

# AGENDA

## MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

February 13, 2004  
Middle Peninsula Planning District Commission  
Middlesex County, Virginia

1. Welcome and Introductions
2. Approval of Minutes
3. Treasure Report
4. Public Comment
5. Delegate Morgan's Budget Amendment
6. Work Plan Development- \$10,000 Coastal Program Reprogrammed funding support
7. CELP (Coastal and Estuarine Land Conservation Program) \$1,000,000 Dragon Funding-  
Federal Earmark-Public Access
8. New Point Project Update
9. Brown Tract Management Plan Meeting
10. Middle Peninsula Land Trust- Mathews County fee simple land
11. Gloucester County Public Access funding assistance
12. Logo Development
13. Other Business
14. Next Meeting
15. Adjourn

**Middle Peninsula Chesapeake Bay Public Access Authority  
Minutes  
December 12, 2003**

The Middle Peninsula Chesapeake Bay Public Access Authority held its meeting in the Middle Peninsula Planning District Commission Regional Board Room at noon in Saluda, Virginia, on December 12, 2003. Members present were Chairman Stephen Whiteway, Mathews County Administrator; Lewis Lawrence, Director of Regional Planning MPPDC; Louise Theberge, Gloucester County Board of Supervisors; Ronald Hachey, King and Queen County Administrator; Claire Jones, Zoning Administrator of Town of West Point; Dan Kavanagh, Executive Director MPPDC; David Fuss, Program Director of Dragon Run Specialized Area Management Plan; Julie Bixby, Virginia Coastal Program; Gary Allen, Essex County Administrator; Terri Hale, King William County Assistant Administrator; and Rose Lewis, Secretary MPPDC.

Chairman Whiteway welcomed everyone in attendance.

Chairman Whiteway requested a motion to approve the August Minutes. Before approving the Minutes, Ronald Hachey requested that more detailed information regarding Lewis' visit with Mr. Robbie Walton of King and Queen County be updated to the Authority verbally. Lewis commented that Mr. Walton was interested in buying property from VDOT. Lewis will make changes to the August minutes to reflect the discussion with Mr. Walton. Louise Theberge moved that the August Minutes be approved; Terri Hale seconded the motion; motion carried.

Chairman Whiteway requested Lewis to review the December Financial Report. Several contracts are opened and several are closed. The administrative service grant closed in October and is not reflected on the December Financial Report. On the Brown Tract purchase, two grants opened with \$392,000 for the purchase of Brown, survey, legal fees, signage, development of the management plan, etc.

A question and answer period followed. Ron Hachey inquired about the structure of the management plan of the Public Access Authority.

There were no Public Comments.

**Update on A Coastal Program Land Purchase "Brown Tract" – Lewis Lawrence, Dir. Of Regional Planning, MPPDC**

There are 274 acres of land on the Brown Tract. The Brown Tract is two tracts of land located in parts of Essex County and upper King and Queen County. As terms of the VA Coastal Program Brown tract-funding contract instructs, after surveying of the whole tract, the Department of Forestry and the Public Access Authority will each take approximately 50% ownership of the Brown Tract.

Lewis commented that the Friends of the Dragon Run have expressed interest in acting as stewards of the Brown Tract.

### **Discussion of BFI Grant Award to the Access Authority**

\$37,500 was received from the BFI through the Middle Peninsula Land Trust to build a walkway and expand parking at the Brown Tract.

Chairman Whiteway described a concept for the development of a management plan for the Brown tract and a conceptual planning process. Chairman Whiteway suggested that a sub-committee be formed to work with the staff on the development of a management plan. Gary Allen, Essex County Administrator, and Ron Hachey, King and Queen County Administrator, were appointed by Chairman Whiteway to work with the MPPDC staff. Mr. Hachey wanted to know if a Department of Forestry representative will be included and Lewis said yes, all stakeholders would have a seat at the table. A management team meeting could be scheduled in January or February 2004.

