

Ms. Kirsten Travis
36633.04



October 1, 2025

Ref: 36633.04

Ms. Kirsten Travis
Virginia Marine Resources Commission – Habitat Management
380 Fenwick Road
Fort Monroe, VA 23651

Re: Joint Permit Application for NASSCO Norfolk – Harper Facility, Norfolk, VA

Dear Ms. Travis,

On behalf of the applicant, Metro Machine Corp. dba General Dynamics NASSCO Norfolk, Vanasse Hangen Brustlin, Inc. (VHB) is pleased to submit the enclosed Joint Permit Application (JPA) requesting authorization to perform maintenance and new work dredging. The project area will be referred to as NASSCO Harper.

Location and Purpose

NASSCO Harper is a ship repair facility located at the confluence of Scott Creek and the Norfolk Harbor in Portsmouth, Virginia. The facility address is 2 Harper Avenue, Portsmouth, VA 23707. Sheet JPA-01 of the attached drawing set provides the location of NASSCO Harper.

The existing berth areas in the vicinity of Pier 1 and Pier 2 are currently permitted to -36 ft MLW. There is also a small widener associated with the northern most berth at Pier 1. Due to the expansion projects in the federal channel, larger ships are calling at the facility and NASSCO Harper requires an extra 2 ft of over depth and larger berths in order to stay competitive in the ship repair industry. Attachment A contains the recent or historical permits associated with this project.

Project Description

Sheet JPA-02 provides the proposed project. The proposed berth along Pier 2 South is ~1160 ft long X 324 ft wide; the proposed berths between Pier 2 North and Pier 1 South are 1035 ft long X 311 ft wide and the berth along Pier 1 North is 1000 ft long by 239 ft wide. The widener has also been shifted to the north and slightly increased in size with a length of 880 ft and a width ranging from 20 ft to 115 ft. Sheet JPA-01 provides the project cross-sections.

The project areas and depths have changed over the existing permitted conditions. Sheet JPA-03 is a color coordinated plan view that shows the change in permitted areas for the proposed project.

The yellow area shows the existing maintenance area that is currently permitted to -36 ft MLW. That area will be deepened to -38 ft, thus the new work dredging includes the additional 2 ft of depth. The blue area is all new work dredging and extends the berths towards the federal channel to match the -38 ft depth contour. In addition, the proposed berth at Pier 1 North has been increased both in width and length and encroaches on the previously permitted widener. The area in orange is the permitted widener (-27 ft MLW) that will be increased to a depth of -38 ft MLW to expand the berth. The green area is the existing widener that is currently permitted to -27 ft MLW and will not change. The purple area is all new work and extends the widener.

The proposed project will increase the footprint of the 2x buffer from 687,400 sf (15.78 acres) to 1,045,350 sf (24.00 acres.) The following table provides the description, area of the toe (sf) and the estimated volume (cy) for each of the new work and maintenance sections.

Section	Description	Toe Area (sf)	Dredging Vol. (cy)
Maintenance (yellow)	-36 ft MLW	570,050	99,950
New Work (yellow)	-36 ft MLW to -38 ft MLW	570,050	42,680
New Work (blue)	Up to -38 ft MLW	238,200	47,375
New Work (orange)	-27 ft MLW to -38 ft MLW	42,350	10,500
Maintenance (green)	-27 ft MLW	6,725	0 cy
New Work (purple)	Up to -27 ft MLW	36,750	9,150
Side Slope (-38 ft to -27 ft)	Side Slope	N/A	4,120

The estimated maintenance volume (previously permitted) is 99,950 cy and the proposed new work dredging volume is 113,825 cy for a total estimated dredging volume of 213,775 cy. Future maintenance would be once every five years with an estimated volume of 100,000 cy per cycle.

Construction

The NASSCO Harper project will most likely be dredged mechanically, but the application also requests the potential for hydraulic dredging if the Craney Island Dredged Material Management Area (CIDMMA) becomes available for disposal within the life of this permit. At that time, the location of the proposed pipeline will be provided and will be dependent upon the future pump out location into the CIDMMA.

Typically, NASSCO Harper would be dredged with a mechanical plant to the permitted dimensions and the material would be placed in a scow and barged to either the Craney Island Rehandling Basin (CIRB) for disposal or to a transfer location at an approved upland disposal site. The CIRB would be the primary choice for disposal, when available.

