

## Public Scoping Comments

Impact on Virginia Beach budget-support services

Validity of old EA

Corps and DOJ costs for this project (past and present)

Projected user days of facility/waterway-additional people in Back Bay

Boating education /safety for all dangers-license registration and enforcement

Amount of money spent of Back Bay restoration over last 20 years compared to economic gain of marina

Future expansion south

Maintenance dredging schedule (navigation hazard from dredging vessels)

Environmental impact of dredging (grasses, fishes, etc.)

Impact on waterway due to increased motorized vessels (compare to Rudee Inlet with only 50 slips)

Need for so many slips

Cumulative impacts to include NC

Coordinate with Wilmington District (Currituck Sound Ecosystem Restoration Study from 2011)

Water quality and TMDL associated with wind tidal system

Tailored studies with local groups specific to Back Bay system

Conflict of interest (consultant and owner)-former Corps employee as agent

Identify other experts working on the EIS

Preventing access to navigable waterway and this project setting a standard

Effects of lighting at facility on wildlife

Spawning fish habitat (large-mouth bass) impacts

SAV impacts

Watercraft impacts on nesting eagles (birds of prey)

Fuel source for vessels-spill containment-would gas station be in a later phase of development

Impact of proposed condos included in review for cumulative impacts (single and complete-condos would be built without marina)

Traffic to get to marinas and parking

Increased erosion and turbidity due to boats (SAV impacts)

Trash from boaters and facility

Cost of law enforcement

Enforcement of permit conditions

Upland runoff impacts on water quality

Back Bay, Sand Bay, and Shipps Bay water depths (fluctuations) compared to vessel drafts

Piling impacts off pier (alter flow of water)

Cooperating agencies on EIS

Waste concerns (if no pump-out facilities for waste)-Bathrooms onsite?

Purpose and need for general public

Back Bay as an ARNI

Parking lot cause tax increase

Marinas draw a bad element of people who don't live there

Need for another marina in VA Beach

Percent increase in traffic (boat and car)

Cumulative impact analysis-increase in traffic (past, present, future)

Turbidity analysis-particularly in Back Bay

Other state agencies that provide review of EIS

Other State agencies that need to issue permits

What parts need to be approved by VMRC

Allowing any commercial enterprises

Enforcement after the fact during operation of facility

Securing property

Moorings or boat slips

Are drawings available to the public?

Pump out station included in plan?

Boats allowed to stay on trailers onsite to be stored in offseason?

Storm events-potential damage to aquatic resources

Cost of EIS

Does applicant pay for cost of Corps' review?

Who sets limits? Size of horse power, jet ski limits

Who enforces after the fact?

Restrictions on when and where boats launch? Free to go where they want?

Will 12 existing slips be allowed to have jet skis?-impacts from jet skis on SAVs (which slips, can it be increased?)

Full range of alternatives-LEDPA

Public interest versus private interest

Anticipated increase in traffic; time of year; how it relates to SAV, bird migration, birds, etc.

Public hearing decision

Rental-renters given keys to use boats; not familiar with area; who will manage this?

Marina-why no fuel?

Boats on trailer-will they haul to a fuel station

Pollution associated with facility-litter, fuel, etc. Impact on wildlife and vegetation

Will maintenance of vessels be done (painting, washing) Maintenance agreement with tenants outlining terms.

Can boat owners bring fuel (5 gallons, etc) spillage concern?

Refuge 0.6 miles away-nesting birds, SAVs, turbidity, effects on aquatic ecosystems

SAV high productivity- bass stocking (winters an waterfowl) east side of Long Island

Why not have an independent person hired by be developer do EIS?

What is Corps process to review validity of data- who will analyze information provided by Mr. Jones?

Quality of life

Precedent setting decision (other foreseeable impacts)

Will changes in application be made available on the website?

Will JPA be made public? Want old and new JPA placed on website

ESA review

Can past FONSI be made available?

No Wake Zone has expired, referenced as mitigation on last permit

Hold two public hearings (one during scoping and one further during EIS process)

Project need and public benefits

Economic benefits

Only benefit investors

Estuary impacts (SAVs)

Bilge water discharge, mud on boats, anchorage, source of fuel (sloppy refueling)

Proximity to Refuge

People unfamiliar with Back Bay restoration may not realize impacts

Jet boats and jet skis

For profit initiative-why should public come up with alternatives?

Wind driven tides and unfamiliar boaters

Will destroy fragile wetlands- will there be compensation?

Property values may increase (especially for Sanctuary Condo owners)

Address necessity of bulkhead especially with regards to 4x buffer

How will wetlands restoration/compensation be accomplished? Where? What will be impacts?

History of dredging and pumping (back in the 1950s) -Don't want to see past mistakes repeated

Current dredging impacts? Impacts to SAVs?

Maintenance versus new dredging

Impacts to migratory waterfowl

Long-term effects on SAVs

Enforcement at facility-Who will do it? Use requirements? Agency responsible? (Not like Cavalier Yacht Club)

Invasive species introduction via Sandbridge boat launching

Last bathymetric survey was in 2005-needs to be updated for this application. Include updated survey in EIS

MHW and MLW- reference tidal datum for wind driven system

Compare marina (proposed) to other similar businesses; what is basis of comparison (parking, users, gasoline)

Compare to similar marina projects located near NWRs

More users = more trash, litter, waste, quantify in EIS

Is this first phase of development -What are ultimate plans?

