



MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

MEMORANDUM

TO: MPCBPAA
FROM: Harrison P. Bresee III, PAA Staff
DATE: December 5, 2014
RE: December 12, 2014 MPCBPAA Meeting

This announcement serves as notice to call a meeting of the Public Access Authority on Friday, December 12, 2014 at or about 11 a.m. The meeting will be held in the MPPDC Regional Board Room in Saluda. Lunch will be provided.

If you have any questions, please call (804-758-2311) or email me (hbreesee@mppdc.com) at your convenience.

AGENDA

1. Call to Order
2. Approval of October 2014 Minutes
3. Financial Report
4. Public Comment
5. Presentation of the June 2014 Year End Audit
6. Virginia Interactive Reservation System
 - a. Modifications: Reservation or Lease Addition
7. Essex County
 - a. CZM Altruistic Giving Proposal Update
8. Gloucester County
 - a. Capt. Sinclair Recreation Area Update
 - i. Lands End Road- US Postal Service
 - ii. Draft VCU Adaptive Reuse Plan
 - iii. CNU Proposal for Living Shoreline
 - b. Perrin Wharf – sticker reservation strategy for wharf
 - c. Commissioner of Revenue: Tax Exempt Status
9. King and Queen County
 - a. Update on the King and Queen Public Fishing Pier
 - i. Delegate Hodges: Concept Bill: Middle Peninsula, Northern Neck, Eastern Shore Access Authority Recreational Fishing Development Fund established
 - ii. Middle Peninsula Regional: Take a Kid Fishing
10. Mathews County
 - a. Hall Donation Site Update (Mathews Heritage Park) – Reversion Clause
 - b. 1953 aerial map
11. Middlesex County
 - a. Update on Memorandum of Understanding for public access management services
12. Other Business
 - a. Tractor Bucket
13. Chairman Observations
14. Next Meeting: February 13, 2015
15. Adjourn

MEMBERS

Essex County

Hon. Margaret H. Davis
(Vice Chair)

Gloucester County

Hon. Christopher A. Hutson

King and Queen County

Hon. Doris Morris

King William County

(Vacant)

Mathews County

Ms. Melinda Moran
(Chair)

Middlesex County

Mr. Matthew Walker

Town of Tappahannock

Mr. G. Gayle Belfield, Jr.

Town of Urbanna

Vacant

Town of West Point

Mr. John B. Edwards, Jr.
(Treasurer)

Saluda Professional Center

125 Bowden Street

P. O. Box 286

Saluda, VA 23149-0286

Phone: (804) 758-2311

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PublicAccess@mppdc.com

**MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY
MINUTES**

October 10, 2014

Middle Peninsula Planning District Commission
Saluda, Virginia

1. Call to Order

Ms. Mindy Moran, Chair, called the meeting to order.* Attending: Ms. Prue Davis, Essex County, Mr. Christopher Hutson, Gloucester County, Ms. Melinda Moran, Mathews County, Mr. Matt Walker, Middlesex County, Mr. Bret Schardein, King William County, Mr. John Edwards, Jr., Town of West Point, Mr. Tom Swartzwelder, King and Queen County, and MPPDC Staff, Mr. Harrison P. Bresee III and Mr. Lewie Lawrence.

*Ms. Mindy Moran, Chair, needed to depart early and proposed to reorganize the agenda for action items. Ms. Prue Davis, Vice Chair, took over the Chair duties for the remainder of the meeting.

2. Approval of August 2014 Minutes

Ms. Melinda Moran requested a motion to approve the June 2014 minutes. Mr. Chris Hutson moved that the minutes be approved. Mr. Bret Schardein seconded the motion. Ms. Melinda Moran, Chair, asked for any discussion. Motion carried by unanimous vote.

3. Approval of October 2014 Financial Report

Ms. Melinda Moran, Chair, requested a motion to approve the October 2014 financial report subject to audit. Ms. Prue Davis moved that the financial report be approved. Mr. John Edwards seconded the motion. Ms. Melinda Moran, Chair, asked for any discussion. Motion carried by unanimous vote.

4. Public Comment

None.

5. Virginia Interactive Update

The new reservation system, which can be found from a link at www.mppaa.com, was demonstrated and a list of questions received from users was discussed. The questions included items such as allowing blind prices versus paying per hunter, allowing a yearly fee instead of a daily fee, offering a military discount, charging local citizens a lower fee, etc. The comments and questions will be used to make changes and improvements to the system in 2015.

6. Essex County

a. CZMA Altruistic Giving Proposal Update

The contract for this project to encourage private donations of waterfront land for public benefit is administratively pending with the Office of Coastal Resources Management at NOAA, but should be delivered soon.

7. Gloucester County

- a. Cpt. Sinclair Recreation Area Update
 - i. Update of Projects at Cpt. Sinclair Landing Adaptive Reuse Plan– VCU is holding public meetings for this project. There are three planned for this year; October, November, and December.
 - ii. Possible Expansion of Captain Sinclair’s – Mr. Lawrence advised the board that a landowner adjacent to the Cpt. Sinclair property was considering donating approximately 160 acres of land (tax map numbers 4711E and 4710) and marsh to the PAA. Mr. Swartzwelder made a motion to authorize the MPCBPAA Chair to execute necessary documents to receive this land. Mr. Hutson seconded the motion. Ms. Melinda Moran, Chair, asked for any discussion. Motion carried by unanimous vote.
- b. Perrin Wharf Update – Mr. Lawrence advised the board that, to date, only two permits have been sold. Attempts to get the people using the docks to participate have failed after numerous meetings, site visits, and phone calls to users of the dock. Delegate Hodges continues to work on the issue.

8. King and Queen County

- a. Clay Tract: Intergenerational Hunting Zone – Mr. Lawrence introduced the idea of setting aside an area of approximately 45 acres on the North side of the creek as a “Family Intergenerational Hunting Zone”, and offering the site for rental on a daily basis for \$50. The board discussed and approved of the idea and decided that no motion was needed to move forward. Staff will develop the zone and advertise it on the reservation site.

9. Mathews County

- a. Hall Donation Site Update (Mathews Heritage Park) – Mr. John Edwards made the motion: “The PAA acknowledges receipt of the draft plan for use of the Mathews Heritage Park submitted by the Friends of Mathews Heritage Park and has no objections to the plan.” Mr. Swartzwelder seconded the motion. Ms. Prue Davis, Vice Chair, asked for any discussion. Motion carried by unanimous vote.
- b. New Donations –A 5.06 acre, deed restricted site (Tax Map 36-14-3 and 36-14-4), and a 21 acre site (Tax Map 31-A-116B and 31-A-200), have been offered for donation to the PAA by the Middle Peninsula Land Trust. Mr. Hutson made a motion to authorize the MPCBPAA Chair to execute necessary documents to receive this land, pursuant to no objection by the Mathews BOS. Mr. Swartzwelder seconded the motion. Ms. Prue Davis, Vice Chair, asked for any discussion. Motion carried by unanimous vote.