### **Discussion of the Potential for State Funding Support**

Delegate Harvey Morgan supported the enabling legislation creating the Access Authority and will be entering a budget amendment to provide funding for parting or full time staff support for the Authority. Budget amendment could range from \$50,000 to \$200,000 for up to two years of funding for indirect and direct expenditures.

Chairman Whiteway requested a motion to prepare a letter of support in the form of a resolution for Delegate Harvey Morgan's budget amendment if needed by Delegate Morgan. Louise Theberge moved to prepare a resolution; Ron Hachey seconded the motion; motion carried.

### **Other Business**

Gary Allen, Essex County Administrator, reported that Hurricane Isabel destroyed the June Park Marina. The CORE of Engineers are going to exploring the possibility of dredging the channel to the marina. May ask the MPCBPAA to take over project in the next few months.

Clare Jones, Zoning Administrator-Town of West Point, reported that the hurricane destroyed the River Restaurant and chairs were found all over the Town at residences.

Ron Hachey, King and Queen County Administrator, the Brown Tract project received a lot of attention by the Access Authority and hopefully by the summer, more sites will be looked at by the PAA.

Dan Kavanagh, Executive Director of MPPDC, said that Urbanna is purchasing Jamison Marina and the remaining restaurant building. Plans are made to build a public facility with slips on that spot.

Ron Hachey, King and Queen County Administrator, asked Chairman Whiteway and Lewis did they think it would be feasible to extend an invitation to consider joining the PAA to the Towns of Urbanna and Middlesex again. Both Chairman Whiteway and Lewis agreed that it would be worth a try.

Chairman Whiteway said that Mathews County had a total of eight public dock and piers destroyed during hurricane Isabel. They will probably not be rebuilt until April because the contractors have so much work ahead of them and because of the winter. Mathews County also closed on a 40-acre beachfront property called North Haven Beach on the Chesapeake Bay. Plans

are to do beach restoration. New Point Light is a regional project headed up by the CORE of Engineers for a facility study to rebuild the island. Also, there are plans to do a study on the lighthouse to rebuild a pier. Monies will probably be raised in the spring for this project. There is an estimated cost of \$7,950 for this project.

Dan suggested that regional projects that are significant and should be included in an annual work plan for the PAA. Possible projects would include the Mathews Lighthouse, Marina in Tappahannock, and other long-term projects.

Louise Theberge, Gloucester County Board of Supervisors, said that Gloucester County is seeking \$750,000 from various funding sources redo the public landing piers at Gloucester Point destroyed by Isabel.

Dan gave an update regarding the State Park sites. Three sites have been looked at by DCR and they are Timber Neck Farm and Eagle Point in Gloucester County, and Rosegill in the Town of Urbanna. DCR staff completed their data and made a recommendation.

The Bay School Cultural Arts Center under the direction of Wendy Wells initiated a logo contest for the Middle Peninsula Chesapeake Bay Public Access Authority. Lewis said that school kids had the opportunity to develop a logo and the logos will be on display at the next meeting.

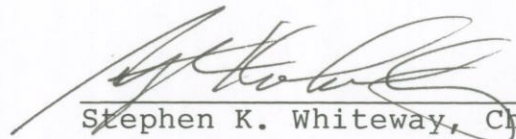
#### **Next Meeting**

The next meeting will be held on Friday, February 13, 2004, at noon. At this meeting, the PAA will discuss the annual work plan and the submission of submit a PAA update to all of the participating county and town boards.

Chairman Whiteway favored to send a letter, annual report, and update of activities to the participating counties and towns before the February meeting.

#### **Adjourn**

Chairman Whiteway adjourned the meeting.

