

AGENDA

**EASTERN SHORE REGIONAL
NAVIGABLE WATERWAYS COMMITTEE
A-NPDC Conference Room
Enterprise Building
23372 Front St, Accomac, VA 23301
April 18, 2019
2:00 P.M.**

1. Call to Order
2. [Minutes of the January 17, 2019 Meeting](#)
3. Old Business:
 - a. By-laws amendment; Change time from 3pm-5pm to 2pm-4pm; [Attached](#)
 - b. VA Commonwealth Waterway Maintenance Fund Applications Update
 - c. USACE to provide an update on the following. See attached p.18-22.
 - i. Chincoteague Inlet Federal Navigation Project
 - ii. Chincoteague Bay (Greenbackville) Federal Navigation Project
 - iii. Oyster Channel Federal Navigation Project
 - iv. WCV Federal Navigation Project (Bradford Bay & Finney Creek)
 - v. Tangier Island Jetty CAP Section 107
 - vi. Cedar Island CAP Section 204
 - vii. Assateague Island Beneficial Reuse Project
 - viii. FY2020 Work Plan Intentions
 - d. USCG to provide an update on AtoN removal or other changes on the Bayside, Seaside, and Nassawadox, Hungars and Mattawoman Creeks and an update on the Proposed Cape Charles anchorage
 - e. Northampton County progress update - no discharge zone; John Coker
 - f. Committee staff funding update
4. New Business:
 - a. Section 408 Review; Elaine Meil, A-NPDC Executive Director
 - b. Eastern Shore Hydrographic Survey Presentation; Joseph Betit
 - c. Initiative to increase annual WMF funding in 2020 GA
 - d. Status of revised VMRC material placement regulations
 - e. News:
 - i. [Scientists Hope Building Marsh on Cedar Island Will Slow Sea Level Rise Changes](#); Linda Cicoira, Eastern Shore Post. Attached.
 - ii. [President's Fiscal 2020 Budget for U.S. Army Corps of Engineers Civil Works Program released](#); USACE Headquarters. Attached.
 - iii. [Trump 2020 Budget Has Deep Cuts in Corps Construction](#); ENR
5. Other Matters
6. Public Comment
7. Schedule Next Meeting & Adjourn

ESRNWC January 17, 2019 Minutes

At a meeting of the Eastern Shore Regional Navigable Waterways Committee held on the 17th day of January, 2019 at 2:00 p.m. in the Conference Room of the Northampton County Department of Social Services in Eastville.

Members Present: Donald L. Hart
James Dixon
John Coker
John Tavolaro
J.T. Holland
William J. "Billy" Tarr

Members Absent George "Danny" Bowden
Granville Hogg, Vice Chair
John Joeckel, Chair
Spencer Murray

Others Present: Curt Smith, A-NPDC
Jeff Deem, Accomack County Resident
Kim Husky, Ballard Fish & Oyster Company
Shannon Alexander, A-NPDC

Call to Order

In the absence of both Chairman Joeckel and Vice Chairman Hogg, Committee Member Hart acted as Chair. The meeting was called to order by Mr. Hart at 2:01 p.m.

Minutes

Mr. Holland made a motion to approve the Minutes of the October 25, 2018 meeting. The motion, seconded by Mr. Tarr, carried unanimously.

Old Business

1. *Water Access Authority Update*

Mr. Smith gave a brief update that a meeting with County Board of Supervisor Chairs in fall of 2018 put a hold on taking action on the WAA and instructed staff to research alternative management options.

2. *VA Commonwealth Fund*

- a. **Final VPA Grant Guidance & Process** – Presented as included in packet.
- b. **ES State Waterway Projects** – Mr. Smith and Ms. Alexander presented final guidance provided by Chairman Joeckel.

Mr. Coker made a motion to move forward with VPA WMF grant development for Northampton County for Kings Creek, so long as contact with key stakeholders is made prior to submittal as application. The motion, seconded by Mr. Dixon, carried unanimously.

Mr. Hart made a motion to move forward with VPA WMF grant development for Accomack County for the Quinby waterway, so long as contact with key stakeholders is made prior to submittal as application. The motion, seconded by Mr. Tarr, carried unanimously.

- c. **NFWF, VIMS Projects** – *Mr. Smith provided an update that neither awards were offered.*

3. **USACE projects/announcement:** USACE provided an update on the status of the following projects, and a printed report was supplied to all Committee Members and members of the public present.
4. **USCG projects/announcements** – USCG did not provide an update. Discussion ensued about the impacts of the government shut-down on the dedicated local service men and women and their families and aide efforts underway.
5. **Cape Charles anchorage update** – Nothing new to report.

New Business

- a. **Committee staff funding update** – Ms. Alexander provided an update as to the A-NPDC budget requests to each County that includes funding for staffing the Committee and developing grant applications for dredging and beneficial use projects.

- b. **ByLaws amendment**

Mr. Tarr made a motion to amend the Committee ByLaws ARTICLE VI 6-1 to hold the meetings at 2:00pm instead of 3:00pm. The motion, seconded by Mr. Coker, carried unanimously.

- c. **Letter of Support** –

Mr. Tarr made a motion to supply a letter of support for the new grant application for VIMS to NOAA for the Wachapreague Marsh Resilience Project. The motion, seconded by Mr. Coker, carried unanimously.

This is a similar project to the NFWF application from VIMS that was not awarded.

Other Matters

Mr. Tarr brought up the need for action from the Commonwealth to budget the match funds, \$500,000 per year for three years, for the USACE Chincoteague Inlet study as approved previously. He stated that the inlet is now over two miles wide and that local stakeholders have expressed the need for protecting the southern end of the island and have input to provide. A-NPDC staff is to reach out to Senator Lewis concerning the status of the match funding.

