

In The Matter Of:
Portsmouth Wetlands Board
Transcript of Public Hearing

June 5, 2019

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PORTSMOUTH WETLANDS BOARD
TRANSCRIPT OF PUBLIC HEARING
WEDNESDAY, JUNE 5, 2019, 3:30 P.M.

CONFERENCE ROOM
SIXTH FLOOR, CITY HALL

COMMISSIONERS PRESENT:

- Steve Baum, Chairman
- Donald Smith, Vice-Chairman
- Jennifer Monument
- Patrick Goold
- Douglas Union
- Rich Calvert

CITY STAFF PRESENT:

- Stacy Porter
- Jeffrey Miller, Assistant City Attorney
- Kelsey Swieringa, Assistant City Attorney

1 (Meeting called to order at 3:30 p.m.)
2 MR. BAUM: I would like to call the
meeting to order.
3 Planning Staff, please take attendance.
4 MS. PORTER: Absolutely. All right.
5 Good afternoon everybody.
6 MR. SMITH: Good afternoon.
7 MS. PORTER: All right. And also I would
8 like to welcome our new member, Rich Calvert. He just
9 has been around and doing a great job as a contractor.
10 We welcome you aboard.
11 MR. CALVERT: Thank you. Thanks
12 everybody.
13 MS. PORTER: Yes. And you feel free to
14 share anything, even if it's your favorite food,
15 anything.
16 MR. CALVERT: I would like for us to take
17 a moment and pause for the victims of Virginia Beach.
18 MS. PORTER: Sure.
19 MR. CALVERT: There is a lot of people in
20 Building 2 that I work with. As a matter of fact, just
21 about everybody in the entire system out of Building 2
22 runs the permits. There is Planning. There is Zoning.
23 There is Public Works. So I would like to just, if we
24 could just pause for a moment and pray for those that
25 are still injured and the families of the victims.
MS. PORTER: Sure. All right. We will
pause.
(Minute of silence.)
Thank you. Thank you. I'm going to go
ahead and do our attendance.
(Roll call.)
MR. BAUM: At this time I would like to
ask for any additions or corrections to the minutes
from our previous meeting.
I know, Rich, you haven't seen it.
MR. CALVERT: That's okay.
MR. BAUM: But anyway, I just want to
ask, offer an opportunity for anybody to provide input.
So with that, no input, I would like to ask for a
motion to approve the minutes of the previous meeting.
MS. MONUMENT: Motion to approve the
minutes.
MR. BAUM: Second.
MR. SMITH: Second.
MR. BAUM: Okay. The minutes are
approved.
MS. PORTER: All right. Wonderful. All
right. We're going to go ahead on to our new business,

1 and we're going to vote. I did add some things under
2 new business that's not on the agenda, but I'm going to
3 go ahead and do our nomination and voting of officers,
and that's just our Chair and Vice Chair. It should be
pretty easy.

4 All right. We're going to start with our
5 Vice Chair. Do we have any nominations for Vice Chair?
6 Anybody?

7 MR. SMITH: I'm happy to sit in the
8 chair. I don't know if I can self nominate.

9 MS. PORTER: You're welcome to nominate
10 yourself.

11 MR. GOOLD: I nominate Don.

12 MS. PORTER: Okay. All right. We have a
13 nomination. Do we have a second?

14 MR. BAUM: I second.

15 MS. PORTER: All right. It's been
16 properly seconded.

17 All those in favor of Don Smith being our
18 Vice Chair, please raise your hand.

19 (Vote)

20 All right. You're not going to vote for
21 yourself?

22 MR. BAUM: Thank you, Don.

23 MS. PORTER: All right. We're going to
24 vote for our Chair. Okay. Any nominations for Chair?

25 MR. SMITH: I would like to nominate
Steve to continue on in his capacity.

MR. GOOLD: I'll second it.

MS. PORTER: Okay. All right.

MR. UNION: I'll second it.

MS. PORTER: All right. Wonderful,
nominated and seconded.

MR. BAUM: Thank you. I just note that
this afternoon I was looking over some notes, and this
will be going into my fifth year, so next summer will
be the end of my tenure.

MS. PORTER: Oh, really? Wow. I didn't
even look at that.

MR. BAUM: Time rolls by.

MS. PORTER: It sure does.

MR. BAUM: 2015, I came in.

MS. PORTER: All right. Well, he's been
nominated, Steve has been nominated and properly
seconded.

All those in favor of Steve being our
Chair?

(Vote)

All right. Well, congratulations.

1 MR. BAUM: Thank you.

2 MR. SMITH: Congrats, Steve.

3 MR. BAUM: Thank you.

4 MS. PORTER: All right. We will get down
5 to some presentation things from the Wetlands Workshop
6 in just a moment, but I do want you all to look at your
7 contact information sheet, make sure that is correct.
8 I want to make sure everything is updated. If
9 something doesn't make sense, let me know. Make a
10 little notation on that page. You can leave it right
11 at your place setting, and I'll go ahead and make
12 corrections for everyone, and get that final page out
13 to all.

14 And then also, your Vice Chairman,
15 Mr. Don Smith, asked me to provide copies of your
16 Bylaws to you. And the latest copy, let's see, was
17 edited July of last year. So just feel free at your
18 leisure to go ahead and review your Bylaws, and you all
19 did follow your Bylaws as written. You're supposed to,
20 at your annual meeting, at least one meeting --

21 Hey, Kelsey. This is our City Attorney
22 who represents us.

23 -- we always are going to vote on your
24 Vice Chair and our Chair, so you've done that. So
25 that's wonderful.