  
Stephen K. Whiteway, Chairman

REVENUE AND EXPENDITURE REPORT BY PROJECT (Quicks)

MIDDLE PENINSULA PLANNING DISTRICT COMMISSION  
 Project 320 MP PUBLIC ACCESS AUTHORITY Project Period: 08/01/03 - 06/30/04

Period Ending 02/02/04  
 Run Date: 02-02-2004  
 Run Time: 11:08:36  
 Page: 1

CODE	DESCRIPTION	BUDGET	PRIOR YR	CURRENT	YR-TO-DT	PROJ TOT	UNDR/OVR	% BUDGET
REVENUES								
434	MPLT BFI AWARD	37500.00	0.00	37500.00	37500.00	37500.00	0.00	100.00%
478	DEQ-BROWN TRACT	392000.00	0.00	0.00	372800.00	372800.00	19200.00	95.10%
	Revenues...	429500.00	0.00	37500.00	410300.00	410300.00	19200.00	95.53%
EXPENSES								
535	EQUIPMENT/SUPPLY EXP.OTHR	2000.00	0.00	175.00	175.00	175.00	1825.00	8.75%
564	CONSULT./CONTRACTUAL EXP.	25000.00	0.00	3792.60	8651.21	8651.21	16348.79	34.60%
576	CONSTRUCTION	365000.00	0.00	0.00	365000.00	365000.00	0.00	100.00%
	Expenses...	392000.00	0.00	3967.60	373826.21	373826.21	18173.79	95.36%
	Revenues...	429500.00	0.00	37500.00	410300.00	410300.00	19200.00	95.53%
	Expenses...	392000.00	0.00	3967.60	373826.21	373826.21	18173.79	95.36%
	Balance....	37500.00	0.00	33532.40	36473.79	36473.79		

REVENUE AND EXPENDITURE REPORT BY ELEMENT (Quicks)

MIDDLE PENINSULA PLANNING DISTRICT COMMISSION  
 Project 320 MP PUBLIC ACCESS AUTHORITY Project Period: 08/01/03 - 06/30/04

Period Ending: 02/02/04  
 Run Date: 02-02-2004  
 Run Time: 11:08:31  
 Page: 1

ELEM CODE	DESCRIPTION	BUDGET	PRIOR YR	CURRENT	YR-TO-DT	PROJ TOT	UNDR/OVR	% BUDGET
-----								
REVENUES								
-----								
478	DEQ-BROWN TRACT	0.00	0.00	-352800.00	0.00	0.00	0.00	0.00%
	Revenues...	0.00	0.00	-352800.00	0.00	0.00	0.00	0.00%
	Balance...	0.00	0.00	-352800.00	0.00	0.00		
-----								
3220	COASTAL PROGRAM BROWN TRACT PROJECT							
-----								
REVENUES								
-----								
478	DEQ-BROWN TRACT	200000.00	0.00	180000.00	200000.00	200000.00	0.00	100.00%
	Revenues...	200000.00	0.00	180000.00	200000.00	200000.00	0.00	100.00%
EXPENSES								
-----								
564	CONSULT./CONTRACTUAL EXP.	15000.00	0.00	2259.60	3837.85	3837.85	11162.15	25.59%
576	CONSTRUCTION	185000.00	0.00	0.00	185000.00	185000.00	0.00	100.00%
	Expenses...	200000.00	0.00	2259.60	188837.85	188837.85	11162.15	94.42%
	Balance...	0.00	0.00	177740.40	11162.15	11162.15		
-----								
3221	BROWN TRACT							
-----								
REVENUES								
-----								
478	DEQ-BROWN TRACT	192000.00	0.00	172800.00	172800.00	172800.00	19200.00	90.00%
	Revenues...	192000.00	0.00	172800.00	172800.00	172800.00	19200.00	90.00%
EXPENSES								
-----								
535	EQUIPMENT/SUPPLY EXP.OTHR	2000.00	0.00	175.00	175.00	175.00	1825.00	8.75%
564	CONSULT./CONTRACTUAL EXP.	10000.00	0.00	1533.00	4813.36	4813.36	5186.64	48.13%
576	CONSTRUCTION	180000.00	0.00	0.00	180000.00	180000.00	0.00	100.00%
	Expenses...	192000.00	0.00	1708.00	184988.36	184988.36	7011.64	96.35%
	Balance...	0.00	0.00	171092.00	-12188.36	-12188.36		
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3223	BROWN TRACT INFRASTRUCTURE							
-----								
REVENUES								
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REVENUE AND EXPENDITURE REPORT BY ELEMENT (Quicks)