Public Comment

None.

Schedule Next Meeting and Adjourn

The Committee agreed the next meeting will be on April 18, 2019 at 2:00 pm in the A-NPDC conference room in Accomac. Mr. Hart adjourned the meeting at 2:54 pm.

John Joeckel, Chair

Curtis Smith, Secretary

Date

EASTERN SHORE REGIONAL NAVIGABLE WATERWAY COMMITTEE ATTENDANCE RECORD

Members	Term Exp.	06/17	7/17	10/18	1/18	4/19	7/19	10/19	1/20	4/21	7/21
<u>Accomack Co.</u>											
Donald Hart	Term	X	X	X	*		X	X	X		
"Billy" Tarr	Term	X	X	X	*	X	X		X		
John Joeckel	June 30, 2020	X	X	X	*	X	X	X			
Bill Burnham	June 30, 2018				*	-	-	-	-	-	-
John Tavoraro	June 30, 2020			X	*	X	X	X	X		
"Danny" Bowden	June 30, 2020	-	-	-	*	X	X				
<u>Northampton Co.</u>											
Spencer Murray	Term	-	-	-	*			X			
John Coker	Term	-	-	-	*	X		X	X		
Granville Hogg	Jun2018	X	X		*	X		X			
Larry LeMond	Jun2018	X		X	*	-	-	-	-	-	-
J.T. Holland	Feb2019	X	X		*	X	X	X	X		
P.G. Ross	Aug2019				*	-	-	-	-	-	-
James Dixon	Oct2019	-	-		*	X		X	X		
<u>Non-Voting Ex-Officio Members – Secretary</u>											
S. Alexander	NA	X	X	X	*	X	X	X	X		
C. Smith	NA		X		*	X	X	X	X		

- Indicates not a member. X Indicates member present.
 * Indicates no meeting held. NA Not Applicable
 () Indicates an alternate present



Old Business:

Committee Staff Funding

Review: Motion request made by email November 29, 2018; Funding has been included in the Accomack County budget. We await response from Northampton County.

By-Law Amendment(s)

Please see the attached draft of the By-laws, immediately to follow, amended to change the permanent time for the quarterly meetings to 2:00pm versus 3:00pm. ARTICLE VI – MEETINGS, Section 6-1.

Staff requests Committee Members adopt the amended bylaws now that 30-day notice of proposed amendments have passed.

VA Commonwealth Waterway Maintenance Fund Update

No notice to date from the VPA.

Section 408 Review

Excerpt below is from the USACE website: <https://www.usace.army.mil/Missions/Civil-Works/Section408/>

Through the Civil Works program, the US Army Corps of Engineers (USACE) serves the public by providing the Nation with quality and responsive management of the Nation's water resources. As a result, USACE, in partnership with stakeholders, has constructed many Civil Works projects across the Nation's landscape. Given the widespread locations of these projects, many embedded within communities, over time there may be a need for others outside of USACE to alter or occupy these projects and their associated lands. Reasons for alterations could include improvements to the projects; relocation of part of the project; or installing utilities or other non-project features.

In order to ensure that these projects continue to provide their intended benefits to the public, Congress mandated that any use or alteration of a Civil Works project by another party is subject to the approval of USACE. This requirement was established in Section 14 of the Rivers and Harbors Act of 1899, which has since been amended several times and is codified at 33 USC 408 (Section 408).

Section 408 provides that USACE may grant permission for another party to alter a Civil Works project upon a determination that the alteration proposed will not be injurious to the public interest and will not impair the usefulness of the Civil Works project.

Additional Information

USACE's procedures for reviewing requests for Section 408 permission is contained in [Engineer Circular \(EC\) 1165-2-220](#). The corresponding internal guidance related to designating a lead district as referenced in EC 1165-2-220 can be found at [this link](#).

To view a fact sheet with additional information about Section 408 and the revised policy, [click here](#). USACE reviewed and considered public comment on the draft EC 1165-2-220 to inform the final policy and procedural guidance. To view the summary of comments received, [click here](#).

**EASTERN SHORE
REGIONAL NAVIGABLE WATERWAYS COMMITTEE**

As adopted April 18, 2019

ARTICLE I - AUTHORIZATION

- 1-1. This Committee is established in conformance with the Joint Resolution creating an agreement between the County of Accomack, Virginia and the County of Northampton, Virginia, to jointly promote the management and protection for the water navigational needs within the Counties of Accomack and Northampton and the establishment of the Eastern Shore of Virginia Regional Navigable Waterways Committee, hereinafter referred to as the "Joint Resolution."
- 1-2. The official title of this body shall be the Eastern Shore Regional Navigable Waterways Committee, hereinafter referred to as the "Committee."

ARTICLE II - PURPOSE

- 2-1. The primary purposes of the Committee is to serve as a viable committee to assist local governments and residents of the Eastern Shore in understanding, planning, and managing navigable waterway needs, to study and track the condition and status of all navigable waterways, to list and prioritize the Shore's water navigation needs, and provide possible solutions to water transport needs for local governments and residents of the Eastern Shore, and to initiate special studies and plans concerning the management of the Eastern Shore navigable waterway resources.