10. Middlesex County

- a. Blackwood Donation – The Middle Peninsula Land Trust has offered for donation to the PAA a property described as: “All that certain tract or parcel of land situated in Pinetop Magisterial District, Middlesex County, Virginia, lying on the Piankatank River, and containing 8.86 acres, more or less, as shown on plat of

survey prepared by John T. Ward, L.S., dated June 1979, recorded in the Clerk's Office, Circuit Court, Middlesex County, Virginia, in Plat Book 6, at Page 128". The Middlesex County BOS is in favor of the transaction. All the legal paperwork is ready to execute. Mr. Swartzwelder made a motion to authorize the MPCBPAA Chair to execute necessary documents to receive this land which is shown as Tax Map 39-73 in Middlesex County. Mr. Hutson seconded the motion. Ms. Prue Davis, Vice Chair, asked for any discussion. Motion carried by unanimous vote.

11. Other Business

- a. Audit – Mr. Lawrence explained that the PAA is now required to have an audit. Michael Aukamp, Dunham, Aukamp & Rhodes, PLC, the MPPDC auditor for over 10 years, offered to consolidate the work for a reduced price. Mr. Swartzwelder made a motion to authorize the PAA Secretary to enter a contract of auditing services in conjunction with the MPPDC audit to concurrently happen. Mr. Hutson seconded the motion. Ms. Melinda Moran, Chair, asked for any discussion. Motion carried by unanimous vote.
- b. KQ Public Fishing Pier – Mr. Swartzwelder spoke about the difficulty King and Queen County has had in an attempt to obtain funding from VMRC's Recreational Fishing Grant Program for a public fishing pier next to the Rt. 33 bridge on the Mattaponi River. VMRC has funded several projects around the Hampton Roads area, but has not funded any projects in King and Queen County. Mr. Swartzwelder would like the PAA to provide a letter of support for the project. No objections were raised and no motion was needed. Staff will prepare the letter.
- c. Super Regional Fishing Tournament – Mr. Swartzwelder spoke about the opportunity to apply for a VMRC Recreational Fishing Grant to fund a Middle Peninsula fishing tournament in conjunction with Rotary, Kiwanis, and other clubs interested in participating. The board discussed the idea and supports the idea. Staff will query various clubs to see if there is an interest in the community and report back to the PAA Board.
- d. Sunday Hunting - Mr. Bresee explained that Sunday hunting will not be allowed on MPCBPAA lands that are open to hunting. This policy is consistent with the current Virginia Attorney General's official advisory Opinion in accordance with chapter 2.2-505 of the *Code of Virginia* as stated in a letter to Mr. Robert W. Duncan, Executive Director of the VDGIF dated August 22, 2014.

12. Chairman Observations

None.

13. Next Meeting

The Next Middle Peninsula Chesapeake Bay Public Access Authority Meeting is scheduled for December 12, 2014 at 11:00 am in the Middle Peninsula Planning District Commission's Regional Board Room.

14. Adjourn

On a motion by Mr. Chris Hutson and seconded by Mr. Tom Schwartzwelder, and by unanimous vote, the meeting adjourned at 1:43 pm.

DRAFT

Agencywide Line Item Revenues and Expenditures

Middle Peninsula Chesapeake Bay Public Access Auth

Run Date: 12/05/2014
Run Time: 11:05:21 am
Page 1 of 1

Period: 07/01/2014 to 11/30/2014

Without Indirect Detail

Code & Description	Budget	Current	YTD	Un/Ovr	% Bud
Revenues					
40101 DCR	0.00	0.00	500.00	-500.00	0.00%
40200 Interest Income	25.00	-16.63	22.26	2.74	89.04%
40201 Donations	0.00	-220.00	336,522.22	-336,522.22	0.00%
40210 Miscellaneous Income	6,000.00	-7,424.46	3.07	5,996.93	0.05%
40211 Access Fees	1,200.00	160.00	160.00	1,040.00	13.33%
40212 Rental Income	22,680.00	-1,659.05	8,799.94	13,880.06	38.80%
40213 Timber Sales	147,000.00	-24,151.82	99,707.05	47,292.95	67.83%
40214 Wharf Tie-Up Fees	3,000.00	0.00	25.00	2,975.00	0.83%
Revenues	179,905.00	-33,311.96	445,739.54	-265,834.54	247.76%
Expenses					
52100 Property Insurance	3,233.00	0.00	1,039.00	2,194.00	32.14%
52101 Facilities Maintenance	7,500.00	0.00	4,187.12	3,312.88	55.83%
52102 Flood Insurance	3,767.00	0.00	3,797.00	-30.00	100.80%
52110 Utilities	400.00	129.64	721.46	-321.46	180.37%
53002 Supplies	0.00	0.00	212.46	-212.46	0.00%
53003 Meeting Supplies	0.00	0.00	47.55	-47.55	0.00%
53004 Equipment	0.00	0.00	748.85	-748.85	0.00%
56001 Consulting/Contractual	25,700.00	6,105.02	20,852.19	4,847.81	81.14%
56003 Accounting	522.00	0.00	398.50	123.50	76.34%
56004 Legal	7,000.00	338.00	3,124.00	3,876.00	44.63%
56007 Fees & Permits	0.00	0.00	70.50	-70.50	0.00%
56008 Public Officials Insurance	0.00	0.00	539.00	-539.00	0.00%
57900 Miscellaneous Expense	0.00	1.17	11.17	-11.17	0.00%
Expenses	48,122.00	6,573.83	35,748.80	12,373.20	74.29%
Agency Balance	131,783.00	-39,885.79	409,990.74		

Balance Sheet

Middle Peninsula Chesapeake Bay Public Access Auth

Period From : 07/01/14 to 11/30/14

Run Date: 12/5/14
Run Time: 10:40:35 am
Page 1 of 2

Assets:

10000	Checking	23,852.17
10100	LGIP	104,595.03
10200	Security Deposit Escrow	1,200.00
10500	Rents Receivable	1,080.00
11001	Browne Tract	216,964.00
11002	Clay Tract	540,369.00
11003	Haworth, Dragon Run, Jackson Tracts	399,760.00
11004	Hall Tract	305,700.00
11005	Shenk Property	260,400.00
11006	Captain Sinclair Landing	1,423,600.00
11007	Perrin Wharf	16,151.00
11008	Sloop Landing	49,400.00
11009	Dutchmans Point	167,900.00
11010	Healy Creek Property	334,800.00
11050	Accumulated Depreciation	-39,118.00

Total Assets:

\$3,806,653.20

Liabilities:

20000	Accounts Payable	13,367.35
20100	Security Deposit	1,200.00

Total Liabilities:

\$14,567.35

Projects

30015	FY15 PAA Administration	-2,253.80
31002	Clay Tract Administration	79,007.95
31003	Haworth Tract Administration	1,428.63
31006	Captain Sinclair Landing Property Administration	-2,097.79
31008	Land Acquisitions	-3,124.00
31009	Perrin Wharf Administration	7.53
31012	Healy Creek Administration	334,800.00
32001	Dan Kavanagh Memorial Fund	1,722.22
32003	CBRF Signage	500.00
39000	General Fund Balance	3,355,927.29
39100	Restricted	26,167.82

Total Projects

\$3,792,085.85

Total Liabilities and Projects

3,806,653.20

Net Difference to be Reconciled

\$0.00

Total Adjustment

\$0.00

Unreconciled Balance

\$0.00

Balance Sheet

Middle Peninsula Chesapeake Bay Public Access Auth

Period From : 07/01/14 to 11/30/14

Run Date: 12/5/14
Run Time: 10:40:35 am
Page 2 of 2

Reconciling Items

(1) Paid Salaries are	0.00	
Timesheets show	0.00	
Difference		0.00
(2) Leave accrued this year	0.00	
(3) Fringe Pool is	0.00	
Fringe allocated	0.00	
Difference		0.00
(4) Indirect Pool is	0.00	
Indirect Allocated	0.00	
Difference		0.00

Total adjustments	<u> </u>	<u> </u>
		\$0.00

MP-PAA Facilities Reservations Enhancements

Middle Peninsula Public Access Authority

STATEMENT OF NEED
VERSION 1

DECEMBER 05, 2014

Presented by:

Kirk Whiting, Director of Operations

Address: 1111 East Main Street, Suite 901

Richmond, VA 23219

Telephone: 804.786.1855

E-mail: kirk.whiting@egov.com

1.0 TABLE OF CONTENTS

1.0 Table of Contents..... 2

2.0 Project Summary 3

3.0 Project Scope 3

4.0 Proposed Enhancements 3

 5.1 One-Time Payments (Seasonal Pass)..... 3

 5.2 Information-Only Inventory..... 7

 5.3 No-Cost Reservations 9

5.0 Work Effort 10

2.0 PROJECT SUMMARY

This statement of need is based on Virginia Interactive's (VI) current understanding of the Middle Peninsula Public Access Authority (MP-PAA) requirements for enhancements to the online Facilities Reservations service (the "Application") as discussed in previous emails and phone conversations.

MP-PAA has inquired about three primary enhancements to the Facilities Reservation System including adding:

- Add One-time passes or "Seasonal Passes". This would provide the ability for citizens to make a single payment granting them the ability to make multiple reservations within a given time period without having to perform a payment transaction for each reservation.
- Add the ability to list information-only inventory items. This enhancement will allow information about land holdings or properties that cannot be reserved to be listed with relevant search results.
- Implement a new funds flow mechanism for no cost reservations where the store owner would be billed the VI fee on a regular basis for all no-cost transactions processed in the preceding billing period.

VI's services will include following components:

- Custom developed application enhancements
- TPE and Customer Database configuration
- Administrator Training

3.0 PROJECT SCOPE

The tasks below are based on the project understanding as discussed in previous emails and phone conversations.

VI will:

- Design, develop, and implement the enhancements to the application and associated database
- Continue to provide ongoing hosting, maintenance, and support for the Application
- Coordinate testing
- Provide any necessary MP-PAA administrative user training

4.0 PROPOSED ENHANCEMENTS

5.1 ONE-TIME PAYMENTS (SEASONAL PASS)

BUSINESS PROBLEM:

Currently, reservations for individual inventory items must be made and paid for each time a citizen wants to go hunting or reserve a boat slip. MP-PAA constituents have expressed interest in ability to make a single payment within a given period that would allow them to reserve properties as desired throughout the period without having to make additional payment transactions, like an annual or seasonal pass for example.

ASSUMPTIONS:

- If Seasonal Passes will be offered, pricing for all inventory items would need to be configured as “per reservation” fees. The ability for “per person” pricing would be removed.
- The Seasonal Pass would be for the calendar year or other designated date range.
- Seasonal Passes must be purchased prior to reserving inventory items.
- Business rules would need to be established so that limitations can be placed on the amount and frequency of reservations made by pass holders.
- Some inventory items should not be able to be reserved with a pass. Inventory items will need to be designated as available for pass holders.
- Depending on business rules established for the number and frequency of reservations available under an annual pass, there may still be the need for the end user to pay for reservations. Therefore, an additional payment “pay with pass” option will be presented at checkout. If “Pay with Pass” is selected, the item(s) will be reserved and no payment screens would be presented.

PROPOSED SOLUTION:

VI will implement an enhancement to the system that will allow administrators to set up multiple seasonal passes, a hunting pass, slip pass, and parking pass for example. The passes will be added like other inventory items.

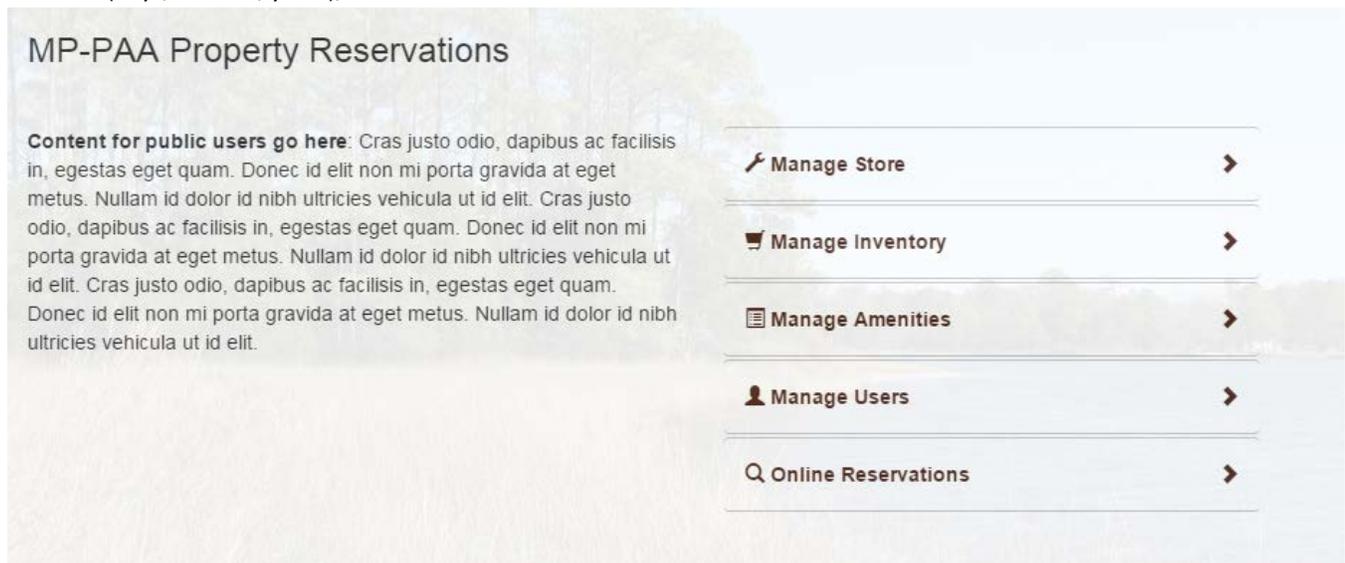
The ability to purchase a pass will be made available on the home page. The passes will be presented for selection with a button to “Add to Cart”. Once the pass or passes are purchased, all reservations available under the selected pass type will be listed with a \$0.00 cost upon checkout. Users choosing to use their pass, will not be presented with payment screens.