MIDDLE PENINSULA PLANNING DISTRICT COMMISSION  
 Project 320 MP PUBLIC ACCESS AUTHORIT Project Period: 08/01/03 - 06/30/04

Period Ending: 02/02/04  
 Run Date: 02-02-2004  
 Run Time: 11:08:31  
 Page: 2

ELEM CODE	DESCRIPTION	BUDGET	PRIOR YR	CURRENT	YR-TO-DT	PROJ TOT	UNDR/OVR	% BUDGET
434	MPLT BFI AWARD	37500.00	0.00	37500.00	37500.00	37500.00	0.00	100.00%
	Revenues...	37500.00	0.00	37500.00	37500.00	37500.00	0.00	100.00%
	Balance...	37500.00	0.00	37500.00	37500.00	37500.00		
	Project revenue	429500.00	0.00	37500.00	410300.00	410300.00	19200.00	95.53%
	Project expenses	392000.00	0.00	3967.60	373826.21	373826.21	18173.79	95.36%
	Project balance	37500.00	0.00	33532.40	36473.79	36473.79		

**PUBLIC COMMENT**



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Chief Patron: Morgan

Item 382 #3h

**Natural Resources**

Department Of Conservation And Recreation

**FY 04-05**  
\$70,000

**FY 05-06**  
\$0   GF

**Language:**

Page 298, line 25, strike "\$22,738,678" and insert "\$22,808,678".

Page 299, after line 57, insert:

"I. Out of the amounts provided for Shoreline Management, \$70,000 the first year from the general fund shall be transferred to the Middle Peninsula Planning District Commission for use in furthering the purposes of the Middle Peninsula Chesapeake Bay Public Access Authority established pursuant to § 15.2-6600, Code of Virginia."

**Explanation:**

(This amendment provides \$70,000 the first year in general fund support to the Middle Peninsula Planning District Commission, which serves as fiscal agent for the Middle Peninsula Chesapeake Bay Public Access Authority. The general fund dollars will be used by the planning district commission to increase public access to the Chesapeake Bay in the seven Middle Peninsula localities that, collectively, form the Middle Peninsula Chesapeake Bay Public Access Authority. According to the Virginia Outdoors Plan, the Middle Peninsula does not currently have sufficient public access to the Chesapeake Bay for boating and other water recreation activities.)

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## Department of Conservation and Recreation (199)

382.	Land Management (50300)	22,738,678	20,977,511
	Urban Non-Point Source Pollution Control (50301)	1,451,557	1,451,557
	Land Stabilization and Conservation (50302)	1,267,820	1,267,820
	Shoreline Management (50311)	233,507	233,507
	Statewide Non-Point Source Pollution Control (50312)	10,095,018	8,177,518
	Dam Safety Inventory, Inspection, and Certification (50314)	667,052	667,052
	Natural Heritage Resource Preservation and Management (50317)	2,937,988	2,937,988
	Nutrient Management (50319)	1,418,245	1,418,245
	Assistance to Soil and Water Conservation Districts (50320)	4,085,440	4,085,440
	Flood Plain Management (50321)	582,051	738,384
Fund Sources:	General	12,377,619	10,616,452
	Special	1,784,202	1,784,202
	Dedicated Special Revenue	1,340,637	1,340,637
	Federal Trust	7,236,220	7,236,220

Authority: Title 10.1, Chapters 1, 5, 6, 7, and 21.1, Code of Virginia.

A. Included in the amounts for Assistance to Soil and Water Conservation Districts is \$50,000 the first year and \$50,000 the second year from the general fund for the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund (§10.1-611.1, Code of Virginia) to address needs of dams operated by Soil and Water Conservation Districts.

B. The funds provided in this Item for the Soil and Water Conservation Districts shall be distributed to the greatest extent possible to the districts in accordance with program, financial and resource allocation policies established by the Soil and Water Conservation Board. The June 30, 2005 and June 30, 2006, unexpended general fund balances in Assistance to Soil and Water Conservation Districts are hereby reappropriated.