ARTICLE III - MEMBERSHIP

- 3-1. The Committee shall consist of ten (10) members appointed by Accomack County and Northampton County as specified in the Joint Resolution.
- 3-2. The terms of office for the members shall be as specified in the Joint Resolution.
- 3-3. Vacancies shall be filled as specified by the Joint Resolution.
- 3-4. Members of the Committee shall be eligible for reappointment.
- 3-5. Terms of Committee members shall expire immediately before the beginning of the regular meeting at which their successors' terms of office begins.

ARTICLE IV - SELECTION OF OFFICERS

- 4-1. Officers of the Committee shall consist of a Chairman, Vice Chairman, and Secretary. The positions of Chairman and Vice-Chairman shall each be filled by a member of the Committee and shall be elected by the Committee membership. The members filling the positions of Chairman and Vice-Chairman shall alternate between Accomack County and Northampton County, with neither position representing the same county at the same time. The Secretary shall serve at the request of the Committee and may be a member of the Committee or of the Accomack-Northampton Planning District Commission.
- 4-2. Nomination of officers shall be made from the floor at the January meeting each year. Election of officers shall follow immediately. A candidate receiving a majority vote of the entire membership shall be declared elected.
- 4-3. Terms of office shall be for three years or until a successor takes office.
- 4-4. Vacancies shall be filled immediately by nomination and election during the next meeting.

ARTICLE V - DUTIES OF OFFICERS

- 5-1. The Chairman shall:
 - 5-1-1. Preside at meetings.
 - 5-1-2. Appoint sub-committees.
 - 5-1-3. Rule on procedural questions (subject to reversal by a two-thirds majority vote of the members present).
 - 5-1-4. Report official communications at the next regular Committee meeting.
 - 5-1-5. Certify official documents involving the authority of the Committee.
 - 5-1-6. Certify minutes as true and correct copies.
 - 5-1-7. Carry out other duties as assigned by the Committee.
- 5-2. The Vice-Chairman shall:
 - 5-2-1. Assume the full powers of the Chairman in the absence or inability of the Chairman to act.
- 5-3. The Secretary shall:
 - 5-3-1. Record attendance at all meetings.

ESNWC April 18, 2019 Packet

- 5-3-2. Record the minutes of the Committee meetings.
- 5-3-3. Notify members of all meetings.
- 5-3-4. Maintain a file of all official Committee records and reports.
- 5-3-5. Certify records and reports of the Committee.
- 5-3-6. Give notice and be responsible for publishing public notices of all Committee public hearings and public meetings.
- 5-3-7. Attend to the correspondence necessary for the execution of the duties and functions of the Committee.

ARTICLE VI - MEETINGS

- 6-1. Regular meetings of the Committee shall be held quarterly during the months of January, April, July, and October on the third Thursday of the month at 2:00 p.m. Special meetings shall be called as needed. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless the Committee selects an alternate day.
- 6-2. Special meetings may be called by the Chairman or by two members upon written request to the Secretary. The Secretary shall mail a notice to all members, at least five days before a special meeting, stating the time, place and purpose of the meeting.
- 6-3. All meetings of the Committee shall be open to the public.
- 6-4. Committee members who are unable to attend a regularly scheduled meeting of the Committee should notify the Chairman or the Secretary prior to the meeting. If any member of the Committee misses two (2) consecutive regular quarterly meetings, the Committee shall send a letter to that member advising them of their absence and requesting their regular attendance at future meetings. This letter shall be also copied to the member's appointing body. If, after this action, the same member misses the next regularly scheduled meeting, the Committee may send a letter to the appointing body requesting that it name a replacement as soon as possible.

ARTICLE VII - VOTING

- 7-1. A majority of the members shall constitute a quorum.
- 7-2. No action of the Committee shall be valid unless authorized by a majority vote of those present and voting.

ARTICLE VIII - ORDER OF BUSINESS

ESNWC April 18, 2019 Packet

- 8-1. The order of business for a regular meeting shall be:
 - 8-1-1. Call to order.
 - 8-1-2. Approval of minutes.
 - 8-1-3. Old business.
 - 8-1-4. New business.
 - 8-1-5. Other matters.
 - 8-1-6. Public comment.
 - 8-1-7. Adjournment.
- 8-2. Parliamentary procedure in Committee meetings shall be governed by Robert's Rules of Order.
- 8-3. The Committee shall keep minutes of each meeting, and these minutes shall become a public record. The Secretary and Chairman shall sign all minutes and, at the end of the meeting, certify that the minutes of the preceding meeting are a true and correct copy.

ARTICLE IX - PUBLIC HEARINGS

- 9-1. In addition to those required by law, the Committee may hold public hearings on any matter which it deems to be in the public interest, upon approval of Accomack County and Northampton County.
- 9-2. Notice of a public hearing shall be published once a week for two successive weeks, in a newspaper of general circulation in the area, at least ten days before the day of the public hearing. Such notice shall specify the time and place of hearing, which cannot be held less than six or more than twenty-one days after the second newspaper advertisement.
- 9-3. The Chairman shall summarize the matter before the Committee, allow interested parties to speak, and accept written statements and other documentation pertinent to the matter being addressed.
- 9-4. An accurate, written record shall be made of the proceedings of a public hearing and maintained as a part of the Committee's files.

ARTICLE X - AMENDMENTS

- 10-1. These By-laws may be amended by a majority vote of the entire membership after thirty days prior notice.

[Scientists Hope Building Marsh on Cedar Island Will Slow Sea Level Rise Changes](#)

Eastern Shore Post, April 5, 2019

By Linda Cicoira

Scientists are planning to build a marsh on the southern end of Cedar Island in an effort to slow movement caused by sea level rises. They also found a layer of pebble under Chincoteague Island believed to be 300,000 years old. "Virginia has the second fastest rate of sea level rise in the country," Christopher Hein, an assistant professor of Virginia Institute of Marine Science (VIMS) Department of Physical Sciences, recently told Chincoteague officials who were eager to learn what could eventually happen to Chincoteague and Assateague islands and if anything can be done to slow the changes.