The two most likely upland disposal sites are Shirley Plantation and Dominion Recycling. The material would be transferred from barges to trucks and then transported to the disposal location. The barge will maintain a minimum of 2 ft of freeboard at all times during transport and there will not be any double handling of material.

Adjacent Property Owners (APOs)

The adjacent property owners are depicted on Plan Sheet JPA-01 and includes Crofton Diving Corporation and the Virginia Port Authority. The addresses are provided in the application.

Regulatory Approach

This project will require an Individual Permit through the Army Corps of Engineers (USACE) since the new work impact area is greater than 2 acres. In addition, since the project will exceed \$1,000,000 in construction costs, the project will also require Commission approval. The project does not impact non-vegetated or vegetated wetlands and will therefore not require authorization via the local wetlands board. The Department of Environmental Quality (DEQ) may take jurisdiction and could require a Virginia Water Protection permit.

Mitigation is not proposed for this project, however, there will be royalties assessed on the new work dredging. The estimated royalties would be estimated at \$0.70 per cy of new work dredging or \$79,677.50.

Environmental Considerations

- The proposed maintenance and new work dredging will not impact non-vegetated wetlands (NV) within the 2x buffer and it will not impact vegetated wetlands (VG) within the 4x buffer.
- The proposed dredging will not impact subaquatic vegetation (SAV).
- The proposed dredging will not impact public or private shellfish leases.

Historic Resources

The VCRIS report is included as Attachment B. The dredging will not impact historic or cultural resources. The report shows that there are two architectural or cultural resources; including the Battle of the Ironclads and Portsmouth Marine Terminals (PMT). The dredging will not impact resources associated with PMT and the Battle of the Ironclads occurred in the Chesapeake Bay and Norfolk Harbor.

Threatened and Endangered Species (ESA)

Information on Threatened and Endangered Species is provided in Attachment C. The Information for Planning and Consultation (IPaC) is a digital project planning tool to help determine whether a project will have effects on federally listed species or designated critical habitat managed by the U.S. Fish and Wildlife Service. The IPaC evaluation results for NASSCO Harper are provided in Attachment C to this application and indicate that the only endangered species in the project area is the Monarch Butterfly (*Danix Plexippus*). There are no critical habitats in the project area.

The proposed dredging project will not impact Monarch butterflies or their habitats.

A search for threatened and endangered species was also conducted through the Virginia Department of Wildlife Resources (DWR). There are twenty (20) federally or state threatened and endangered species in the project area. Most species are birds or terrestrial and would not be impacted by the dredging. There are, however, the Atlantic sturgeon and six sea turtles that are associated with the marine environment.

The proposed dredging project will not impact any of the listed species or their habitats. The Atlantic Sturgeon and sea turtles may forage in the vicinity of the proposed dredge area; however, the river is more than 2,000 ft wide and there is sufficient room for passage at all times throughout the dredging process. The project area does not support habitat for nesting.

NOAA Consultation Review

Attachment D provides the database searches for the Greater Atlantic Regional Fisheries Office (GARFO) and Essential Fish Habitat (EFH). The GARFO mapper shows the potential for several marine species in the project area. The list includes the Atlantic sturgeon, the Shortnose sturgeon and four species of sea turtles (Green, Kemp's ridley, Leatherback and the Loggerhead.)

Due to the width of the river (>2,000 ft), all species of fish and turtles will have ample room for foraging and passage while the project is under construction.

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The NOAA Essential Fish Habitat (EFH) mapper indicates that the project area potentially supports habitat for nine (9) species of fish, as well as a habitat of particular concern (HPAC) for the summer flounder and the sandbar shark. The species list is included in Attachment D.

Thank you for your consideration and review of this project. Please let me know if you have any additional questions.

Sincerely,

Vanasse Hangen Brustlin, Inc.

A handwritten signature in black ink, appearing to read "Rebecca S. Francese", written in a cursive style.