C. Included in the amount for Statewide Non-Point Source Pollution Control, are \$685,473 the first year, and \$685,473 the second year from the general fund as the Commonwealth's statewide match for participation in the federal Conservation Reserve Program. Any unexpended general fund balance designated for Virginia's Conservation Reserve Enhancement Program remaining on June 30, 2005, and June 30, 2006, shall be reappropriated.

D. Out of the amounts for Statewide Non-Point Source Pollution Control, \$1,917,500 the first year is appropriated from the general fund to be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997, Title 10.1, Chapter 21.1, Code of Virginia.

E. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural Resources, pursuant to §10.1-2129, Code of Virginia.

F. If the Rappahannock River Basin Commission elects as its chairman a member of the General Assembly, the Division of Legislative Services is hereby authorized to provide reasonable staff and technical assistance to the

Commission. The Commission shall report to the Secretary of Natural Resources and the Chairmen of the Senate Finance and House Appropriations Committees on the Commission's activities and accomplishments by November 5 of each year.

G. Notwithstanding §10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to, and for use of district-owned conservation equipment used by, landowners within the district. Such recoveries shall not exceed the amounts expended by a District on these services and equipment.

H. The Department of Conservation and Recreation is authorized to develop a cost recovery system, the funds from which shall be used to support the direct costs of providing inspections, plan review, administrative review, and certifications of non-Soil and Water Conservation District dams. The system shall employ a sliding scale, if practical, and shall be based on factors that directly relate to the costs of the dam inspection program. Total costs recovered from the new system shall not exceed 90 percent of the actual program cost.

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FEB 12 2004

# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Mailing address: P.O. Box 10009, Richmond, Virginia 23240

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W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Robert G. Burnley  
Director

(804) 698-4000  
1-800-592-5482

February 10, 2004

Mr. Randall Schneider  
Coastal Programs Division/ OCRM  
NOAA, SSMC4, N/ORM3, Room 11208  
1305 East West Highway  
Silver Spring, MD 20910

RE: NA17OZ1142

Dear Randy:

Enclosed are the Scope of Work, signed 306A Checklist and a copy of the deed for FY 2001 Task 51 - New Point Comfort Lighthouse Improvements. The Middle Peninsula Public Access Authority, on behalf of Mathews County, is proposing to build a 16 foot pier on New Point Comfort Lighthouse Island to provide access to the lighthouse for maintenance as well as public access for educational purposes. This proposal is actually for *reconstructing* a pier that was destroyed in a storm. All the necessary permits have already been acquired.

Please let me know if you would like any further information on this project.

Sincerely,

Laura B. McKay  
Coastal Program Manager

Enclosures

cc: Lewis Lawrence, Middle Peninsula Public Access Authority

All construction on and around this historic landmark will meet the Department of Historic Resources and SHPO recommendations as well as handicap accessibility requirements.

**IV. BUDGET**

(This table does not automatically calculate totals, be sure to double check all figures before submitting to the Coastal Program)

	<u>Federal</u>	<u>Match</u>	<u>Total</u>	<u>Budget Narrative</u>
<u>Personnel</u>	1035			Approximately 40 hours for Director of Regional Planning (annual salary \$50,000)
<u>Fringe</u>	362			35% of Personnel
<u>Equipment</u>				
<u>Travel</u>				
<u>Supplies</u>				
<u>Contractual</u>				
<u>Construction</u>	7590			Replacement pier & steel door
<u>Other</u>	300			Signage at site
<b>TOTAL DIRECT</b>	9287			
<u>Indirect</u>	713			Indirect rate is 51% of personnel and fringe costs
<b>TOTAL</b>	10,000			

**V. DELIVERABLES/PRODUCTS**

Product #1

*Title:* New Point Lighthouse Improvements Final Report

*Description:* A final report will be prepared and submitted to the Virginia Coastal Program which includes: final design specs for the pier construction; a description of the construction process (date construction began, finished etc.) and; pictures of the site pre-construction, during construction and after construction has been completed.