"The barrier islands in Virginia are more dynamic than anywhere else in the world," Heine continued. "Their reactions are from sea level rise," Hein said of the lands that protect the Eastern Shore. The approach on Cedar Island is to try to naturally manage the changes. According to minutes of the meeting, Hein said he is working with an engineering firm on the cost to develop a marsh about a quarter-mile wide. Spoils from nearby channels would be used for the fill. "There are federal navigational channels there that need dredging and non-federal channels that local boaters and the Eastern Shore Navigable Waters Committee want to dredge," he said.

Cedar Island was divided into lots in the 1980s and sold to those dreaming of a private paradise. But the houses that were built there were washed away. "It has moved 30 feet in the past 30 years," Hein said. "If they're hit by a big storm maybe it will move 50 feet," he speculated. "The average of the entire system it is about 25 feet over 30 years ... A beach on a barrier island can erode, losing sand and become narrower." "Once it gets narrow enough, the same storm that used to take sand away, can go up and over the island and push sand to the back side to help itself stay above water," he continued. "It's island cannibalism reusing its own sand to help stay above water."

Hein referred to Ocean City, Md. He stated "because of the private and public infrastructure they shouldn't be moving anywhere ... when you have dense development with all the houses and then try to have an over-wash where the waves throw sand, those houses stop the waves and stop the sand from moving. You end up with half as much sand or no sand making it from the front side to the back side. It either stops or is pushed back on the beach." "You have a developed island, Chincoteague, and then a federally developed island, Wallops, and you have a federally managed island, Assateague," he said.

"Chincoteague Inlet, which is constantly moving, is unique among the Virginia barriers" as it is "stabilized with rock and brick ... It's the only place with an old barrier island, Chincoteague, and ... a new barrier island, Assateague, that has grown in front of it. It cut itself off from the open ocean years ago." Wallops has grown wider, and Tom's Cove hook has grown narrower as Chincoteague Inlet has grown wider. This has been

the focus of his group for the last year. "Part of the land is trapping an enormous grove of land that should be going to Wallops, Assawoman, Metompkin and Paramore" islands, he said. VIMS collected sediment cores. "From the thickness of the cores, they can tell how thick fishing point is. They can see how much sand is trapped in that part of Assateague at that time."

He reviewed a picture with the lower shorelines back to 1859 with the lighthouse that wasn't built close to the beach. He showed the growth comparing the images with those of modern times and back many years when Ridge Road was a beach. Virginia recently provided funds to develop a hydrodynamic model for Chincoteague to predict future movements. Hein's group will study sand on Chincoteague this summer to determine its age and history. Building a marsh near Tom's Cove will be a big challenge due to the risk to shellfish, he said. On Wallops, "they can keep nourishing the beach, but it will still wash away," he said referring to the money spent to build up the beach near the NASA launchpad. Projections for sea level rise "are nearly a foot by 2050," he continued. "The way the currents are, they should fall within the high end of the projections." The beach will steadily roll west even if they build marsh, said Councilman Gene Wayne Taylor. He doesn't think it will stop migration. "It would slow it down," said Hein.

"This is one of those areas that is chaos. It is the most complicated area. It has to be looked at in a strategic and integrated way rather than each individual interaction." Paramore Island has some of the highest elevations on the Eastern Shore with 250-year-old dunes, he said. Hein offered a review of Hogg Island from the 1865 shoreline. "It has changed more than seven times its own width."

"It seems like the islands move every week," the scientist continued. "Most of the barrier islands formed about 6,000 years ago and are constantly moving. They tend to be long and the longest is 100 miles in southern Brazil in South America."

Washington (March 12, 2019) – The President's Budget for Fiscal Year 2020 (FY 2020) includes \$4.827 billion in gross discretionary funding for the Civil Works program of the U.S. Army Corps of Engineers.

"The Fiscal 2020 Civil Works budget for the U.S. Army Corps of Engineers reflects the Administration's priorities for water resources infrastructure," said The Honorable Rickey D. (R.D.) James, Assistant Secretary of the Army for Civil Works. "This budget will make it possible to accelerate delivery of much needed infrastructure. Infrastructure that protects lives, improves commerce and benefits all Americans," said James.

New federal funding in the Civil Works budget consists of \$3.753 billion from the General Fund of the Treasury, \$965 million from the Harbor Maintenance Trust Fund (HMTF), \$56 million from the Inland Waterways Trust Fund (IWTF), and an estimated \$54 million from Special Recreation User Fees.

The FY 2020 funding will be distributed among the appropriations accounts as follows:

- \$1.930 billion for Operation and Maintenance (O&M)
- \$1.170 billion for Construction
- \$965 million for Harbor Maintenance Trust Fund (HMTF)
- \$210 million for Mississippi River and Tributaries (MR&T)
- \$200 million for the Regulatory Program
- \$187 million for Expenses
- \$77 million for Investigations
- \$56 million for Inland Waterways Trust Fund (IWTF)
- \$27 million for Flood Control and Coastal Emergencies
- \$5 million for the Office of the Assistant Secretary of the Army for Civil Works

The FY 2020 Budget includes \$2.308 billion for the study, design, construction, operation and maintenance of inland and coastal navigation projects.