PROTOTYPE VISULIZATION:

ADMINISTRATION SCREENS

Pass Setup

To setup a Seasonal Pass inventory item, simply add the item like any other property and check “Is this a PASS?”, specify the duration (days, months, years), and the season start date.



Properties

[Add New Property](#) | [Add Seasonal Pass](#)

Property Name	Inventory Type	Cost	Unit	Active
Children Day Dream	Camping Site	\$3.00 (Adult 16+) \$2.00 (Minor)	Day	<input checked="" type="checkbox"/>
Hunting Zone 1	Hunt Tract	\$10.00 (Person)	Day	<input checked="" type="checkbox"/>
Hunting Zone 2	Hunt Tract	\$10.00 (Person)	Day	<input checked="" type="checkbox"/> 
Hunting Zone 3	Hunt Tract	\$10.00 (Person)	Day	<input checked="" type="checkbox"/>
Hunting Zone 4	Hunt Tract	\$0.00 (Person)	Day	<input checked="" type="checkbox"/>

Add New Pass

Information

Pass Name

Max Available

PASS Duration

 Days

PASS Start Date

Cost

 \$

Short Description

This information will show in Search and Map Info Window.

Description

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Active

(If checked, users can reserve this property immediately.)

Save

Cancel

To setup an inventory item that can be reserved using a seasonal pass, select "Pay using a PASS". Then select the pass for which the item is eligible. Note, the Seasonal Pass must be established prior to making the inventory item available for reservation under the pass.

Property Name

Property Type

Fee Payment Type Pay at Checkout Pay using a PASS ()

Capacity
Max # available spaces per day or night. Leave blank for unlimited spaces.

Fee Per Reservation

Cost \$

Max Orders/Day

Fee Unit Day Night

PUBLIC SCREENS

Buying a Seasonal Pass – From the Facilities reservation homepage, users would click on the “Season Pass” link to purchase or access their season passes.

MP-PAA

Content for public users go here: Cras justo odio, dapibus ac facilisis in, egestas eget quam. Donec id elit non mi porta gravida at eget metus. Nullam id dolor id nibh ultricies vehicula ut id elit. Cras justo odio, dapibus ac facilisis in, egestas eget quam. Donec id elit non mi porta gravida at eget metus. Nullam id dolor id nibh ultricies vehicula ut id elit. Cras justo odio, dapibus ac facilisis in, egestas eget quam. Donec id elit non mi porta gravida at eget metus. Nullam id dolor id nibh ultricies vehicula ut id elit.

- [🔍 Search Properties >](#)
- [🏠 Seasonal Pass >](#)
- [📅 My Reservations >](#)
- [👤 Log in >](#)
- [✍ Register >](#)

The next screen will present a list of the available passes from which the user would select the pass or passes and click the Buy Now button.



Users would then be presented with the common checkout screens for completing the purchase.

5.2 INFORMATION-ONLY INVENTORY

BUSINESS PROBLEM:

The MP-PAA would like to list properties for informational purposes only with the results from a reservation search request. For example, in the case of a hunt tract with multiple hunting zones, the entire tract could be listed displaying information about the property but since only the individual zones are able to be reserved, the tract listing should not have a cost or availability associated with it and should not be available for reservation.

PROPOSED SOLUTION:

VI will implement an "Information Only" inventory configuration. If checked, cost and availability will not be associated with the inventory item. VI will modify the user interface to remove the cost information and remove the reserve button availability tab.

PROTOTYPE VISUALIZATION:

To setup an information-only inventory item or property, simply add a new property then check "Information Only" box.

Location

← → Formats **B** *I* A Font Family Font Sizes ☰ ☷ 🔗

Isdfjs lfjse dfjs flsf lsjfd lsdjf slf slfj lsf jsldfj slidf
lsdf jsldfjsldfj sldfjs ldf

→ **Information Only** If checked, users can not reserve this property. ←

Active If checked, users can reserve this property immediately.

Save Cancel

[Back To Properties List](#)

Here is how it will look on the administrative site where properties are listed:

Properties

[Add New Property](#)

Property Name	Property Type	Cost	Unit	Invoice Fee	Active
ABC Hunting Track Information	Hunt Tract	\$10.00 (Person)	Day	<input type="checkbox"/>	<input checked="" type="checkbox"/> Display Only
Children Day Dream	Camping Site	\$25.00	Day	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Here is how it will be displayed on public site from search results page:

View List View Map

 [ABC Hunting Track Information](#) Information Only

Information about ABC hunting Tract

On the detail page for the information only listing, the reservation button and availability tab will be removed.

ABC Hunting Track Information

 Description Location Photos Rules/Policies

Description

jsdfjsldf jsldfj sldfj slfdj sldf sldf jsldjf
sdlf sdlf sldfjs lfj sldfj sldf jsldf sldf sldf
sldfjsdl fsjldf

Minimum Day per Reservation: 1

Information Only!

This property is not for reservation!

[Back to Search](#)

5.3 NO-COST RESERVATIONS

BUSINESS PROBLEM:

In the instance that a store owner would like to use the Facilities Reservation Service but does not require fees for their reservations, the transactional funding model would not work as there would be no payments processed.

PROPOSED SOLUTION:

VI would implement a change allowing \$0 dollar reservation items to be set up and implement a new funds flow mechanism where the store owner would be billed the VI fee on a regular basis for all no-cost transactions processed in the preceding billing period.

PROTOTYPE VISUALIZATION:

To set up a no-cost inventory item, simply set "Cost" to zero.