26 And then also really quickly, you all
27 probably saw an email today about a wetland violation.
28 We're still trying to clear that up. What happened,
29 Mr. Outland -- this was reflected in our minutes from
30 our last meeting -- Mr. Outland inherited a property
31 that had a Chesapeake Bay violation and a wetland
32 violation on it. He's really trying his very best. So
33 I am going to work with him. I gave him a couple of
34 more days to try to resolve some things. We're getting
35 that straight. And I'll send out a copy of the final
letter just, you know, stating it's resolved, hopefully
by Friday.

36 All right. That is all. I was going to
37 let our Chair and Vice Chairman go ahead and take on
38 the meeting.

39 MR. SMITH: There is no heat on you. I
40 kind of put this together. If you've got something --

41 MR. BAUM: No, I don't.

42 And Don is going to put a presentation on
43 for us at this point --

44 MS. PORTER: Okay.

45 MR. BAUM: -- and provide us with some
insight from what he learned at his recent training.

Don, it's on you.

1 MR. SMITH: Thank you. Thank you.
2 Good afternoon. So Patrick and Doug and
3 I went up to Gloucester to VIMS, and it's a pretty
4 heavy presentation, and it really -- a lot of it goes
5 over our heads, but there was some information, some
6 resources that we got that I thought, well, you know, I
7 know when I came on I was -- I'm a pretty smart guy,
8 but I missed some of the definitions and nomenclature.
9 I thought, well, I don't want to assume everybody knows
10 everything, so --

11 MS. PORTER: Do you want me to page down?

12 MR. SMITH: Actually, go back to the
13 first slide.

14 MS. PORTER: Sure.

15 MR. SMITH: I think it's important to
16 remember, you know, we work for the public, and when
17 we're dealing with these applications that come in,
18 we're really trying to look out for our folks in
19 Portsmouth, and they have some rights, but most folks,
20 really, they're looking out for themselves, and we need
21 to guide them in the right direction.

22 Okay. So they can do, not what they
23 want, but they have a lot of latitude. And, again,
24 they don't know, and they come to us, and we rely --
25 Stacy makes recommendations, and we can take those
recommendations or not, and I know Stacy refers to VIMS
and the VMRC --

MS. PORTER: VMRC.

MR. SMITH: -- to make her
recommendations, but we have our own say on things, but
the more we know, the better our decisions are.

Anyway, okay, next. I don't think we'll
go through the whole thing, but that's kind of the main
thing is, you know, we do have to look out for the
homeowners.

Now, this is important. Property owners
are more likely to modify if there is higher wave
energy, and so the things like fetch that will come
into it. And so we're going to look at a definition
sheet in just a minute.

And by the way, I'm not going over all of
this. Somehow we're going to get this link to this
site to you guys, so on your own you can look at it.
It's just too much to go over this afternoon.

MS. PORTER: Sure. Yes.

MR. SMITH: So is the keyboard not
working?

MS. PORTER: It's a little tricky. It's
not working for me.

1 MR. SMITH: Okay. Next. The next is a
2 survey. And so this is pretty interesting, you know,
3 Gloucester -- and I'm not even sure where Lancaster is
4 -- and Norfolk. So you have, I think, two very rural
5 areas and Norfolk, which Norfolk is a very tight
6 wetland control, but some of the modifications made,
7 living shoreline, it's great to see that Norfolk is way
8 up. Breakwaters, we probably -- I don't know that
9 we'll see many of those around here, because they
10 hamper navigation and all, and the same with the groin.
11 Revetments are declining in Norfolk, but gaining in
12 Lancaster. Bulkheads, I think hopefully we'll start to
13 see a decline in bulkheads. But this shows you that
14 homeowners do have a lot of say in what they want to
15 do, and no modifications, but you'll see more
16 modifications made on properties that have a whole lot
17 -- where the property is closer to the impact zone.

All right. Thank you.

10 And reasons, mostly reasons are to
11 maintain property value, but some of the reasons are
12 not as essential as others, and this is nice to see
13 that. And, of course, this is a survey, and a very
14 limited survey, but this is kind of altruistic, you
15 know, to not take care of themselves, but to
16 take care of the shoreline.

14 All right. Next, the same kind of thing.
15 You guys can take a look at this.

15 Let's stop on this one right now. You
16 guys can look at this information. This is just one of
17 the links on that page from VIMS, I guess.

16 So what was the next?

17 MS. PORTER: Okay. All right.

17 MR. SMITH: Where is my list here?

18 MS. PORTER: All right. Sure.

18 MR. SMITH: So that was "Shoreline
19 Property Owners." We're going to skip the modeling
20 one. Go to "Dynamic Living Shoreline."

20 MS. PORTER: Okay.

20 MR. SMITH: And, again, a lot of these
21 things were way over our heads. You know, these are
22 scientists presenting.

22 Because we can't do -- we can't do
23 anything about sea level rise, really I think what
24 we're going to focus more on here is how to protect the
25 shoreline from erosion, make it a healthy wetlands is
26 kind of what -- when we decide what comes up to us.

24 All right. Next, please. And so permits
25 are declining; I'm not sure what that's all about. But
26 you're seeing an increase in living shorelines, that's

1 a positive thing. Riprap is still strong. Bulkhead is
2 still strong, but it's getting to be a more positive
trend in a healthier wetlands.

