as a permanent feature after the referenced project is complete. After hearing the merits of a permanent wharf, both agencies requested additional information and justification for the wharf. Additionally, in a March 30th email, the COE requested a clearer and more concise purpose and need for the permanent wharf. The following elaborates on the previous justification offered in the March 5, 2018 letter and referenced meeting.

The City believes there is considerable merit and justification for the wharf, (constructed as part of the Lesner Bridge project) to remain as permanent infrastructure and serve the City as a valuable public asset and resource for a variety of essential navigation, safety and environmental functions.

Among the chief functions of the permanent wharf is its critical support for the periodic dredging of the Lynnhaven Inlet Federal Navigation Project, including the Lynnhaven Entrance Channel, Turning Basin, Side Channel, Channel to Broad Bay, and Narrows Channel. The project, which

provides for 12 feet deep (MLLW) channel and typically yields 100,000 – 150,000 cubic yards of dredged material, is normally dredged every 1-2 years.

In order to accommodate this vital maintenance dredging effort, the wharf serves as an acceptable mooring location for USACE dredging activities in the Lynnhaven. According to the Norfolk District (email communication, Christopher Tolson, USACE to Daniel Adams, City of Virginia Beach, May 4, 2018), “the municipal wharf infrastructure used for the construction of the new Lesner Bridge would be a suitable mooring location for USACE special purpose hopper dredges and other vessels used in support of USACE dredging and surveying activities of the Federal project.”

Moreover, the municipal wharf also provides critical mooring for vessels responsible for dredging Crab Creek and Long Creek – two important and regularly maintained navigation projects that are juxtaposed to the Lynnhaven River Federal navigation project. The aforementioned wharf would provide City contractors a critical, suitable location to unload the dredged sand from these channels to the existing sand stockpile on this site. Further, the wharf would accommodate temporary mooring for public safety vessels, including the Virginia Beach Marine Patrol.

At an unspecified time in the future, the City of Virginia Beach may request to use the dredged material disposal site (landward of the wharf) as a dredged material transfer site for individual SSD dredging projects. The scope and timeline for such projects is unclear, however, please be assured that any such requests will be accommodated by the appropriate permit application, engineering data and drawings, agency consultation and a full public notice and interest review. It is the City’s declared intention to only allow the use of this site for dredged material transfer from the area immediately nearby. To date only one SSD project exists in the immediate area, and the potential for additional projects that may be eligible is extremely limited. Accordingly, the use of this site, subject to individual permit review and approval, is also expected to be limited to a small group of potential projects.

Lastly, the permanent wharf offers an important mobilization location for the joint City of Virginia Beach/COE Lynnhaven River Ecosystem Restoration Project. Such a location would afford the transport, loading and unloading of resources such as shell for on-going oyster reef restoration projects in the Lynnhaven. The wharf was also a critical loading and unloading venue for demolished bridge material used to enhance the VMRC managed fishery reefs in the lower Chesapeake Bay (e.g. Cabbage Patch).

Meanwhile, the City of Virginia Beach is actively engaged with the regulatory agencies and general public, including the adjoining neighborhoods, on the possible future use of the site. Such engagement has included open meetings with the Bayfront Advisory Committee, Shore Drive Community Coalition, the Ocean Park Civic League, and other interested groups on their interests,

concerns and questions about the site. In fact, after briefing the Ocean Park Civic League in April, the civic league met again on May 10 and unanimously approved a motion that reads, "The Ocean Park Civic League is open to the City of Virginia Beach maintaining the Lesner Municipal Wharf (LMW) structure, but formally opposes neighborhood dredge spoils [sic] coming through LMW, and will oppose all SSD applications where LMW is proposed as an off-load site." The City is committed to an open outreach program with the adjacent neighbors and civic leagues and will keep the citizens abreast of any proposed or pending action on this valuable City asset.

Based on the foregoing, the City respectfully requests the following modification to the referenced COE and DEQ permit condition:

"Following completion of bridge construction the wharf will remain in place as a permanent structure and maintained and operated in accordance with all other applicable local, state and federal laws."

As discussed, the City will adhere to all other conditions including special clearances, relevant surveys – bridge and bathymetric, and inspections – fender system and lighting. These will be performed by the City or its contractor during construction or post-construction and submitted to your office for the completion of the administrative record.

We greatly appreciate your agency's long standing cooperation and assistance on this project and trust the enclosed is sufficient for the requested permit modification. Please advise if you require additional data or documentation. We look forward to your reply and reaching successful closure on the project.

Respectfully,



Myles A. Pocta
MAP Environmental Inc.
116 Landmark Square, Suite 101
Virginia Beach, Virginia 23452
(757) 498-6131 phone
(757) 498-6132 fax
(757) 615-4929 cell
www.mapenvironmental.com

cc: Justin Worrell, VMRC
Kelly Waldrop, VDOT
Mack Frost, FHWA
Hal Pitts, USCG
Daniel F. Adams, PE, City of Va. Beach

David A. Bradshaw PE, Clark Nexsen
Danny B. Taylor PE, Clark Nexsen
Joe Wallenfelsz, McLean Contracting Co.
Christopher J. Wojtowicz, PE, Va. Beach
Phillip J. Roehrs, PE, City of Va. Beach