The screenshot shows a reservation form with the following fields and values:

- Fee Payment Type:** Pay at Checkout Pay using a PASS (dropdown menu)
- Capacity:**
Max # available spaces per day or night. Leave blank for unlimited spaces.
- Fee:** Per Reservation Per Person
- Cost:** (circled in red)
- Max Orders/Day:**

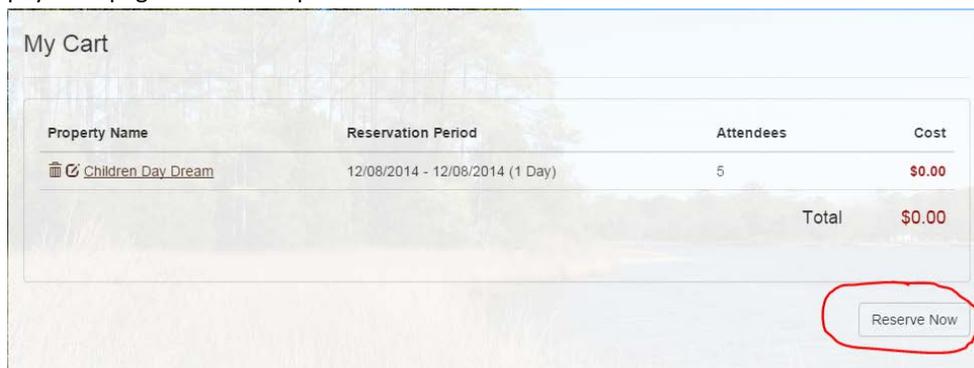
Here is how it would look on public search results page:



The screenshot shows a public search results page with two items:

- ABC Hunting Track Information:** Information about ABC hunting Tract. **Information Only**
- Children Day Dream:** Come and enjoy the World Disney look alike camping. **Cost FREE** (circled in red)

After adding the selected property to "My Cart", the user reserves the property normally however; the common checkout payment pages will not be presented:



The screenshot shows a "My Cart" page with the following table:

Property Name	Reservation Period	Attendees	Cost
Children Day Dream	12/08/2014 - 12/08/2014 (1 Day)	5	\$0.00
Total			\$0.00

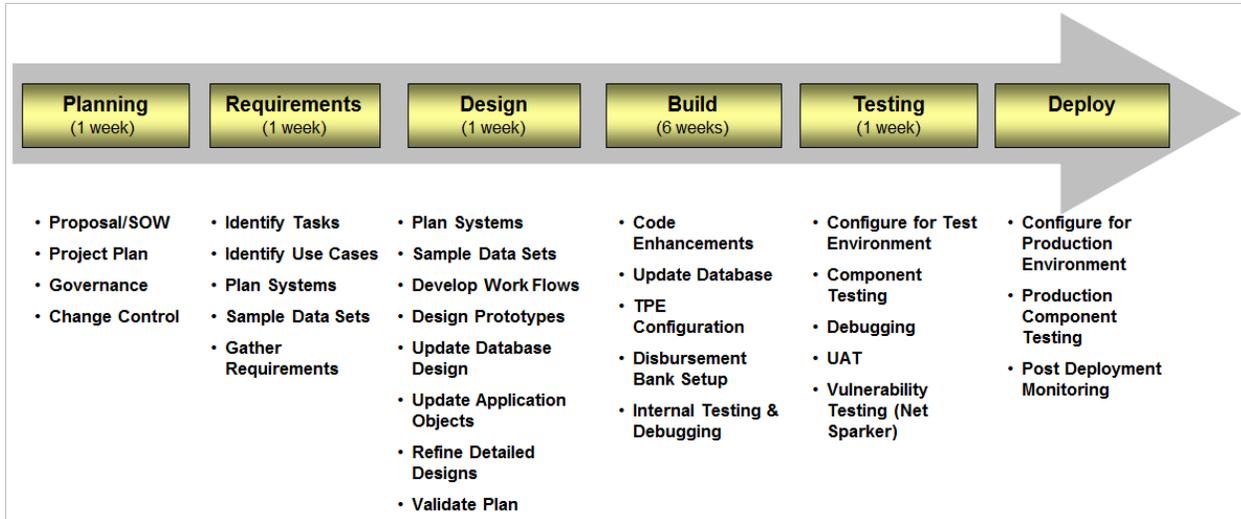
Below the table is a **Reserve Now** button (circled in red).

5.0 WORK EFFORT

VI estimates the total time needed to design, develop, and implement the enhancements to the Application would be approximately 150 to 200 hours. This estimate is contingent upon all assumptions and elements of the proposed enhancements outlined in this document remaining constant. Should assumptions change or the proposed enhancements require changes, this estimate will need to be revised.

The high-level timeline below illustrates the project breakdown according to a typical waterfall project approach.

Figure 6 – High-level Timeline





DATE: November 13, 2014

SUBJECT: Lands End Rd – Private Drive Extension Agreement

TO: Residents of Lands End Rd

In recent months the condition of the private drive has deteriorated and is not passable due to the numerous pot holes and the uneven gravel drive. It has created safety and service concerns for the rural carrier serving the private drive.

The extension agreement established that the residents would maintain the road in good condition. The rural carrier cannot safely and efficiently service the mail boxes on the route unless the road is maintained in the same condition as when the private drive deliveries were approved.

We regret any inconvenience, *but effective the date of this notice* and until the pot holes are fixed and the road is graded and passable, the rural carrier is not authorized to travel the private drive to deliver to the mail boxes. Beginning, Friday, November 14, 2014 your mail will be available for pick up at the Gloucester Post Office between the hours of 8:30 am and 5:30 pm Monday through Friday and Saturday, 10:00 am to 12:00pm. The office is closed for lunch from 1:30 pm to 2:30 pm.

The customers that are affected by the change are as follows:

4204 Lands End ~~at~~ McDermott
9524 Whittaker Dr – Ouide
4532 The Corduroy – Burney

If you have questions concerning this notice please contact me at the number listed below.

Thank you,

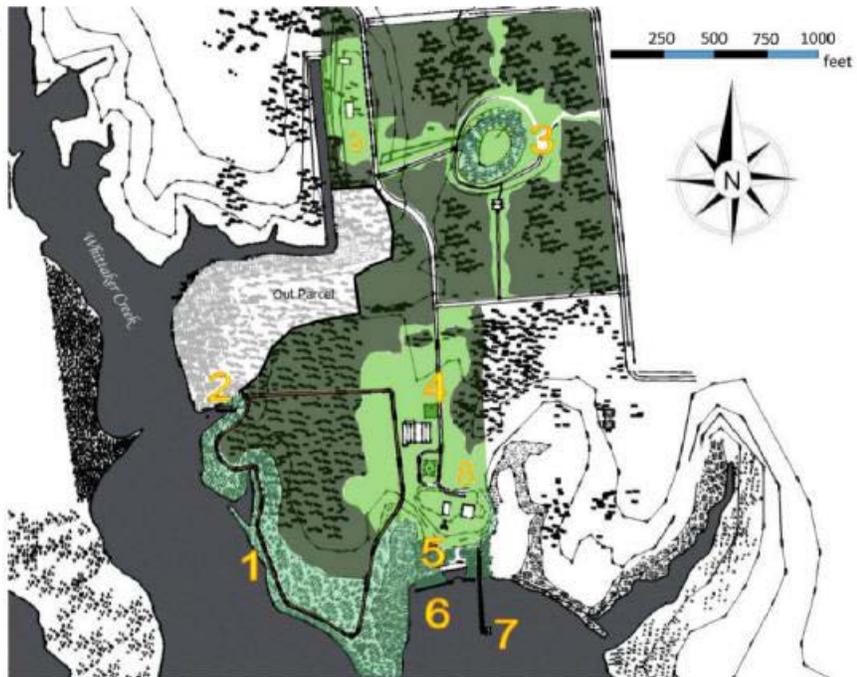

Tracy M. Sigler
Postmaster

Passive Scheme



Lands End Subdivision / Captain Sinclair's Recreation Area *Passive Scheme*

- 1 - Trails, Boardwalk, & Gazebos
- 2 - Canoe & Kayak Launch
- 3 - Eco Garden
- 4 - Parking Area
- 5 - Outdoor Theater
- 6 - Beach
- 7 - Oyster Gardening
- 8 - Nature Education Center
- 9 - Rental House