The FY 2020 Investigations program as a whole is funded at \$82 million in the Budget, including \$5 million from the Mississippi River and Tributaries (MR&T) account, of which \$26 million is to fund studies to determine the need, engineering feasibility, and economic, environmental and social return of potential solutions for water and related land resources problems.

The Investigations account includes funding to complete one preconstruction engineering and design (Mobile Harbor, AL), and three dredged material management plans (Buffalo Harbor, NY, Cleveland Harbor, OH and Corpus Christi Ship Channel, TX).

The Investigations account also includes \$25 million for USACE efforts, in conjunction with state floodplain management authorities, to provide technical and planning assistance to enable local communities to reduce their flood risk, with emphasis on non-structural approaches. The Budget continues to invest in the development of interagency teams known as Silver Jackets, which work with the states to enable local communities to understand their flood risks and to identify options to help them to manage those risks, with emphasis on non-structural solutions.

The FY 2020 Construction program as a whole is funded at \$1.301 billion in the Budget, including \$1.17 billion in the Construction account, \$57 million in the MR&T account, \$56 million in IWTF, and \$18 million in the HMTF. The Budget uses objective, performance-based guidelines to allocate construction program funding toward the highest performing economic, environmental, and public safety investments.

The Budget promotes increased non-Federal participation in the construction of Civil Works projects, to improve project delivery, and to increase cost savings. It includes \$150 million in the Construction account for the WRRDA 2014 Section 1043 Non-Federal Construction of Federal Projects program, an innovative program under which the Corps would transfer appropriated funds to non-Federal sponsors who decide to construct a project on their own under Section 1043 of WRRDA 2014, as amended. The Budget also proposes to extend this program's authorization, which currently expires on June 10, 2019. The Budget also provides \$150 million in the Construction account for the Innovative Funding Partnerships program. These funds would be used, in conjunction with funds voluntarily provided by non-Federal interests in excess of the non-Federal sponsor's statutory cost share requirements, to accelerate the completion of construction of specifically authorized projects.

The construction program includes nine commercial navigation projects (including one HMTF project and one IWTF project), five aquatic ecosystem restoration projects and programs and four flood risk management projects.

Four construction projects are funded to completion in the FY 2020 Budget. They include three commercial navigation projects – Charleston Harbor, SC; Locks and Dams 2, 3, and 4, Monongahela River, PA; and Melvin Price Lock and Dam (Deficiency Correction), IL & MO; and one aquatic ecosystem restoration project – Mud Mountain Dam, WA.

Among the construction projects in the FY 2020 Budget, the 10 highest funded projects are: Charleston Harbor, SC (\$138 million); Savannah Harbor Expansion, GA (\$130 million); Locks and Dams 2, 3 and 4, Monongahela River, PA (\$111 million); Sault Ste Marie (Replacement Lock), MI (\$75 million); the South Florida Ecosystem Restoration (Everglades), FL (\$63 million); Rough River Lake, KY (Major Rehab) (\$50 million); American River Common Features, Natomas Basin, CA (\$59 million); Lower Mississippi River Mainstem (MR&T) (\$57 million); Corpus Christi Ship Channel, TX (Main Channel and Barge Lanes) (\$53 million); and Columbia River at the Mouth, OR & WA (\$36 million).

The FY 2020 O&M program as a whole is funded at \$3.025 billion in the Budget, including \$1.930 billion in the O&M account, \$947 million in the HMTF account, and \$148 million in the MR&T account. For O&M, the Budget emphasizes performance of existing projects by focusing on supporting current traffic levels at coastal harbors and inland waterways with the most commercial traffic. It also emphasizes safety improvements at federal dams and levees based on risk, considering the consequences of the most likely failure modes.

The Flood Risk Management program is funded at \$1.011 billion in the FY 2020 Budget. The program is a collaborative effort that integrates and synchronizes the flood risk management projects, programs, and authorities of USACE with those of other federal agencies, state, regional and local agencies. It helps to reduce the risk of loss of life and property damage from riverine and coastal flooding, and increase the resilience of local communities through structural and non-structural measures.

The Budget gives priority to coastal harbors and inland waterways with the most commercial traffic. It also provides for the maintenance of channels at small ports, with emphasis on those that support significant commercial fishing, subsistence, or public transportation benefits.

The Harbor Maintenance Trust Fund provides \$965 million for maintenance work with an emphasis on supporting the transportation of cargo at current levels at the 50 largest U.S. coastal ports, which handle around 90 percent of the waterborne cargo shipped to or from the United States

The FY 2020 Budget again proposes establishing an annual fee to support infrastructure investment and economic growth by helping finance the users' share of future capital investment, as well as 10 percent of the operation and maintenance cost, associated with the inland waterways.

The FY 2020 Aquatic Ecosystem Restoration program is funded at \$187 million in the Budget. This program supports restoring aquatic habitat in significant ecosystems where the aquatic ecosystem structure, function and processes have been degraded. USACE will continue to work with other federal, state and local agencies, using the best available science and adaptive management to protect and restore these ecosystems.

The FY 2020 Budget funds Recreation at \$249 million, including \$12 million in the MR&T account. USACE is one of the nation's largest providers of federal recreation opportunities, hosting approximately 250 million visits annually at its more than 400 lake and river projects in 43 states.

The FY 2020 Regulatory Program is funded at \$200 million in the Budget to protect the nation's waters and wetlands and provide efficiency in permit processing.

Based on USACE's contribution to the response and recovery of communities after natural disasters strike, and the inevitability that there will be more, the USACE Emergency

Management program is funded at \$32 million in FY 2020, with \$27 million in the FCCE account for preparedness and training to respond to floods, hurricanes, and other natural disasters, and \$5 million in the O&M account.