3 Next, please. I wanted this picture
4 because I had to do a little research on what's what.
5 You know, what are all of these terms that we're
6 starting to see? Like sills and high tide and low tide
and mean tides and all of these tides.

7 And, Rich, this -- you must breathe and
8 eat this sort of stuff, but for me, I had to really
9 give it a lot of thought.

10 This bottom picture is one that really
11 interested me. They're doing a lot. They're dredging,
12 but they're throwing the dredge back onto the
13 shoreline. I thought that was really interesting.

14 And I guess they're doing -- that's a
15 maintenance slide there.

16 All right. Next. And this is just
17 showing all of the shoreline that should have some sort
18 of protection or needs protection, but doesn't have it.
19 And, again, there is -- I'm going to show you when we
20 get back to the main site our portal, the Portsmouth
21 portal. That has a lot of different layers on it that
22 you're going to want to spend time in your jammies and
23 slippers taking a look at it, but it's a dark hole. I
24 mean, you could spend hours on the portal or on this
25 whole site.

Next page, please. I think, you know, in
the best case situation, you're looking at something
like a natural marsh, and very few of the jobs that
we've been involved in have -- we did have a rock sill
recently back in your neighborhood. And then it would
be neat to talk about having oyster sills, because then
instead of granite or chunks of rock, you have oysters
that do their filtering.

But go back and take a look at this, just
so you can see some of the conditions that VIMS looks
at when they make their recommendations and pass them
on to Stacy for us to use in our final decision.

Let's go ahead and stop right there, and
we'll take a look at shoreline management.

MS. PORTER: Okay. This one.

MR. SMITH: V-5, uh-huh. All right. All
right. This is talking about the portal that every --
every county, every city has their own portal and it's
deep. There is so much information in there that I
think, like, four years ago didn't they send -- didn't
VIMS or VMRC send somebody down here to -- we were over
at the Churchland Library, and they gave us some

1 training. They gave us an inservice on it.
All right. Next page.

2 MS. PORTER: Sure.
MR. SMITH: Let's see. Next page.

3 MS. PORTER: All right.
MR. SMITH: And next page.

4 MS. PORTER: All right.
MR. SMITH: Why did I pick this one?

5 There must be something on here I really wanted to
show. Here is some of the tools and some of the data
6 that they have gathered that will be in our specific
portal.

7 Does it show how many pages are on here?
MS. PORTER: Let me see. 29.

8 MR. SMITH: We're on 29. Oh, I see, 7 of
29. I think we'll stop on this one.

9 MS. PORTER: Okay.
MR. SMITH: And go to the portal.

10 MR. GOOLD: Don, can I ask a question?
MR. SMITH: Yes, please.

11 MR. GOOLD: This CRMP, the Coastal
Resources Management Portal is a general one, and is
12 there a specific part of this for Portsmouth? Is that
a Portsmouth locality, portal is a subset?

13 MR. SMITH: Yes. They're using GIS
technology.

14 MR. GOOLD: And we will have access to
this?

15 MR. SMITH: Yes.
MR. GOOLD: I have a note to ask Stacy
16 for access. Why would I do that?

17 MR. SMITH: It's web based, and it's not
locked down at all.

18 MR. CALVERT: Basically what it is, it's
VIMS's recommendations of how to rehabilitate every
19 property in Portsmouth. So you can go on a specific
address, and you can click on it, and it will have a
20 legend that tells you what their recommendation is for
that specific property. And be advised though, about
80 percent of them say living shoreline.

21 MR. SMITH: That's the direction they're
going.

22 MR. CALVERT: That's correct. That's
correct.

23 MS. PORTER: Right.
MR. GOOLD: I don't have the address, the
24 web address for that in any of the things I was given
at that workshop; is that right?

25 MR. SMITH: So I'm going to send you a

1 link or Stacy will, because she's got it.
MS. PORTER: Yeah. I don't mind.
2 MR. SMITH: She can send it out to the
distribution list.
3 MR. GOOLD: Okay. Thank you.
MR. SMITH: So you will have the whole
4 website, so just search for portal and locality portals
on the navigation bar on the left, and then you have
5 all of the localities.
MR. BAUM: There you go, City of
6 Portsmouth.
MS. PORTER: Yes.
7 MR. SMITH: Yes. So this is for
Portsmouth. And if we go to Comprehensive Map
8 Viewer --
MS. PORTER: Okay.
9 MR. SMITH: I'm telling you this is a
black hole, because once you get into it, you're going
10 to be clicking away, and so there we are. Here are all
of the different layers.
11 If you wanted to see how bad the
phragmites problem is in our locality, you click on
12 phragmites, and you're going to see some different
colors pop up. There is a zoom feature --
13 MS. MONUMENT: Oh, boy.
MR. SMITH: -- and just normal navigation
14 tools.
MS. MONUMENT: How fun is that?
15 MR. SMITH: Now, there is a slider here
to reduce the transparency of it, and I like playing
16 with that because it's a visual. My eyes can see the
layer I'm working on.
17 MS. MONUMENT: Oh, wow. I see.
MR. SMITH: So, again, it depends on what
18 you're looking at. There is a --
MS. MONUMENT: So we're looking at
19 phragmites right now?
MR. SMITH: That one is.
20 Okay. So click off of that.
MS. PORTER: Okay.
21 MS. MONUMENT: Wow.
MR. SMITH: There is one that shows the
22 different uses of the shoreline, like industrial,
residential. I don't -- oh, okay.
23 MS. MONUMENT: Oh, wow. Let's click
oyster reefs.
24 MS. PORTER: Oh, right here.
MR. BAUM: Actually, they're not showing
25 one of them. There is one off of City Park.