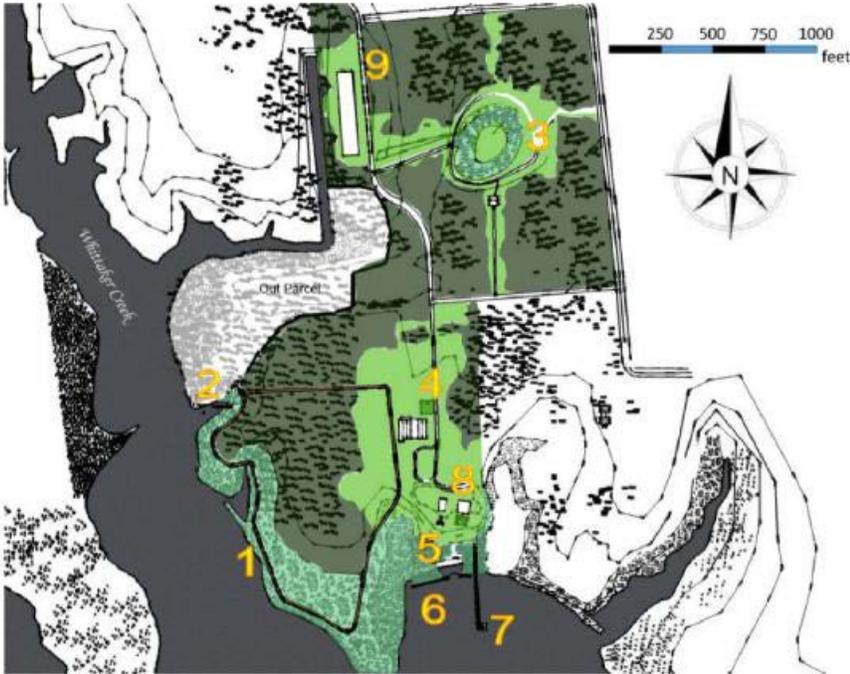


Active Scheme



Lands End Subdivision / Captain Sinclair's Recreation Area *Active Scheme*

- 1 - Trails, Boardwalk, & Gazebos
- 2 - Canoe & Kayak Launch
- 3 - Eco Garden
- 4 - Parking Area
- 5 - Outdoor Theater
- 6 - Beach
- 7 - Oyster Gardening
- 8 - Bed & Breakfast + Oyster Gardening Center
- 9 - Marine Research Center



Full Proposal Project Description

"Engineering and Assessment of Alternative Living Shoreline Designs - Biogenic Breakwaters"

(1) Project Overview

The Commonwealth of Virginia, along with numerous other state and federal agencies, as well as non-governmental organizations, is attempting to address the problems associated with climate change, estuarine ecology, and coastal geomorphology, including effects of sea-level rise and an ever-increasing frequency and intensity of storms – problems projected to persist and intensify over the next century. There are conventional methods of shoreline protection such as piling large granite boulders high just offshore of a shoreline and backfilling with sterile sand, but the economic (exorbitant cost of granite and sand purchase, transport, and deployment, as well as the cost of marsh grass for large projects) and ecological (failure of marsh grass plugs and lack of oyster reef development on such large boulders) disadvantages of such an approach have led to many homeowners, shoreline managers, and state/federal agencies to seek out more cost-effective and ecologically-efficient options for dealing with the problem of shoreline erosion and habitat degradation.

The principal investigator for this proposal, Dr. Russell Burke, an environmental biology faculty member at Christopher Newport University, in collaboration with Mr. Lewis Lawrence and the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA), is proposing a feasibility study to engineer, deploy, and assess the performance of a set of living shoreline reef systems called biogenic breakwaters along a \$1.6 million waterfront plantation property (Captain Sinclair's Recreational Area) in Gloucester County, VA that was recently donated to the MPCBPAA by a private citizen (Fig. 1a). This project is proposed as a practical, cost-effective, sustainable, and replicable solution to shoreline erosion, wetland loss, and property damage in the face of rising sea level. In addition, this project addresses the immediate needs of the MPCBPAA to implement the design, testing, and monitoring of innovative shoreline protection devices (concrete 'X model' reefs with an oyster shell veneer (Fig. 1b), concrete 'Diamond' reefs with an oyster shell veneer (Fig. 1c), and concrete Oyster Castles™ (Fig. 1d)), and will serve as a demonstration site of novel living shoreline design alternatives juxtaposed to a more traditional granite breakwater project (set to be constructed in summer 2015 (Fig. 1a)) which is funded by a 2014 National Fish and Wildlife Foundation Chesapeake Bay Small Watershed Grant that is serving to provide the matching funds for this proposal and, thus, making this a public-private collaboration. The proposed biogenic breakwater project will be deployed in a "high energy" location to: 1) reduce shoreline erosion, 2) enhance marsh grass growth and recovery, and 3) facilitate the restoration of oyster reef communities in the shallow-water zone where they were once self-perpetuating. And, ultimately, VA stakeholders (homeowners, municipal habitat managers, etc.) will have a unique opportunity to make an 'apples-to-apples'

comparison of various innovative shoreline protection projects and the traditional approach - indeed, this demonstration site will be the first of its kind in the Chesapeake Bay watershed.