The Budget, as it did for Fiscal 2019, proposes to divest the Washington Aqueduct, which is the wholesale water supply system for Washington, D.C.; Arlington County, Virginia; the City of Falls Church, Virginia; and parts of Fairfax County, Virginia, and is the only local water supply system in the nation owned and operated by USACE.

The Budget also proposes to return responsibility for management of the Formerly Utilized Sites Remedial Action Program (FUSRAP) back to the Department of Energy (DOE). The Army Corps would continue to perform cleanup of FUSRAP sites on a reimbursable basis with DOE. This proposal would enable DOE to consider a broader range of federal cleanup efforts in prioritizing work each year, thereby increasing the effectiveness and efficiency of Federal cleanup efforts. For these reasons, no funds are included in the Army's Civil Works Budget for FUSRAP. The FY 2020 Civil Works budget press book is available on the Web at <http://www.usace.army.mil/Missions/CivilWorks/Budget.aspx>, under the heading Program Budget: Press Books.

[Trump 2020 budget Has Deep Cut in Corps Construction](#)
Tom Ichniowski, Engineering News-Record, March 13, 2019

Under the Trump administration's proposed fiscal year 2020 budget for the Army Corps of Engineers, construction dollars would be slashed from the enacted 2019 level, and Corps officials say they are concentrating those funds on projects that can be finished in the near term.

The overall 2020 civil works budget—which would be cut 31%, to \$4.8 billion—seeks no money for a long-gestating Corps Water Infrastructure Finance and Innovation (WIFIA) Act loan program, but a top civil works official says that program could be launched in 2020.

In a budget briefing for reporters and industry officials on March 12, Corps leaders said the administration's 2020 civil works proposal would include \$2.2 billion for the construction account, down 46% from the 2019 enacted amount, and \$1.9 billion for operation and maintenance activities, a 48% cut from this year.

The budget request includes no funding for new construction starts but focuses dollars on projects that can be finished soon, Corps officials said.

Maj. Gen. Scott Spellmon, Corps deputy commanding general for civil and emergency operations, said that the budget reflects “the tough decisions that have to be made to put the nation on a fiscally prudent path.”

But if the past is any guide, congressional appropriators are likely to increase funding for Corps civil works above the president's request, as they have in each of the past several years.

Mike Toohey, Waterways Council Inc., president and chief executive officer, said in a statement that the budget cuts were “not unexpected, based on past Office of Management and Budget requests from any administration.”

But Toohey added that the fiscal 2020 civil works request “is still very disappointing considering the president's many positive pronouncements on the importance of infrastructure investments.”

Completing projects

Fleshing out the specifics of the Trump 2020 request, R.D. James, assistant secretary of the Army for civil works, said the Corps construction-account proposal has money for 18 projects, of which nine are navigation projects, five for ecosystem restoration and four for flood control.

Four of the construction projects on the list would be “funded to completion,” James added. The largest is the Charleston, S.C., harbor dredging, which would receive \$138 million.

The others are Monongahela River locks and dams 2, 3 and 4 in Pennsylvania, which would get \$111 million; Melvin Price lock and dam on the Mississippi River at Alton, Ill., (\$24 million); and Mud Mountain Dam fish passage in Washington state (\$16 million).

In March 2018, the Corps awarded a \$113-million contract to Kiewit Infrastructure West Co. for the Mud Mountain facility, which the Corps says would be the largest “trap and haul” passage in the U.S.

James noted that in the 2020 budget, the administration is concentrating on finishing projects that are “in the construction queue.” He said, “That’s why you see no new starts.”

Big backlog

Lt. Gen. Todd Semonite, Corps commanding general and the Army’s chief of engineers, said that although the 2020 request allows only four projects to be finished, “We want to continue to advocate for those projects that have had substantial investments so we can continue to see those things through.”

Semonite added, “And if Congress is so inclined to be able to give us additional money—as they have for the last six years in a row—we will work with the [assistant] secretary to figure out where does that money go, to hopefully be able to make sure maybe there’s a couple more projects we can get to, if not finish this year, then pretty close.”

Spellmon said the Corps recently updated its estimate of its civil works construction backlog, to \$98 billion.

He said the Corps has been getting about \$1 billion per year in appropriations for such construction. Spellmon noted that projects are added and deleted from the backlog but added that at recent funding rates, “It would take us about a hundred years to work our way through that backlog.”

Corps and WIFIA

The 2020 budget proposal also requests no funding for the Corps to implement its WIFIA program, which provides low-interest federally subsidized loans for water projects.

WIFIA was authorized under a water resources bill enacted in 2014. But partly because of small amounts of appropriations, implementation by the Environmental Protection Agency and the Corps has been slow.

It took until April 2018 for EPA to approve its first WIFIA loan. But since then, the agency has accelerated its effort, approving six more WIFIA loans. Its total loan volume to date is \$1.9 billion.

The Corps also is authorized to use WIFIA loans but its effort has lagged, with no loans approved yet.

James says that the Corps has been working with EPA “hand in glove” to launch its own WIFIA program. “We think we will have something finished and ready to go from a Corps perspective in 2020,” he says.