Rebecca S. Francese,
Sr. Environmental Scientist

Attachments –

cc: NASSCO Harper
Regulator of the Day, USACE
Ms. Katy Damico, USACE

FOR AGENCY USE ONLY	
	Notes:
JPA#	

APPLICANTS

PLEASE PRINT OR TYPE ALL ANSWERS. If a question does not apply to your project, please print N/A (not applicable) in the space provided. **If additional space is needed, attach extra 8 ½ x 11 inch sheets of paper.**

<u>Check all that apply</u>			
Pre-Construction Notification (PCN) NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>	SPGP PASDO-PGP SELF VERIFICATION <i>(Replaces Regional Permit 17 (RP-17))</i>	DEQ Reapplication Existing permit number: _____	Receiving federal funds Agency providing funding: _____

PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)				
Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html				
Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION						
The applicant(s) is/are the legal entity to which the permit may be issued (see How to Apply at beginning of form). The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please also provide the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.						
Legal Name(s) of Applicant(s)				Agent (if applicable)		
Mailing address				Mailing address		
City	State	ZIP Code	City	State	ZIP Code	
Phone number w/area code	Fax		Phone number w/area code	Fax		
Mobile	E-mail		Mobile	E-mail		
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name and ID number (if applicable)			
<i>Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here:</i> _____						

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)

Property owner(s) legal name, if different from applicant			Contractor, if known		
Mailing address			Mailing address		
City	State	ZIP code	City	State	ZIP code
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile	E-mail		Mobile	E-mail	
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name ID number (if applicable)		

2. PROJECT LOCATION INFORMATION

(Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction. Include the drainage area if the SPGP box is checked on Page 7.)

Street Address (911 address if available)	City/County/ZIP Code
Subdivision	Lot/Block/Parcel #
Name of water body(ies) within project boundaries and drainage area (acres or square miles).	
Tributary(ies) to: _____ Basin: _____ Sub-basin: _____ (Example: Basin: <u>James River</u> Sub-basin: <u>Middle James River</u>)	
Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.): _____	
Project type (check one) _____ Single user (private, non-commercial, residential) _____ Multi-user (community, commercial, industrial, government) _____ Surface water withdrawal	
Latitude and longitude at center of project site (decimal degrees): _____ / - _____ (Example: 37.33164/-77.68200)	
USGS topographic map name: _____	
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): _____ If known, indicate the 10-digit and 12-digit USGS HUCs (see http://consapps.dcr.virginia.gov/htdocs/maps/HUEXplorer.htm): _____	
Name of your project (Example: <i>Water Creek driveway crossing</i>) _____	
Is there an access road to the project? __ Yes __ No. If yes, check all that apply: __ public __ private __ improved __ unimproved	
Total size of the project area (in acres): _____	

2. PROJECT LOCATION INFORMATION (Continued)

Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections:

Does your project site cross boundaries of two or more localities (i.e., cities/counties/towns)? ☐ Yes ☐ No

If so, name those localities:

3. DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE(S), AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose and need must include any new development or expansion of an existing land use and/or proposed future use of residual land.
- Describe the physical alteration of surface waters, including the use of pilings (#, materials), vibratory hammers, explosives, and hydraulic dredging, when applicable, and whether or not tree clearing will occur (include the area in square feet and time of year).
- Include a description of alternatives considered and measures taken to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For surface water withdrawals, public surface water supply withdrawals, or projects that will alter in stream flows, include the water supply issues that form the basis of the proposed project.

Date of proposed commencement of work (MM/DD/YYYY)

Date of proposed completion of work (MM/DD/YYYY)

Are you submitting this application at the direction of any state, local, or federal agency? ☐ Yes ☐ No

Has any work commenced or has any portion of the project for which you are seeking a permit been completed?
☐ Yes ☐ No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

Are you aware of any unresolved violations of environmental law or litigation involving the property? ☐ Yes ☐ No
(If yes, please explain)

4. PROJECT COSTS

Approximate cost of only the portion of the project affecting state waters (channelward of mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ _____

5. PUBLIC NOTIFICATION (Attach additional sheets if necessary)
Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500

Failure to provide this information may result in a delay in the processing of your application by VMRC.

