



COMMONWEALTH of VIRGINIA

Marine Resources Commission

2600 Washington Avenue

Third Floor

Newport News, Virginia 23607

Molly Joseph Ward
Secretary of Natural Resources

John M.R. Bull
Commissioner

March 10, 2015

ADDENDUM NO. 1 TO ALL OFFERORS:

Reference – Request for Proposal: RFP #CRD15-01
Commodity: Dredging Services & Marine Construction
Dated: March 9, 2015
For Delivery To: Contractors
Proposal Due: March 30, 2015

The above is hereby changed to read:

1. Reference Page 5, III. Scope of Work, b. 5th paragraph: Add “Current dredging permit issued by U.S. Army Corps of Engineers – 12-RP-20”.

Note: A signed acknowledgement of this addendum must be received at the location indicated on the RFP either prior to the proposal due date and hour or attached to your proposal. Signature on this addendum does not substitute for your signature on the original proposal document. The original proposal document must be signed.

Very truly yours,

Brandy L. Battle
Contract Officer
Phone: 757-247-2260

Name of Firm

Signature/Title

Date

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD



DEPARTMENT OF THE ARMY
NORFOLK DISTRICT, CORPS OF ENGINEERS
FORT NORFOLK, 803 FRONT STREET
NORFOLK, VIRGINIA 23510-1096

MARCH 10, 2015

REPLY TO
ATTENTION OF:

Western Virginia Regulatory Section
NAO 2000-3926 (Tribell Shoal - 2015)

Virginia Marine Resources Commission
Chief Fisheries Management Division
2600 Washington Avenue
Newport News, VA 23607

Dear Mr. O'Reilly:

This is in reference to the Department of the Army application (NAO 2000-3926) submitted by VMRC for 2015 Tribell Shoal oyster shell dredging and shell planting. VMRC will perform all work in the river areas as specifically identified in the permit application received January 13, 2015. The proposed project as described above and depicted on attached project drawings, stamped as received by our office on January 13, 2015 satisfies the terms and conditions of Norfolk District's Regional Permit 20 (12-RP-20). Provided that VMRC follows the general and special terms and conditions of the 12-RP-20, as well as all other special conditions included below, no further authorization will be required from the Corps.

To clarify the extent of authorized work, the permit application included a range of impacts, based in part on funding, and in part on needed shell planting. Therefore, this verification is to hydraulic dredge 50,000 to 150,000 cubic yards of fossil shell sediments, wash, and discharge 25,000 to 75,000 cubic yards of wash sediments to the dredge site. For 2015 VMRC will plant 390,000 to 1,142,000 bushels (25,000 to 75,000 cubic yards), on 400 to 1,142 acres of existing oyster reef.

In addition, please note that the included §408 permission (33 USC 408) is granted, based on additional §408 specific conditions. VMRC must comply with those §408 conditions in order for this 12-RP-20 verification to be valid.

Please take note of the special and general conditions incorporated in the 12-RP-20. In addition, authorization of this permit is contingent on the following special conditions:

1. Dredge and discharge activity shall not take place within 200-feet of the toe of the Tribell Shoals federal navigational channel.
2. The dredge location shall be recorded by sub-meter GPS and GPS data submitted electronically to the Corps (email john.d.evans@usace.army.mil) every day, not later than 09:00 AM. Trackline data, as submitted in 2012, is sufficient to meet this reporting condition, but does not meet the §408 condition.

VMRC must sign and return the attached "compliance certification" form within 30 days of completion of the project. The signature on this form certifies that VMRC has completed the work in accordance with the regional permit terms and conditions.

This verification is valid only until December 31, 2015 for Tribell Shoal 2015 oyster shell dredging and subsequent shell planting. In that endangered species are likely to be present in both dredge and shell planting areas, and in that those areas change every year, and given the time of year restriction of dredging only between June 15th and December 31st of any year; each annual shell dredging action is a single and complete project and must be re-verified on an annual basis. The Norfolk District will issue a special public notice announcing any changes to the Regional Permits when they occur; however, it is incumbent upon you to remain informed of changes to the RPs.

The State Water Control Board provided §401 Water Quality Certification for the 12-RP-20. Therefore, the activities that qualify for this RP meet the requirements of Department of Environmental Quality's (DEQ) Virginia Water Protection Permit Regulation, provided that the permittee abides by the conditions of 12-RP-20.

Furthermore, this authorization does not relieve your responsibility to comply with local requirements pursuant to the Chesapeake Bay Preservation Act (CBPA), nor does it supersede local government authority and responsibilities pursuant to the Act. You should contact your local government before you begin work to find out how the CBPA applies to your project.