(2) Relation to the Present State of Knowledge in the Field

Current State of Shorelines

Estuaries such as the Chesapeake Bay have extensive shorelines with marshes, beaches, and tidal mudflats that provide a rich habitat for plants and animals (Pyke et al. 2008, CCRM 2010). In many estuaries, however, shorelines are eroding at rapid rates, with some areas losing as much as 20-40 cm of shoreline per year (CCRM 2005). An estimated 57% of the sediment in the Bay comes from these eroding shorelines (Langland and Cronin 2003). Contributing to this phenomenon are the effects of sealevel

rise and an ever-increasing frequency and intensity of storms – problems projected to persist and even intensify over the next century (IPCC 2007, Pyke et al. 2008, Bender et al. 2010). The North Atlantic Ocean is predicted to be most severely impacted (Webster et al. 2005). Furthermore, the heavy industrial, agricultural, and residential development of watersheds, including along shorelines of rivers and estuaries, has reduced the percentage of forested land – an important natural water filter and sediment retainer. The increasing proportion of surfaces that are impervious to drainage has exacerbated erosion problems and associated delivery of pollutants to our coastal waters (NOAA 1998). The resultant increased sediment and nutrient loads have numerous negative effects on estuarine flora and fauna by:



Figure 1. (A) Google EarthTM image of Captain Sinclair's Recreational Area with the proposed VEE novel breakwaters and NFWF traditional breakwaters. Images of (B) X-model, (C) Diamond, and (D) Oyster CastleTM reef projects. (1) blocking light required for submerged aquatic vegetation, (2) burying low-lying sessile invertebrate reefs (e.g. oyster reefs) or clogging the filtration system of filter feeders, and (3) increasing the frequency and intensity of harmful algal blooms that subsequently lead to zones of low dissolved oxygen (NOAA 1998, Rabalais et al. 2001).

As coastal populations continue to grow (Tibbetts 2002, EEA 2006, Kildow et al. 2009), and as sea level continues to rise at greater than 3 mm per year (IPCC 2007), the need for shoreline stabilization has intensified (Pyke et al. 2008). There is growing concern that erosion control efforts that use "hardened" shoreline (e.g. rock revetments, wood or vinyl bulkheads) are damaging natural shoreline habitats (CCRM 2010, Pace 2011). Effective shoreline protection may be achieved, however, with a technique called "living shorelines." Living shorelines incorporate materials such as marsh plantings, shrubs and trees, low profile sills and breakwaters, and strategically placed organic material, which can recreate the ecological functions of a natural shoreline (CCRM 2010). Living shorelines also promote local participation in "best management practices" with structures that do not diminish environmental conditions while concurrently suiting the needs of the shoreline property owner (Swann 2008, CCRM 2010). These benefits include: (1) reduction of erosion and property loss, (2) lower erosion control construction costs, (3) natural and aesthetically-pleasing views, (4) restored marine habitat and spawning areas for fish and invertebrates, and (5) improved water quality.

Ecological restoration of the eastern oyster, *Crassostrea virginica*, in the Chesapeake Bay is one means of mitigating the effects of increased turbidity and phytoplankton production. In suitable environmental conditions (Hargis and Haven 1999) and with alternative substrate reefs (in part due to their ability to reduce poaching), they may also serve as physical barriers that protect shorelines from erosion (Burke 2010, Scyphers et al. 2011). One concern, however, is that epibiota and fish associated with artificial structures such as breakwaters differ from those on natural reefs (Lincoln-Smith et al. 1994, Bulleri et al. 2005). The reduced flow, turbidity or abrasion by sediments in these novel sheltered habitats can promote the establishment of assemblages that differ in species richness, composition or relative abundances from those associated with nearby natural exposed rocky habitats (Bulleri and Chapman 2005). Lerberg et al. (2000), Seitz et al. (2006), Seitz and Lawless (2008), and Bilkovic and Roggero (2008) found that the level of development of the upland habitat was indeed the primary influence of species diversity and abundance in adjacent waters. Thus, it appears that effective upland management combined with the informed selection of shoreline reef design(s) could maximize the likelihood for successful shoreline protection and faunal enhancement (Bilkovic and Roggero 2008), including commercially-fished species, as noted by Scyphers et al. (2011) for blue crabs in the presence of oyster breakwater reefs (297%).

clearing is necessary to carry out and fulfill the Uses or construct the Permitted Structures, provided the same shall be performed in compliance with all applicable Federal, State and local laws and regulations.

(ix) The Property shall be known as the "Mathews Heritage Park: In memory of Elsie M. and Otey W. Hall and the generations of Halls of Mathews County, Virginia" (the "Park Name").

CONSERVATION OF THE PROPERTY IF THE RESTRICTIONS ARE VIOLATED OR EXTINGUISHED

(A) If Grantee or its successor or assigns use and/or develop the Property in contravention of the Restrictions, or (b) if a change in conditions takes place which makes it impossible for Grantee or its successors or assigns to continue to use the Property for the Uses and in accordance with the Restrictions and the Restrictions are extinguished by judicial proceeding after a court of competent jurisdiction determines that the Restrictions can no longer be carried out, then, in either event, it is understood, agreed, granted and declared by Grantor and Grantee, for themselves and their respective successors and assigns, that upon either (a) the failure to cease using the Property in contravention of the Restriction within thirty (30) days after notice from MPL, or (b) the aforementioned judicial determination, the Property, in its entirety, shall automatically become subject to a perpetual conservation easement (as defined in § 10.1-1009 of the Code of Virginia, 1950, as amended) for the benefit of MPL (who shall be the holder (as defined in § 10.1-1009 of the Code of Virginia, 1950, as amended) thereof), and its successors and assigns as the "holder" of the conservation easement, and restrictions shall automatically be imposed on the use of the Property in accordance with the policy of the Commonwealth of Virginia as set forth in Chapter 10.1 of Title 10.1 of the Code of Virginia, 1950, as amended.

Grantee, for itself and its successors and assigns, does hereby agree (a) that the following conditions and restrictions, which shall be perpetual, run with the land, and be enforceable by MPL and its successors and assigns, shall become effective immediately upon the conservation easement taking effect (the "Conservation Easement"), and (b) to execute, upon the request of MPL or its successors and assigns, any additional documents necessary to effectuate, grant and preserve the Conservation Easement:

- (i) There shall be no commercial, institutional or industrial use of the Property.
- (ii) There shall be no commercial recreational use of or on the Property.
- (iii) The Property shall not be subdivided or developed.
- (iv) There shall be no construction, maintenance, or placement of any structures or fills on the Property, including, but not limited to, buildings, mobile homes, billboards or signs. Notwithstanding the foregoing, the following shall be permitted: (a) Boardwalks, parking lots, wildlife management structures, observation decks, picnic areas, foot trails, and informative signs directing invitees to any of the foregoing may be placed on the Property, provided that any such structure (1) permits the natural movement of water, (2) preserves the natural contour of the ground, and (3) is in compliance with all applicable federal, state and local laws pertaining to wetlands, fish and wildlife, natural resources and/or the environment; (b) a sign on the Property identifying the Park Name may be constructed and maintained on the Property; and (c) the Existing Structure and the Permitted Structures that were constructed prior to the Conservation Easement taking effect shall be maintained and repaired, as and when necessary. MPL and its successors and assigns shall have the right to require that the Grantee and its successors and assigns remove any structure constructed on the Property in violation of the Restrictions and/or the terms of this paragraph.
- (v) There shall be no mining, drilling, destroying of wetlands, placing of trash and yard debris, and/or removing topsoil, sand, or other materials from the Property, except as may be (a) necessary on a case-by-case basis with the prior written approval of the U.S. Army Corps of Engineers ("USACE"), and/or (b) reasonably appropriate to develop and maintain the Property as a place of wildlife habitat and to protect the ecosystems existing on the Property. There shall be no dumping of trash, garbage or waste or other unsightly or offensive materials on the Property.