1 MS. MONUMENT: Yes, there is.
2 MS. PORTER: Oh, okay. So like down
3 here?
4 MR. BAUM: Yeah. It's right there.
5 MR. SMITH: Here or here?
6 MR. BAUM: Where the boat ramp is.
7 MS. MONUMENT: It's not that little dot,
8 is it?
9 MR. SMITH: The boat ramp is here.
10 MR. BAUM: So this right here is an
11 oyster reef. It was put in -- as a matter of fact,
12 right there. It was put in maybe ten years ago, eight
13 years ago.
14 MS. PORTER: Oh, okay.
15 MR. BAUM: There used to be pilings there
16 with signage. The pilings are still there, but the
17 signs have blown away.
18 MS. PORTER: I wonder how that can be
19 updated.
20 MR. BAUM: That was a VIMS and Corps
21 project.
22 MS. PORTER: And they didn't put it up
23 there?
24 MR. BAUM: All you need to do is hit it,
25 and you will know it's an oyster bed.
MR. SMITH: So, anyway, you can spend
hours here. And when Stacy sends us permits, I usually
take the permittee's address and throw it in Google. I
search, go to Google maps. I want to see the location
even before the site visit, just to get an idea of
what's there now. But this gives you a lot of detail.
And, yeah, I can't remember. I was just
looking at it earlier. I don't know if it was the
riparian land use. Check on the riparian land use.
It's right there. You're there.
MS. PORTER: Okay.
MR. SMITH: Yeah. And so here is the
legend. It's got agriculture, forested, and you can
see we're highly residential. And, of course, we don't
have any say in government stuff, I don't think, or
very little say. Everything seems -- actually, that's
not true. We do have some permits. There was some
Craney Island stuff that came through last year that, I
guess, worked out pretty well. A lot of commercial.
But I think this -- if you haven't played
around with this, it's worth taking a look at. It's
kind of eye opening.
MS. PORTER: Okay. All right.
MR. SMITH: And I think if we could go

1 back to kind of the home page and look up definitions
and decision trees.

2 MS. PORTER: Okay. So back where the
presentations were?

3 MR. SMITH: Go to search and type in
definitions.

4 MS. PORTER: Okay. That one?

5 MR. SMITH: Perhaps. No. No. No. No.
MS. PORTER: Is that it?

6 MR. SMITH: No. It's a PDF.
MS. PORTER: Oh, I see. Okay. This one
right here.

7 MR. SMITH: Yeah. There you go. Let's
take a look at that.

8 MS. PORTER: Is that it?

9 MR. SMITH: Scroll down. We'll see. No.
This is way above what I was going to show you guys.
So type in -- let's look up decision
10 tree.

11 MS. PORTER: Okay. That one?

12 MR. SMITH: Yeah.
MS. PORTER: Okay.
MR. SMITH: Self guided, so here you go.
So here is definitions.

13 MS. PORTER: Okay.
MR. SMITH: Check on definitions under
14 "Currently Defended Shorelines." And these are terms
you're going to see all through the decision tree. And
15 so if you get to the one and it's like, well, what's
that? You can come to this PDF and see what the
16 specifics are, what is defined as failing and
everything here.

17 Okay. Stacy, go back then, and let's
take a look at really any decision tree.

18 MS. PORTER: Okay.
MR. SMITH: Because my guess is the
19 people you contacted, VIMS, they're looking at decision
trees, right? Do they actually use these things?

20 MS. PORTER: I don't know.
MR. CALVERT: Yes, they do.

21 MR. SMITH: I'm assuming they do.
MS. PORTER: Okay.

22 MR. CALVERT: Yeah. When you go in front
of the local Wetlands Board, they're kind of expecting
23 you to run through that VIMS tree.

24 MS. PORTER: Okay.
MR. CALVERT: They want you to explain to
them, okay, start off, "Here is Mr. Johnson's yard. We
25 started and looked at it for a living shoreline. This

1 is what we found out." Either this is a good
2 application for a living shoreline, or either the water
3 is too deep or the fetch is too hard. So then the
4 trees will tell you to move to the next alternative,
5 which would be a groin or riprap, and then at the very
6 end is going to be bulkhead. Only in the most extreme
7 conditions will they recommend a bulkhead where you
8 have deep water or boat traffic or commercial or
9 industrial, then you're jumping way up the ladder. But
10 generally that's what they try and get you to do, and
11 as you go down the tree it will say, "Is it currently
12 protected?" If it is, you will go this way. And
13 you'll see it on the tree, and they expect you to
14 document that.

15 You know, most wetlands boards, we should
16 expect people to tell us why you can't do a living
17 shoreline, or why you can't do riprap. We don't want
18 you to walk in here and go, "I want a bulkhead." Okay.
19 So let's go through the other ones.

20 MR. SMITH: Well, let me add to that.
21 Some of the graphs I showed you, some of the slides I
22 showed you said, "Why do people do this work?" Well,
23 to match this neighbors. That's criteria that's really
24 not important to us, maybe to the people, to the
25 homeowners, but not to us.

26 So here is an existing one. We have a
27 lot of bulkheads here, some in not so great shape.
28 It's a tree. We've all done these decision trees. But
29 if we're not sure what a bulkhead is or integrated
30 vegetation or grade bank, then we have that definition
31 in the PDF we can go back to.