The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

If you have any questions concerning this matter or would like further assistance, please contact John Evans at (757) 201-7794.

Sincerely,

EVANS.JOHN.DAVID.1074513561

Digitally signed by
EVANS.JOHN.DAVID.1074513561
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=USA,
cn=EVANS.JOHN.DAVID.1074513561
Date: 2015.03.10 10:36:24 -04'00'

John Evans
Western Virginia Regulatory Section

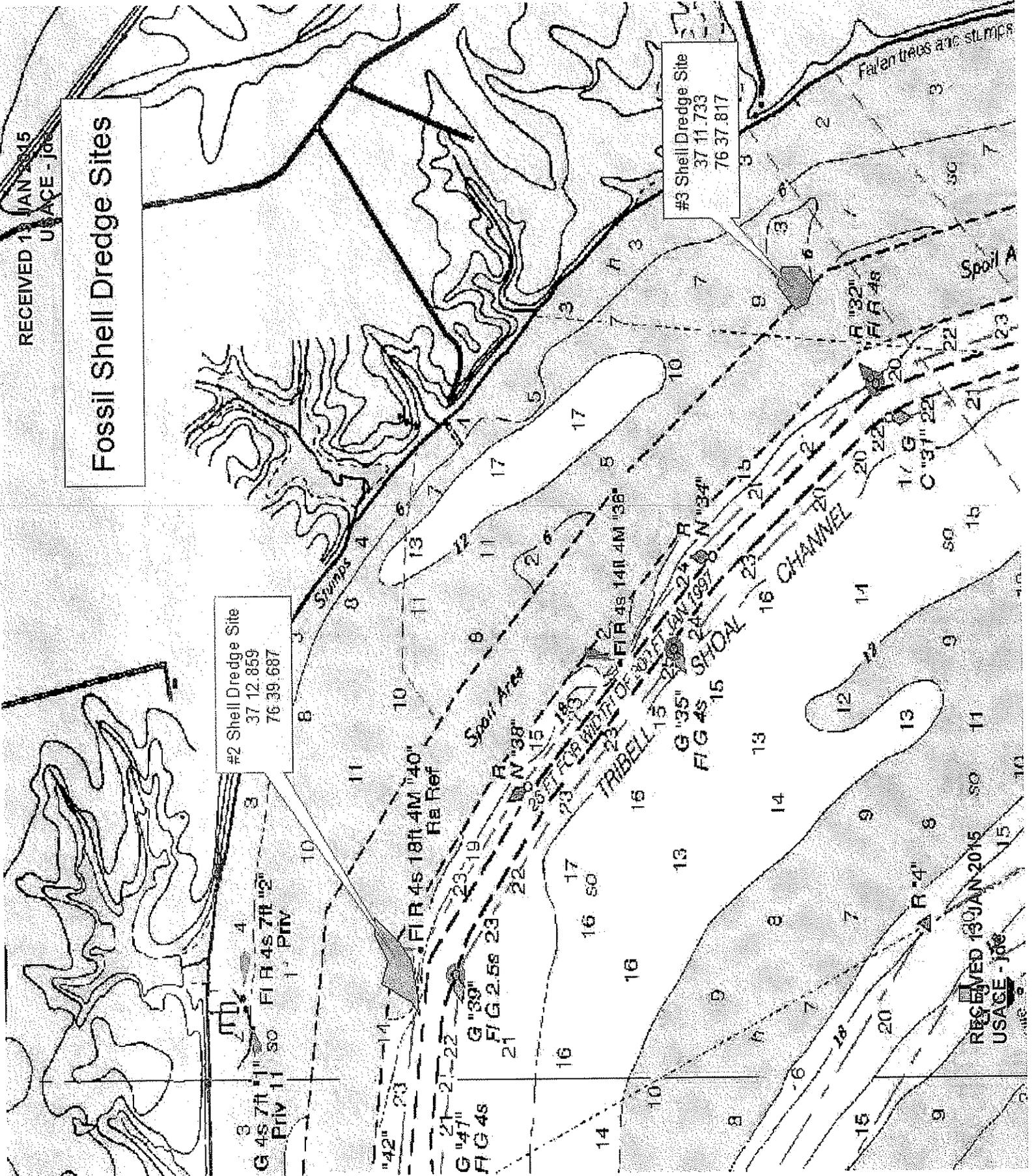
Attachments: 12-RP-20
Project Drawings
Certificate of Compliance

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USACE - JOC

Fossil Shell Dredge Sites

#2 Shell Dredge Site
37 12.859
76 39.687

#3 Shell Dredge Site
37 11.733
76 37.817



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USACE - JOC

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2015 Proposed Lower James Shell Plants