*Timeframe:* Start: May 1, 2004  
End: Sept. 30, 2004

## 2001 VIRGINIA COASTAL RESOURCES MANAGEMENT PROGRAM GRANT

Project Title: New Point Comfort Lighthouse Improvements

### I. LEGAL APPLICANT

Name: Stephen Whiteway

Organization: Middle Peninsula Chesapeake Bay Public Access Authority

Street Address: c/o MP PDC 125 Bowden Street

City, State, Zip: Saluda, VA 23149

Project Manager: Lewis Lawrence

Title: Director of Regional Planning

Phone: (804) 758-2311

Fax: (804) 758-3221

E-mail: [LLawrence@mppdc.com](mailto:LLawrence@mppdc.com)

### II. PROJECT DETAILS

Geographic Area of Impact: New Point Comfort Lighthouse, Mathews County, Virginia

Congressional District(s): First

Classification: Specific Issues – Public Access

Start Date: May 1, 2004 End Date: Sept. 30, 2004

Project continuing from previous year? (yes or no)

### III. PROJECT SUMMARY (2000 Character Limit)

The New Point Comfort Lighthouse is a historical monument that Mathews County has held deed to since 1975. First illuminated in 1803 the lighthouse is the third oldest lighthouse in the Chesapeake Bay. Through a 1992 grant, the Virginia Coastal Program purchased 95 acres of land on New Point Comfort very near the lighthouse. In a subsequent grant, the program built a boardwalk northwest of the lighthouse on the mainland. The New Point Comfort Lighthouse Preservation Task Force was formed in June, 2001 to develop a master plan for preserving the lighthouse and making it accessible to the public.

The two hurricanes in 1933 severed the lighthouse from the mainland and the 63-foot sandstone tower now stands on an small rip-rap island in the Chesapeake Bay approximately ¼ mile from the mainland. Currently, the lighthouse is in need of normal maintenance work (painting etc.)

One impediment to any repair and maintenance work is the lack of access to the site. This project proposes to reconstruct a 16 foot pier and T Head that were destroyed by storms on the island that will allow access for both site improvements and public access. Funds will also be used to install a new steel door (old door was destroyed by vandals) on the historic lighthouse for security purposes.

# Middle Peninsula Chesapeake Bay Public Access Authority

Saluda Professional Center, 125 Bowden Street, P. O. Box 286, Saluda, VA 23149-0286  
Phone: (804) 758-2311 FAX: (804) 758-3221

February 3, 2004

## Members

Essex County  
Mr. R. Gary Allen  
(Treasurer)

Town of Tappahannock  
Vacant

Gloucester County  
Hon. Louise D. Theberge

King and Queen County  
Mr. Ronald A. Hachey

King William County  
Mr. Frank Pleva  
(Vice Chairman)

Town of West Point  
Mr. Anthony Romanello

Mathews County  
Mr. Steve Whiteway  
(Chairman)

TO: Interested Parties

BY: Lewis Lawrence, Director of Regional Planning



RE: Brown Tract Management Team Meeting – February 17<sup>th</sup>, 2004

This is to call the meeting of the Brown Tract Management Team for February 17<sup>th</sup>, 2004. The meeting will be held in the, Middle Peninsula Planning District Commission Board Room, 125 Bowden Street, Saluda Virginia. The meeting is scheduled to begin at 1:30 p.m. and run until 3:30 p.m.

In the event you are unable to attend the meeting, please take a few moments and provide comments as to what you think appropriate and inappropriate uses are for the Brown Tract. Your comments will assist with the development of a management plan for the tract.

Should you have any questions concerning this meeting, please feel free to contact me at 804-758-2311.

## Agenda

1. Introductions
2. Coastal Program – Role in Land Acquisition
3. Brief Explanation of the Middle Peninsula Chesapeake Bay Public Access Authority
4. Department of Forestry- State Forest FAQ Discussion
5. Discussion of a frame work for the Brown Management Plan
6. User Group Profile- needs and wants
7. Next Step
8. Next Meeting