32 Now, again, I'm not the smartest guy in
33 the room on this, but when Stacy sends something to us,
34 almost all of the time I go and I look at this. I kind
35 of make up my own mind what I think I would do based on
36 this. And so when we come together, I'll ask
37 questions. "Well, why, why do we do this?" I mean, I
38 might think we're going to end up doing a sill, and the
39 recommendation is to let the homeowner rebuild the
40 bulkhead. And I'm thinking, "Well, why?" Because I've
41 got questions. I had made up my mind, and I'm learning
42 along the way this is why.

43 But these are the trees that VIMS has
44 given us or VMRC to help us agree or disagree with what
45 Stacy or above her at VIMS or VMRC has said to go to.
46 Like, on fetch, fetch could be really long in a really
47 narrow area, but there is a legitimate fetch there. I
48 mean, I remember one of the first ones I did, I thought
49 fetch can't be a problem. It's such a narrow little

1 thing. But the widest part -- I mean, at the longest
2 point that the water could come in, even though wind
was not a usual problem or drive, it had fetch. So
it's a great, great tree to follow.

3 Okay. Stacy, go on back to the first
4 page.

MS. PORTER: Okay.

5 MR. SMITH: I'm going fast through this,
because I don't want this to last forever, but I want
6 you to know this is all here.

7 So is this an existing bulkhead? If you
look at the portal, at the GIS map, we don't have much
8 revetment, but we did one in -- I forgot the same of
the community, but back over by Elizabeth Manor, the
house that we did.

MR. BAUM: Right.

9 MR. SMITH: The yard we did last -- two
springs ago, I guess.

10 But, you know, whatever allows for the
closest we can get to a living shoreline, I think is
11 what we're expected to operate on.

12 Groins, we don't see many groins around
here for whatever reason, but I do know that groins do
13 impact the neighbor's property.

MR. CALVERT: Absolutely.

14 MR. SMITH: So it may help me, but it
will hurt the neighbors.

MR. CALVERT: Yeah.

15 MR. SMITH: So I doubt we'll see much of
that.

16 Anyway, this is great information. There
was good information at the workshop we went to, and,
17 again, a lot of it was way deeper than I could really
ingest, but there is information that is very useable
18 for us on this site, and we'll get that address to you.

MS. PORTER: Okay.

19 MR. SMITH: That's all I've got.

MS. PORTER: Okay. That sounds good.

20 MS. MONUMENT: Thank you.

MS. PORTER: Thank you so much, Don.

21 MR. BAUM: Interesting, just to kind of
throw something out there, an interesting point that
22 Don showed us was the trending of work being done over
time and what was being done, and, of course, it's
23 cyclic, and I'm just wondering if that low cycle is the
impact of the economy. It was poor when it dropped
24 down, and now it's getting better. I've talked to a
lot of people who have done work over the last ten
25 years, and that seems to be a factor for them.

1 MR. CALVERT: This February the City of
2 Virginia Beach had more permit applications than any
3 month on record. I'm telling you right now, it is
4 booming out there in the marine industry.

5 MR. UNION: It could also be pushed by
6 years of erosion, and not doing anything about it until
7 the last minute when it's do or die, and you're going
8 to lose property or a hurricane in the area or whatever
9 event that destroys it.

10 MR. BAUM: Well, on the same topic,
11 before we pull out of it, you know, one of the things
12 that, of course, they would like us to do is living
13 shorelines; that's always the first line of defense.
14 It's really tough when you have a house 10 feet from
15 the water to do a living shoreline, because you do have
16 to have a lot of property in order to make that happen.
17 And we're in a situation in Portsmouth where most of
18 the homes that are waterfront are very, very close to
19 the water. So as much as we want to head in that
20 direction, it seems like we're kind of thrust in the
21 direction of what's practical, you know, what can be
22 done. So, yeah, we want to do that, but I've done a
23 few living shorelines in my past, and they were all
24 ones that had plenty of property.

25 MR. SMITH: And those tend to be more
rural.

MR. BAUM: That was Mathews County,
Lancaster County.

Thank you, Don.

MR. SMITH: So what we want to do -- what
we want to do with the living shoreline, it may not
happen. It may not be enough backyard to grade. And
so what can you do? You have to put that hard
structure.

MR. BAUM: Thank you, Don.

MR. GOOLD: One of the interesting things
at the conference that struck me as news is the
resilience planning. I had come at this thinking more
in terms of environmental concerns, and, you know,
making the Bay healthy, and keeping the waters healthy,
but I think in Portsmouth we probably should be
thinking about climate change, sea level rise, and what
the impact is on the functioning of the community.

MS. PORTER: Sure.

MR. GOOLD: There were some pretty
interesting tools that we were shown about maps where
you could just imagine, well, what does a foot of sea
level rise do to erode accessibility into this
particular neighborhood? And you can see which