CORPS OF ENGINEERS NORFOLK DISTRICT

Eastern Shore Regional Navigable Waterways Committee Status Update for 18 April 2019

Norfolk District Civil Works Program and Initiatives:

Chincoteague Inlet Federal Navigation Project:

Although funds were not identified in the President's FY 2019 budget, \$750,000 was received in FY2019 Work Plan. The project is anticipating an additional \$400,000 in the FY 2020 President's Budget. Funding will be used to perform biannual maintenance dredging of problematic shoaling along the Inner Channel and Outer Bar alignment utilizing government dredging plant. In late February 2019, the USACE Dredge Currituck completed a 2 week dredging event removing approximately 8,000 CY from the Inner Channel alignment. A reconnaissance survey has been scheduled for the spring of 2019 to explore potential channel alignment alternatives in an attempt to bypass problematic shoaling areas and ensure safe navigation for the commercial users transiting the ocean inlet.

Chincoteague Bay (Greenbackville) Federal Navigation Project:

Contract award to perform maintenance dredging is anticipated for May 2019, with projected project completion in September 2019. The project requires upgrades to the dredged material placement facility spillway and refurbishment of the upland placement site. It is anticipated that approximately 10,000 cubic yards of fine-grained dredged material will be placed into the designated dredged material placement area. Maintenance dredging will occur within the boat basin and approach channel.

Oyster Channel Federal Navigation Project:

Detailed design and plans & specifications are currently being prepared in support of maintenance dredging Oyster channel. Based on slope stability and capacity concerns, significant earthwork must be accomplished within the designated upland dredged material placement site in preparation for dredging and dredged material placement. Course of Action is to execute two contracts to accomplish this effort. Phase 1 (first contract) will be an earthwork contract, currently scheduled for award in September 2019. Pending completion of the upland site refurbishment work, phase 2 (second contract) work consisting of maintenance dredging approximately 88,000 cubic yards will be awarded. Award of the maintenance dredging contract is tentatively scheduled for November 2019.

Waterway on the Coast of Virginia Federal Navigation Project:

Detailed design, plans & specifications, and validation of existing environmental authorizations has been initiated to execute a maintenance dredging contract for Bradford Bay and Finney Creek, (Wachapreague) Federal Navigation Channels. The purpose of the maintenance dredging contract will be to restore Bradford Bay and Finney Creek to a maintained depth of -6 feet MLLW. Scope of the dredging work is maintenance dredging up to 150,000 cubic yards of material with overboard placement in Bradford Bay. Award of the maintenance dredging contract is scheduled for December 2019. FY 2018 and 2019 work plan funds are being used to develop plans and specifications and to initiate a solicitation to dredge Bradford Bay and Finney Creek Federal Navigation Channels. This project is not in the President's Budget for FY 2020.

CORPS OF ENGINEERS NORFOLK DISTRICT

Eastern Shore Regional Navigable Waterways Committee Status Update for 18 April 2019

Tangier Island Jetty CAP Section 107 Project:

The purpose of the Jetty project, 494-foot jetty extending southward from the Uppards at the western entrance to Tangier Harbor, is to protect the west entrance channel and boat harbor from waves and ice, and to reduce sedimentation in the channel. A Project Partnership Agreement with the Commonwealth of Virginia (VMRC), the non-Federal Sponsor, has been executed and funds received to advance final design, development of plans and specifications, environmental authorizations, and execution of a construction contract. Based on the design, current project cost estimate is about \$2.5M. The Norfolk District is currently in coordination with VMRC and the Town of Tangier Island to finalize the execution schedule. Contract award is tentatively scheduled to occur in September 2019.

Cedar Island, CAP, Section 204, Beneficial Uses of Dredged Material:

Cedar Island is a barrier island located within the Delmarva Peninsula in the Virginia Coast Reserve, the largest expanse of protected coastal habitat in the United States. Cedar Island is located centrally within the barrier island chain with the Metompkin Inlet separating Cedar Island from Metompkin Island to the north and Wachapreague Inlet separating Cedar Island from Parramore Island to the south. The western side of Cedar Island (referred to as the back-barrier) is flanked by channels, tidal wetlands and marsh islands, lagoons, and mudflats. The Atlantic (eastern side of Cedar Island) is comprised of beach and dune habitat and relic wetlands. The coastal mainland Town of Wachapreague is located on the mainland, west of the Cedar Island back-barrier.

The purpose of the project is to beneficially use the dredged material from the Finney Creek Channel and the Bradford Bay Channel for enhancement, expansion, and protection of the Cedar Island back-barrier shoreline wetlands and marsh islands. The study is in the Feasibility phase. Under Continuing Authorities Program, Section 204, and the feasibility phase is 100% federally funded.

Remaining Feasibility study activities include, accomplishing Public Review, Agency Technical Review, and North Atlantic Division Review. These Reviews will be done congruently will be completed in May 2019.

Project schedule through June 2019 includes completing the activities described above resulting in submission of a draft final report for North Atlantic Division approval in June 2019.

CORPS OF ENGINEERS NORFOLK DISTRICT

Eastern Shore Regional Navigable Waterways Committee Status Update for 18 April 2019

Assateague Island Beneficial Reuse Project:

Chincoteague National Wildlife Refuge has held preliminary discussions with the Norfolk District to assess the potential beneficial reuse of dredged material from the Chincoteague Inlet Federal Navigation Project to restore the degrading back-barrier wetlands inside Swans Cove. A meeting was held on February 7, 2019 to discuss the project scope, schedule and associated dredging costs. Meeting due-outs included the Corps providing a current working estimate for dredging and placement of sandy dredged material into the Swans Cove impoundment as well as USFWS providing updates on potential funding grants. Next meeting is tentatively scheduled for May 2019.

Fiscal 2020 project submittal work plan intentions:

The Norfolk District previously incorporated the ESRNWC's navigation priorities to compete for funds in support of the President's FY 2020 recommended budget. We have initiated work plan development for FY 2020 (funding beyond the President's FY 2020 recommended budget). If that opportunity becomes available, the intent would be to use the established 5 priorities (minus Wachapreague), to compete for work plan money in FY 2020.