Brown Shoal
37 00.754
76 28.289

Ballards Marsh
36 59.523
76 31.026

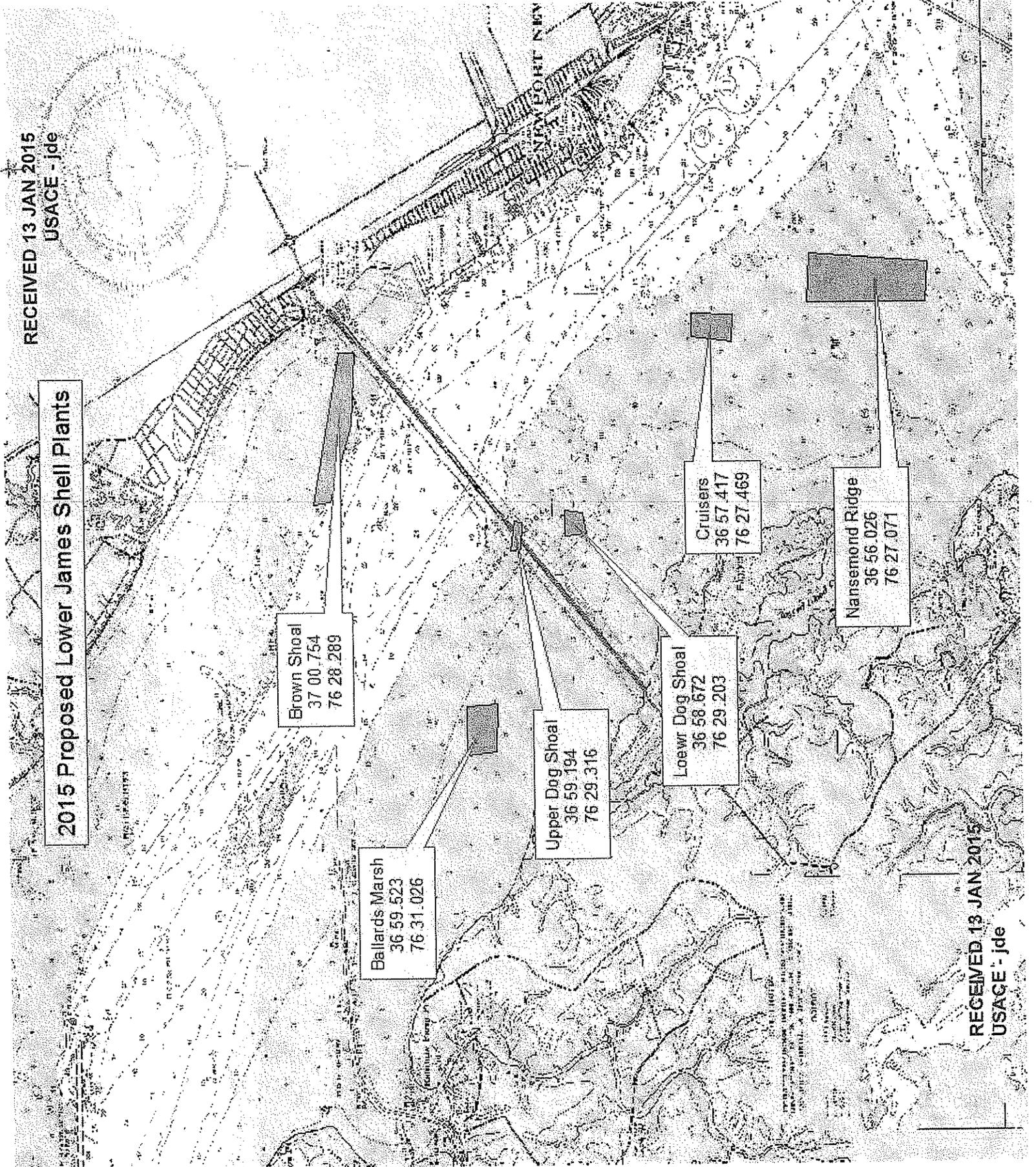
Upper Dog Shoal
36 59.194
76 29.316

Loewr Dog Shoal
36 58.672
76 29.203

Cruisers
36 57.417
76 27.469

Nansemond Ridge
36 56.026
76 27.071

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2015 Proposed Rappahannock Shell Plants