Property owner's name	Mailing address	City	State	ZIP code

Address and phone number (including area code) of newspaper

Have adjacent property owners been notified with forms in Appendix A? ☐ Yes ☐ No (attach copies of distributed forms)

6. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or confirmed waters and wetlands delineation/jurisdictional determination. Include information when applicable regarding the location of the project in Endangered Species Act-designated or -critical habitats. Contact information for the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Virginia Dept. of Game and Inland Fisheries, and the Virginia Dept. of Conservation and Recreation-Division of Natural Heritage can be found on page 4 of this package.

7. HISTORIC RESOURCES INFORMATION

If Yes, please indicate which district: _____

7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?

___ Yes ___ No ___ Uncertain

If Yes, please provide the following information: Date of Survey: _____

Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? ___ Yes ___ No ___ Uncertain

Title of Cultural Resources Management (CRM) report: _____

Was any historic property located? ___ Yes ___ No ___ Uncertain

8. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 17.

	Impact site number 1	Impact site number 2	Impact site number 3	Impact site number 4	Impact site number 5
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example: F, NT, PE, V)					
Latitude / Longitude (in decimal degrees)					
Wetland/waters impact area (square feet / acres)					
Dune/beach impact area (square feet)					
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)					
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)					

8. WETLANDS/WATERS IMPACT INFORMATION (Continued)

Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO; Example stream: 'C' channel and if tidal, whether vegetated or non-vegetated wetlands per Section 28.2-1300 of the Code of Virginia</i>					
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)					
Contributing drainage area in acres or square miles (VMRC cannot complete review without this information)					
DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII https://law.lis.virginia.gov					
For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map – see (3) in the Footnotes section in the form instructions.					
For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.					

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS**READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING**

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)

Is/Are the Applicant(s) and Owner(s) the same? ____ Yes ____ No

Legal name & title of Applicant	Second applicant's legal name & title, if applicable
Applicant's signature	Second applicant's signature
Date	Date
Property owner's legal name, if different from Applicant	Second property owner's legal name, if applicable
Property owner's signature, if different from Applicant	Second property owner's signature
Date	Date

CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S)' BEHALF (IF APPLICABLE)

I (we), _____ (and) _____ ,
 APPLICANT'S LEGAL NAME(S) – *complete the second blank if more than one Applicant*

hereby certify that I (we) have authorized _____ (and) _____
 AGENT'S NAME(S) – *complete the second blank if more than one Agent*
 to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.

Applicant's signature	Second applicant's signature, if applicable
Date	Date
Agent's signature and title	Second agent's signature and title, if applicable
Date	Date

CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)

I (we), _____ (and) _____ ,
 APPLICANT'S LEGAL NAME(S) – *complete the second blank if more than one Applicant*

have contracted _____ (and) _____
 CONTRACTOR'S NAME(S) – *complete the second blank if more than one Contractor*

to perform the work described in this Joint Permit Application, signed and dated _____.

I (we) will read and abide by all conditions as set forth in all federal, state, and local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable federal, state, and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.

Contractor's name or name of firm (printed/typed)	Contractor's or firm's mailing address	
Contractor's signature and title	Contractor's license number	Date
Applicant's signature	Second applicant's signature, if applicable	
Date	Date	

16. BEACH NOURISHMENT (Continued)

Describe the type(s) of vegetation proposed for stabilization and the proposed planting plan, including schedule, spacing, monitoring, etc. Attach additional sheets if necessary.

17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands								
Non-vegetated wetlands								
Subaqueous land								
Totals								

Is this a one-time dredging event? ☐ Yes ☐ No If "no", how many dredging cycles are anticipated: _____
(initial cycle in cu. yds.) (subsequent cycles in cu. yds.)

Composition of material (percentage sand, silt, clay, rock):

Provide documentation (i.e., laboratory results or analytical reports) that *dredged* material from on-site areas is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site).

Please include a dredged material management plan that includes specifics on how the dredged material will be handled and retained to prevent its entry into surface waters or wetlands. If on-site dewatering is proposed, please include plan view and cross-sectional drawings of the dewatering area and associated outfall.

Will the dredged material be used for any commercial purpose or beneficial use? ☐ Yes ☐ No
If yes, please explain:

If this is a maintenance dredging project, what was the date that the dredging was last performed? _____
Permit number of original permit: _____ (It is important that you attach a copy of the original permit.)

Cover letter narrative provides additional information on new work and maintenance dredging areas / volumes and dredging management