1 neighborhoods go red, you know. So this might be more
2 for the Wetlands Board to think about than just the
3 environmental --
4 MS. PORTER: Sure.
5 MR. GOOLD: -- but community
6 accessibility and functionality over time.
7 MS. PORTER: That's a good point. That's
8 a good point.
9 MR. SMITH: So I live in Swimming Point.
10 Crawford Bay would be a great discussion with all of
11 the scientists in the room, join us in the room. It's
12 an at-risk bay. There is no wetlands, and it has these
13 hard structures. And over the coming decades that
14 seawall will probably have to be repaired and all of
15 that. I would be curious to try to get VIMS and VMRC
16 to maybe meet us one day, and maybe take on a pet
17 project of what could we do to enhance the Bay to make
18 it part of Portsmouth, to make it part of why we come
19 to Portsmouth. We've got this beautiful showcase of a
20 living shoreline --
21 MS. PORTER: Sure.
22 MR. SMITH: -- or a healthy bay, and
23 right now it's none of those. But I happen to know
24 that the hard surface, you can't put sea grass down.
25 It's too much energy. And I just think it would be
good to have some heads put together and maybe other
stakeholders in the room to see what can we maybe do
with Crawford Bay.
MS. PORTER: And let me know if you
really want me to coordinate that. I mean, I can start
the discussion.
MR. SMITH: There are stakeholders in
Portsmouth that -- I mean, I could see more recreation
going on over there. I mean, right now you have got
this bulkhead that protects Crawford Avenue, but there
is no access to the public really.
MS. PORTER: Sure.
MR. SMITH: And it would be neat to --
and I don't know what you would put in there. You
would put in some kind of breakwater, but then that
collects trash. Crawford Bay, that corner collects so
much trash.
MS. PORTER: I know that's correct.
MR. SMITH: If you had riprap, you would
never get the trash out.
MS. PORTER: I tell you.
MR. CALVERT: How deep is the water?
MR. SMITH: It's shallow.
MS. MONUMENT: It's, like, two feet.

1 MR. SMITH: It depends on the tide.
2 MR. CALVERT: You could do an offshore
3 groin come off the --
4 MR. SMITH: We have navigation issues,
5 too.
6 MR. CALVERT: Okay.
7 MR. SMITH: The groin would cause some --
8 MR. CALVERT: For people navigating to
9 their properties?
10 MS. MONUMENT: To that marina. There is
11 a marina there.
12 MR. SMITH: You get so many transients
13 that are coming into Portsmouth overnight and
14 reprovision --
15 MR. CALVERT: Right.
16 MR. SMITH: -- and head either north or
17 south, depending on season. But if you had a pretty
18 bay, it may be another reason why people would stop and
19 spend more money for a few days.
20 MS. PORTER: Sure.
21 MR. SMITH: We pull into this beautiful
22 little spot. Maybe I'll stay here a few more days.
23 So I think that's -- yeah, it is
24 something, I think, because we're not that busy, and,
25 you know, I just think it's something we might ought
to --
MS. PORTER: Let me make a note here, and
see where we can start with that.
MR. SMITH: I always think, "What can the
City do to improve itself?"
MS. PORTER: Sure.
MR. SMITH: And that waterfront is a good
starting place.
MR. UNION: Just to elaborate a little
bit of what Don is talking about, I talked to one of
the doctors, marine biologists at VIMS, and she told me
a good point of contact would be the Elizabeth River
Project.
MS. PORTER: Okay.
MR. UNION: Because they do a lot for the
Bay area.
MS. PORTER: I don't mind.
MR. UNION: That might be something they
want to look at.
MS. PORTER: I could do that for us,
okay.
MR. SMITH: It would be great to have
different stakeholders present, so we could get
different perspectives on it.

1 MS. PORTER: Sure.
2 MR. CALVERT: Is there any room in the
backyards that face this bulkhead?
3 MR. SMITH: No.
4 MR. UNION: I'm right on the bulkhead.
MR. CALVERT: Okay.
5 MR. UNION: I'm 20 feet from the water.
There is a hundred foot pier, and the end of the pier
is only five feet at high tide.
6 MS. PORTER: Now, how is that bulkhead
holding out?
7 MR. UNION: Not very well.
8 MS. PORTER: I was wondering about that.
9 MR. UNION: Not very well. We're in the
process, the neighbors and us -- there is approximately
550 feet, 600 feet of bulkhead from the Crawford
10 Parkway bulkhead all the way down, and we're trying to
get -- there is nine houses, and we're trying to get
the nine homeowners together to see what we could do,
and some of the homeowners don't have riparian rights.
11 MS. PORTER: Okay.
12 MR. UNION: So they're working with the
City now to find out how they could acquire those to
get permission. Some of the properties do not run all
13 the way to the bulkhead. Some of the properties stop
at the bulkhead. So the homeowners feel that they're
14 not responsible for that section of it.
15 MS. PORTER: Okay.
16 MR. UNION: Which the City says they
don't own it. So we're with the Planning Department
now and the City surveyor trying to get some answers.
17 MS. PORTER: Sure. Who owns that point?
I think it's called Swimming Point Walk. Is that what
that's called?
18 MR. UNION: Yeah, Swimming Point Walk.
19 The last time I talked to one of the gentlemen here,
that was put there back in the '40s as a handshake deal
20 that the City would -- the City would take care of the
sidewalk as long as there was a bridge that went over
to the Naval Hospital that gave people access to walk.
21 Well, what I was told is that when the bridge collapsed
and they tore it down, that the City severed all rights
22 to the sidewalk.
23 MS. MONUMENT: Right.
24 MR. UNION: So they don't even want to do
maintenance on it anymore.
25 MS. PORTER: Oh, boy.
MR. UNION: We're kind of locked up right
now. We're working with the City, Mr. Wright and

1 Mr. Cheatham, and actually we've talked to the Mayor
some --

2 MS. PORTER: Okay.

3 MR. UNION: -- to see what assistance we
could get to figure this out.

4 Before it's just been every 20 years they
do a patch job on the bulkhead, and then it falls back
out.

5 MS. MONUMENT: What I found
interesting -- so I did a -- last summer I did a
6 volunteer workshop with the Elizabeth River Project,
and we put in the oyster castle down in South Norfolk,
7 and it was -- I'll never do that again. I'll pay
someone to do it. But it was basically -- basically it
8 looks like concrete brick, and it's a company in
Charlottesville, of all places, that makes it, and it's
9 a combo concrete. It's a concrete and oyster shell
castle. And when I look at Crawford Bay there, that's
10 what I think the solution is. It's like a general
sloping oyster castle with oysters on it. And if your
11 pier is long enough you wouldn't have to worry about
the oysters for another, like, 50 years. The oysters
12 grow out to it. But, yeah, it's very interesting. I
would be interested in having that company come in and
13 do a presentation.