Update plans on website

Turbidity and wake-induced erosion on any adjacent shores

General comment: site management, restrooms, pump-out facility, gas, policing of site

Limited to Sandbridge; clearly define users

Anticipated parking impacts, stormwater management, wetland impacts

If sold, will site management and use limitations stay the same?

Horse-power limits – grandfathering? How enforced? To whom do horse-power limits apply?

Regardless of owner, how do commitments/limitations continue to apply?

Impacts from previous dredging on turbidity, siltation, photosynthesis

Impacts to recreational fishing especially large-mouth bass and commercial fisheries

Wildlife impacts addressed in EIS

Will channels be marked for unfamiliar users/tourists?

Construction impacts- cement truck washouts, truck traffic on local roads, noise

Floating elements on mud at mean low water minus 4

Will demand eventually lead to a marina fueling facility?

Constraints on a gas facility-is it even feasible?

Next steps in public involvement and permitting process-Clarify on website including steps in process, and anticipated dates review draft EIS, revised permit application, and final EIS

Who is writing the EIS-Corps, applicant, or third-party consultant? What about collusion?

Include agent's qualifications and clarify role and relationship between applicant and writer of EIS

Request that comments from public scoping be posted on website prior to end of public scoping comment period

Projected sea level rise in 25 years and impacts to proposed project

Provide number of existing moored boats in Sandbridge as basis for comparison or baseline

Determine number of waterfront lots not all lots including land-locked

Are there other marinas in vicinity that successfully operate under a similar business model (including bring your own gasoline)

Effects to wildlife, aquatic (crabs, fish) mammals, birds, vegetation (aquatic and land)

Effects of additional vessels to crabbing industry, safety concerns

Economic effect on fishing industry

Noise Pollution

Enforcement in waterway and at marina

Secondary and tertiary effects due to development and traffic

Safety, navigation hazards for unfamiliar boaters, duck blinds (hazard) liability (increase in insurance)

Long and short-term water quality impacts (immediate to 10+ years)

Erosion and siltation

Cumulative impacts and long-term effects of this and other projects

Cost to taxpayers

Enforcement of permit conditions

Will non-resident property owners be able to own slips?

Comparison to comparable similar situation

How will use of Back Bay be changed during waterfowl season due to boats

Enforcement of facility prior to condo construction

Concerns with onsite mitigation

Concerns with spillage if fuel station is present

Pollution from boaters (litter and trash)

Concerns over maintenance dredging (cost, frequency, who will pay, disposal of dredge material after condos are built). Impacts on SAVs

Conflicts with Currituck Sounds Restoration efforts, including water quality, and erosion (issues being addressed by Wilmington District)

Effects on Essential Fish Habitat (EFH), juvenile fish, and Habitat Area of Particular Concern

Large-mouth bass, including spawning areas

Effects to secretive marsh birds- King Rail, Least Bittern

Long and short-term effects to SAVs (immediate and 10+ years)

Address effects and management plans for oil, paint, fuels, solvents, trash, sanitary waste, hydrocarbons

Purpose and need

Renters using boats and boat ramp (clarification on who will use)

Concerns over consolidated and cumulative boat traffic effects (especially with recreational boaters)

Safety

Concerns over significant degradation to Back Bay for disaster clean up

Property rights-right to enjoy

Conflicts of interest with stake-holders and local politicians

Address erosion along shoreline and islands, including cumulative impacts

Request public hearing and another scoping meeting

Include maps detailing depths (changes) for Sand Bay and Shipps Bay

Number and kind of watercraft using facility

Cumulative effects on water quality

Effects to spawning fish and fish habitat

Effects on feeding and behavior of birds

Effects of watercraft on bald eagle nest at False Cape State Park

Effect of construction and traffic on secretive marsh birds

Effects of construction on SAVs

Back Bay has become an improved recruitment area for river herring and striped bass

Request for a site visit to the property to allow individuals an opportunity to see the 12 slip Marina as it currently stands. The visit would allow individuals to get a visual perspective of current location and provide a view of the proposed development's intended location.



The owners of the Condo will add the slip at the proposed marina as another amenity to their guest renters at their Condo. The paying guest will trailer their boats with them as part of the family's vacation. Shallow waters of Back Bay will be unsafe for visiting recreational boaters. No navigation markers or marked channels in Back Bay. Boaters will run aground causing many calls for stranded people and those who get lost because the high vegetation (Phragmites).

Some Sandbridge residents and others do currently use power boats within Back Bay, but much of the use is by kayak and canoe. The bay is uniquely suited for this type of minimally impacting usage. The proposed marina would turn that usage equation on its head – making the self powered boats a minority and increasing the damage caused by motor driven boats.

Back Bay hosts thousands of migratory birds on an annual basis, and disrupting the food chain designed to feed these birds could be disastrous for their varied populations.

Marina would change the character of the area with increased noise, pollution, and traffic and would reduce the natural wildlife.

Safety concerns for people who paddle out into Back Bay. Also additional boats will disrupt the serenity of Back Bay.

Decision pits the interest of one person against the majority of the community who are attracted to the natural beauty of the Back Bay and the Sandbridge community for generations to come.

Include studies of the submerged aquatic vegetation (SAV), fish, and waterfowl in Back Bay to determine how the proposed high number boat facility may affect them.

Discuss how this proposed private “members only” marina will serve the purpose and needs of the general public.

Include a full range of less damaging alternatives for review.

The federal government and the Commonwealth of Virginia have determined Back Bay to be so valuable they have spent over 30 million dollars to protect this ecosystem and designated it an “Aquatic Resource of National Importance.”