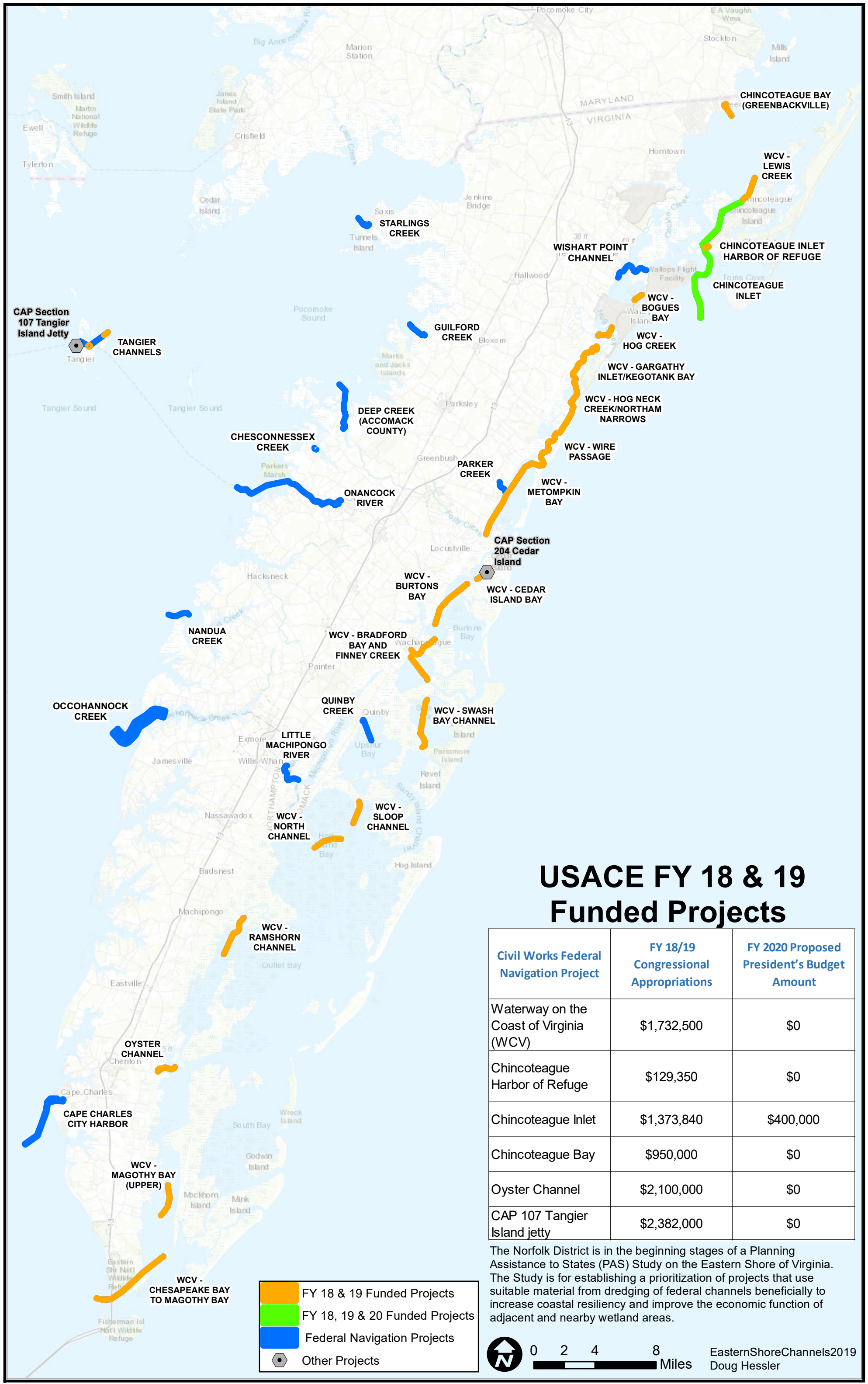
1-Deep Creek (Bayside/Accomack County)

2- Little Machipongo River (Seaside/Northampton County): Connects into the WCV

3- Wachapreague/Finney Creek (Bradford's Channel/Burtons Channel/Seaside Accomack County): Survey conducted 9/2016: CAP SECTION 204 (Beneficial Uses of Dredged Material), CEDAR ISLAND

4: Parker's Creek (Seaside/Accomack County): Connects into the WCV

5: Onancock Creek (Bayside Accomack County)



USACE FY 18 & 19 Funded Projects

Civil Works Federal Navigation Project	FY 18/19 Congressional Appropriations	FY 2020 Proposed President's Budget Amount
Waterway on the Coast of Virginia (WCV)	\$1,732,500	\$0
Chincoteague Harbor of Refuge	\$129,350	\$0
Chincoteague Inlet	\$1,373,840	\$400,000
Chincoteague Bay	\$950,000	\$0
Oyster Channel	\$2,100,000	\$0
CAP 107 Tangier Island jetty	\$2,382,000	\$0

The Norfolk District is in the beginning stages of a Planning Assistance to States (PAS) Study on the Eastern Shore of Virginia. The Study is for establishing a prioritization of projects that use suitable material from dredging of federal channels beneficially to increase coastal resiliency and improve the economic function of adjacent and nearby wetland areas.

- FY 18 & 19 Funded Projects
- FY 18, 19 & 20 Funded Projects
- Federal Navigation Projects
- Other Projects