14 MS. PORTER: Okay.

15 MS. MONUMENT: Because it's one of the
few companies -- I'll find out the name for you,
Stacy --

16 MS. PORTER: Okay. Thanks.

17 MS. MONUMENT: -- from the ERP people.

18 But it's just another option that we
could give these homeowners that come to us and say, "I
19 want to put down riprap, but it's too expensive." You
know, here is another material that's, you know, made
with -- and they're very -- they're very focused on,
20 you know, not spreading oyster diseases and things like
that. They're very healthy. It's better than just
going to the restaurant and throwing your oyster shells
21 in the lake, that kind of thing. So it would be
interesting to bring them in and see what kind of
22 solutions they could give. Maybe we could partner with
them.

23 MS. PORTER: Okay. We appreciate that.
Thank you.

24 MR. GOOLD: I have a very general
question about the scope of our charge. The Bylaws are
almost entirely silent on this. The ones that say "The
25 necessary business of the board, including but not

1 limited to the review of wetland permits." What more
2 than the review of the wetland permits are we actually
3 charged to do? Do we take part in planning like is
4 being suggested?

5 MS. PORTER: Well, now, yes. I would say
6 so. You know, that's a good point.

7 MR. CALVERT: Well, you could sit down
8 and actually talk to a potential client coming in from
9 out of town that has plans. You know, what are your
10 guidelines? What are you guys looking for? We could
11 be almost as consultants. This is what we would like
12 to see when you come to town and what you bring. We
13 would like to see you develop this area, and maybe put
14 in a few amenities for water control quality as well.
15 So that could be something that, you know, when people
16 want some information, we could be as a help for
17 something like that.

18 MS. PORTER: Yeah. We don't want to
19 limit you just to application reviews. I guess there
20 is always something else that could come up.

21 Thank you, Rich. That's a good point.

22 MR. GOOLD: The bylaws are very vague
23 about the mission.

24 MS. PORTER: They are general. They are
25 very general.

MR. GOOLD: This could be a bridge club
or almost anything.

MS. PORTER: They could be, right. They
could be. This is more just for running the meetings.
It's not specific necessarily to your duties. And I
think the City Clerk's office would probably have that,
your duties more listed in that manual for the boards
and commissions.

MR. GOOLD: Okay.

MS. PORTER: I don't mind getting that.
I don't mind getting that.

MR. GOOLD: Thank you.

MS. MONUMENT: Allied Concrete.

MS. PORTER: What is it called?

MS. MONUMENT: Allied Concrete.

MR. SMITH: There was an article in the
paper in the last couple of weeks about them doing that
in Norfolk.

MS. MONUMENT: Uh-huh. Yeah. That's
part of the shoreline restoration project with the
Elizabeth River.

MR. SMITH: Okay.

MS. MONUMENT: And they said they've been
doing it in many stages, and it almost looks like a

1 groin. They're coming out with these castles in waves,
2 sort of, or revetments, yeah. It's going across like
3 in a wave, and they're just slowly building it out as
4 the baby oysters kind of, like, latch on. It's Allied
5 Concrete. And oyster castles they have trademarked.

6 MR. CALVERT: And they do have their
7 limits though. They can only take but so much wave
8 energy. So they're good to a certain point, but then
9 at some point riprap is more -- if you have heavy wave
10 energy. And it can be a little expensive, too. It
11 gets a little pricey.

12 MS. PORTER: Are they still less of a
13 cost as compared to riprap?

14 MR. CALVERT: I don't know if they are or
15 not. But the Elizabeth River project, I'm surprised
16 they're not involved in Portsmouth. They're all over
17 Norfolk, I mean, everywhere you can go. And I'm
18 surprised, since they are based here, that you don't
19 see more of it here, but you've got to keep in mind the
20 final decision is the homeowner's. And they can offer
21 recommendations all day long, but it comes down to the
22 guy that lives in that house or the wife, and if they
23 are comfortable with that. But they have an exclusive
24 contractor that pretty much does most of that work for
25 them. Bay Environmental is really involved with them,
and that's pretty much all they do. Coral logs, oyster
castles, sand and planting. And when it comes to
riprap, they don't have the equipment to do that. You
can build oyster castles by hand using temporary labor.
When you get into riprap, you're going to need
equipment, and you're going to need Bobcats, et cetera.
So that's also what separates these two, these two
entities from each other. And the first thing that
they're going to recommend when you have a cove with a
bulkhead in it, they're going to tell you to get rid of
that wall. They're going to want that to be riprap,
and make the continuation between the land, the upland
and the water flow quickly. That's going to be the
first thing that I think they're going to recommend,
which is not a bad idea either.