(vi) Any ditching, draining, diking, damming, filling, excavating, grading, plowing, and/or flooding/ponding on the Property shall be performed in compliance with all applicable Federal, State and local laws and regulations.

(vii) There shall be no cultivating, harvesting, cutting (other than either (a) pruning or limbing of dead, diseased or damaged material only, and/or (b) selective cutting to insure plant growth and healthy wooded lots), logging and/or using fertilizers and spraying with biocides on the Property, except as may be necessary on a case-by-case basis with prior approval by USACE (if USACE has jurisdiction over the same); and, in any event, the same be performed in compliance with all applicable Federal, State and local laws and regulations.

(viii) There shall be no manipulation or alteration of natural water courses, lake shores, marshes or other water bodies nor shall there be activities conducted on the Property which would be detrimental to water purity or which could alter natural water level and/or flow.

Notwithstanding the foregoing restrictions applicable upon the Conservation Easement taking effect, Grantee, and its successors and assigns, shall have the right to conduct and carry-out the Uses at any time after the Conservation Easement takes effect.

MPL agrees to hold the Conservation Easement exclusively for preservation and conservation purposes, and it shall not transfer the Conservation Easement, or its rights to enforce the Restrictions and/or effectuate the Conservation Easement, in exchange for money, property or other consideration. MPL may not transfer or assign the Conservation Easement except to a public or private agency that is an organization engaged in promoting the conservation and preservation purposes for which the rights are herein granted to MPL, and that is an eligible donee "qualified organization" within Section 170 of the Internal Revenue Code or any successor provision and regulations thereunder. MPL may not transfer the rights herein granted or the Conservation Easement, whether or not for consideration, unless the transferee, as a condition of the

transfer, requires that the conservation purposes which Grantor's gift was originally intended to advance continues to be carried out.

It is understood, agreed and declared by Grantor and Grantee, with Grantee's declaration and agreement being made for itself and its successors and assigns, that the Property shall be held, leased, transferred, and sold subject to foregoing, which shall run with the land and be binding on all parties and persons claiming under them

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1953



Dirt Access Road



Hall Family Home Place

**Memorandum of Understanding (MOU) between
Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA)
and Middlesex County Board of Supervisors for the
Management of Middlesex County Owned Public Access Properties**

This Memorandum of Understanding (MOU) outlines the terms of agreement between the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA) and the Middlesex County Board of Supervisors (The County) regarding the responsibilities of each party for managing Public Access properties in Middlesex County, Virginia.

Background

2002-Creation of The Middle Peninsula Chesapeake Bay Public Access Authority

The Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA) was established under §15.2-6600 *et seq.*, of the *Code* with the authority to provide the following services to localities in the Middle Peninsula region;

1. Identify land, either owned by the Commonwealth or private holdings that can be secured for use by the general public as a public access site;
2. Research and determine ownership of all identified sites;
3. Determine appropriate public use levels of identified access sites;
4. Develop appropriate mechanism for transferring title of Commonwealth or private holdings to the Authority;
5. Develop appropriate acquisition and site management plans for public access usage;
6. Determine what holdings should be sold to advance the mission of the Authority; and
7. Perform other duties required to fulfill the mission of the Authority.

The Authority shall be governed by a board of directors with authority to (i) acquire, establish, construct, enlarge, improve, maintain, equip, operate and regulate any public access site within the territorial limits of the participating political subdivisions; (ii) construct, install, maintain, and operate facilities for managing access sites; (iii) determine fees, rates, and charges for the use of its facilities; (iv) apply for and accept gifts or other financial assistance; (v) appoint, employ or engage such officers and employees as may be necessary or appropriate, and to fix their duties and compensation; (vi) contract with any participating political subdivision for such subdivision to provide legal services, engineering services, depository and investment services; and (vii) borrow money and incur debt. Whenever it shall appear to the Authority that the need for the Authority no longer exists, the Authority, or in the proper case, any such subdivision, may petition the circuit court of a participating political subdivision for the dissolution of the Authority.

2013 – Motion by Middlesex County Board of Supervisors

At the September 3, 2013 Middlesex County Board of Supervisor’s meeting, the BOS approved a motion to have: “the MPCBPAA look at all public water access in Middlesex, creating an inventory, use and maintenance program for each, and partner with them on the Stamper’s Bay Landing project.”

Services

It is the understanding between the MPCBPAA and the County that the MPCBPAA **may** perform the following tasks associated with public water access properties in Middlesex County:

Provide an inventory of all public water access property in Middlesex County, including existing infrastructure;

Research conveyance documents for each public water access property to determine ownership and/or easement interests;

Research conveyance documents for each public water access property to determine legal and/or permitted uses;

Develop a public access management plan for public water access properties with consideration of title or deed restrictions that may exist on the property (management plans will be developed with input from neighbors, users, the County, and others who have an interest);

Determine fees, rates, and charges for the use of public water access properties;

Research and document legal right of ways to public water access property;

Develop individual guidelines for use of each public water access property;

Coordinate with VDOT and develop management agreements on “road ending” public water access properties.

The MPCBPAA **can** be responsible for administration of the public access management plan for each property.

The MPCBPAA **can** be responsible for ensuring that a safe and secure environment is provided for users of each public access property.

The MPCBPAA **can** be responsible for maintenance and upkeep of the property and all existing and future improvements on the property.

The MPCBPAA **can** be responsible for acquisition of resources to assist in the facilitation of managing the property, constructing and improving facilities, and maintaining the public

properties including, but not limited to, applying for grant funding and potentially creating a permitting fee structure as a part of the site management plan. The MPCBPAA will coordinate with the County on efforts to obtain grant funding that require matching funds. The MPCBPAA will coordinate and gain approval from the County prior to charging fees for use of water access facilities

The MPCBPAA **can** be responsible for obtaining and/or providing all services necessary for administration of the public access management plan and all maintenance and improvements to the properties under this agreement.

The MPCBPAA **can** resolve any issues and/or discrepancies that may arise that are associated with the use of the public access properties under this agreement.

The MPCBPAA **can** be responsible for facilitating all future public access land donations and acquisitions on behalf of the County.

Consideration and Terms:

In the consideration of the services rendered in this agreement, County agrees to compensate the MPCBPAA at a mutually agreed upon schedule.

Agreement

All terms of agreement are included herein this MOU and any changes shall be in writing and agreed to by both parties.

Accepted By:

Middlesex County Board of Supervisors

Authorized Representative _____

Date

Print Name/Title _____

Middle Peninsula Chesapeake Bay
Public Access Authority

By: _____

Lewis Lawrence, Secretary

Date