21 MR. SMITH: But in Portsmouth with a lot
22 of houses built as close as they are or pools as close
23 as they are, there is no room to do the grading that
24 would come with eliminating the bulkhead.

25 MR. CALVERT: Well, you can also put rock
in front of the bulkhead, you know.

MR. SMITH: That's correct.

MR. CALVERT: You can cut off the top of
it and go out in the water. VMRC will limit you to how

1 far you can go, because they don't want you to land
2 grab, but they work with you when they realize your
3 backyard is shallow, and perhaps we can give them a
4 little more room in the water. So that's also a good
5 alternative as well.

6 And there is another product now called
7 Flexamat, which is becoming very popular, and it's a
8 concrete stabilization mat that you lay down like
9 riprap. The only benefit for it is it has gaps in it.
10 It's concrete blocks, and those gaps in between it you
11 can plant. So if you have ten salt bush, two pieces of
12 Spartina in the corner, you've got 20 square feet of
13 wetlands, and what do I do with this. You can use
14 Flexamat, lay it down, and you can plant it, and it
15 gives you a 30 percent credit. So in other words, if
16 it's a hundred square feet, they'll give you 30 square
17 foot of credit.

18 MR. SMITH: Do you put logs in front of
19 that for a while?

20 MR. CALVERT: Well, you really don't have
21 to. What I've done on a couple of projects is you bury
22 it in the ground. It's just a mat. You dig a trench,
23 and you roll it out, and it rolls out and goes into the
24 trench, and you backfill over it so that the toe
25 doesn't get washed out, and then they just come in and
plant it, and it's cheaper than riprap is.

MS. MONUMENT: That's very cool.

MR. CALVERT: So that's why it's busted
into the market a little bit.

MR. SMITH: And it won't trap trash like
what's happened in Crawford Bay?

MR. CALVERT: The good thing I like about
it is as soon as it's down it's stabilized, because
it's concrete. So you're not going to lose dirt. A
lot of living shorelines, you can grade it down and put
that core sand, and then a storm comes in over the
weekend and you lose everything. So this is good
because as soon as it's down it's stabilized, and then
the planting only makes it stronger once the roots go
down into it. And once it's finished, you hardly ever
see it, once the marsh takes off and grows up. You can
actually run a lawn mower over it. They use it for
grading on the side of banks and stuff for erosion
control. So it's becoming a little bit -- and some of
the municipalities are getting into it. It was a hard
sell at first. And, actually, the Lynnhaven River
Project protested it because it's a concrete product in
the wetlands, but they're use thing the same formula as
the oyster castles, so that way it won't be any

1 ingredients that would be harmful to the environment.
2 So it's taken a while, but thank goodness there are
3 some more alternatives. That's why I like to let you
4 guys know that when someone comes in and "This is the
5 only thing I can do," not necessarily.

MR. GOOLD: What was that called again?

4 MR. CALVERT: Flexamat.

5 MS. MONUMENT: Is that by Allied as well?

6 MR. CALVERT: You can Google it and take
7 a look at it. The Corps of Engineers has finally
8 signed off on it and so has VDOT, so that's two good
9 things there.

10 MS. PORTER: Thank you, Rich. That was
11 good.

12 MR. CALVERT: I mean, there is so many
13 different things you can do now to try -- not everybody
14 can do a living shoreline, but hybrid living shorelines
15 is a possibility. Do a little rock and some planting
16 behind it, you know, so that's the point. And I love
17 the fact that you guys are also educating yourselves,
18 too, because that's what -- when they come in, people
19 are going to try and BS a little bit. "Oh, this is the
20 only thing I can do." And that's great, "No, not
21 necessarily," you know. And by the time it gets to
22 you, hopefully Stacy will be able to say, "You know, we
23 would like to see you look at a different alternative
24 before this comes to the Board. You know, this
25 bulkhead right in front of the wetlands, you know, all
of the wetlands are going to die in front of it. It
may not be a good idea, you know." So it's just some
ideas, that's all. There are other options.

MR. SMITH: Yeah.

17 MR. BAUM: Thank you, Rich. Good
18 information.

19 MR. CALVERT: Because I've sat on both
20 sides of the bench.

MR. BAUM: Thank you.

21 Is there any more comments regarding this
22 training exercise? We're off of that.

23 Is there any new business to be
24 discussed, any new business?

The next thing is a motion to adjourn.

22 MR. GOOLD: So move.

23 MR. SMITH: Second.

MS. MONUMENT: Second.

24 MR. BAUM: There we go. Thank you for
25 joining us today.

Thank you, Don --

MS. PORTER: Thank you, Don.

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MR. BAUM: -- for the training.
(Meeting adjourned at 4:21 p.m.)

1 COMMONWEALTH OF VIRGINIA AT LARGE, to-wit:

2

3 I, Jill Hudnall Trail, a Notary Public for the
4 Commonwealth of Virginia at Large, of qualification in
5 the Circuit Court of the City of Norfolk, Virginia, and
6 whose commission expires May 31, 2021, do hereby
7 certify that this proceeding was recorded in Stenotype
8 by me and reduced to computer printout under my
9 direction; and that the foregoing constitutes a true,
10 accurate, and complete transcript of such proceeding.

11 I further certify that I am not related to nor
12 otherwise associated with any counsel or party to this
13 proceeding nor otherwise interested in the event
14 thereof.

15 Given under my hand and notarial seal this 11th day
16 of June, 2019, at Norfolk, Virginia.

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Jill Hudnall Trail, RPR
Notary Registration No. 198029

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