#21 Corrotoman
37 39.703
76 29.095

#22&42 Corrotoman
37 40.212
76 28.505

#20 Corrotoman
37 39.540
76 28.654

#41 Drumming Grd.
37 39.247
76 27.779

#24 Ferry Rock
37 37.947
76 25.045

#25&48 Larsons Sanc.
37 37.668
76 23.391

#26 Mosquito Isl.
37 36.580
76 20.604

#27-2 Butlers Hole
37 36.494
76 18.196

#31 White house
37 38.139
76 30.392

#12 Parrotts Rock
37 36.380
76 25.321

#11 Parrotts Rock
37 36.354
76 24.904

#10 & 51 North End
37 35.267
76 23.963

#9 Sturgeon
37 34.953
76 22.213

#45 U. Sturgeon
37 34.874
76 21.048

#3 Spike
37 34.630
76 17.621

Mill Creek #51

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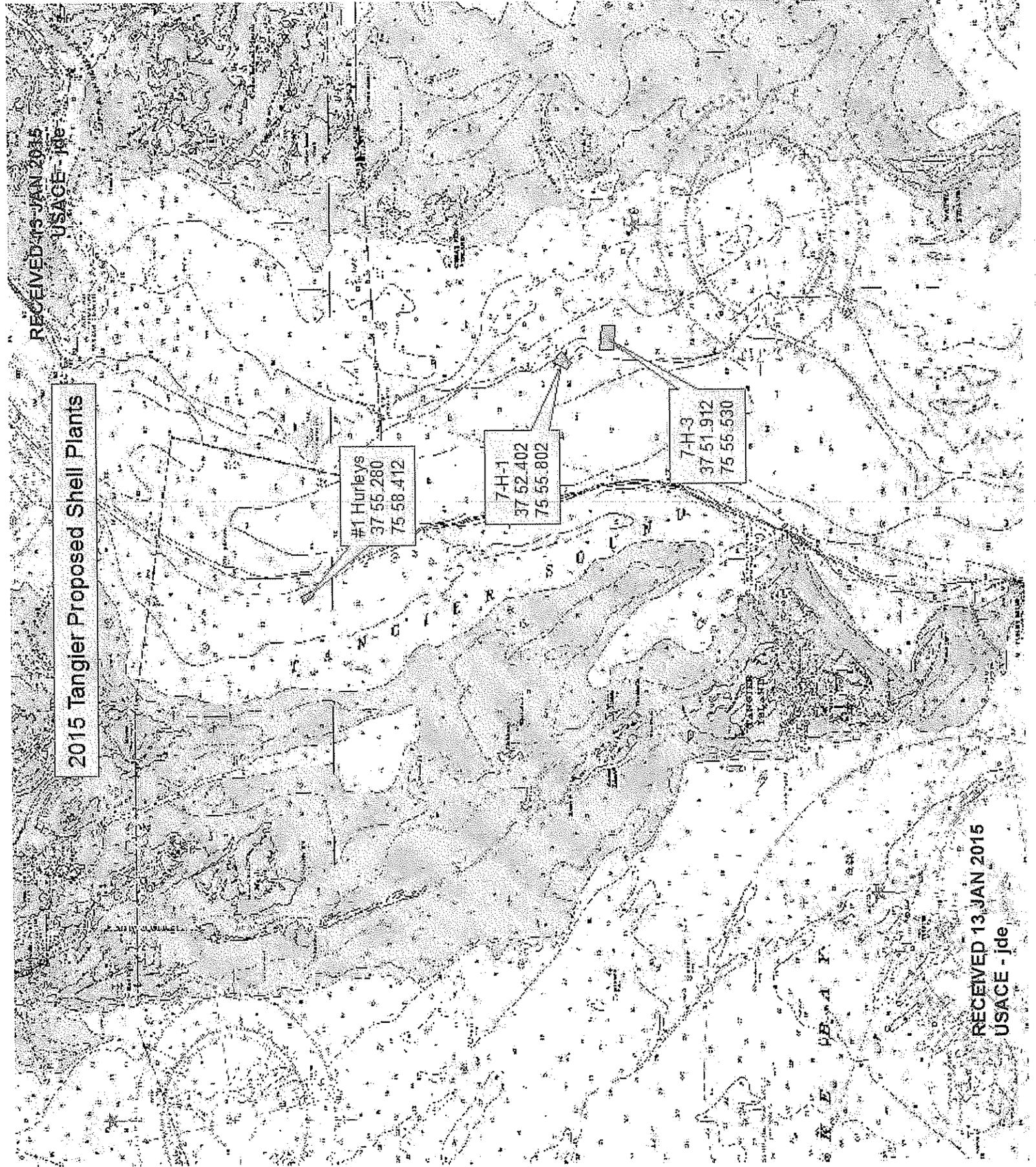
2015 Tangier Proposed Shell Plants

#1 Hurleys
37 55.280
75 58.412

7-H-1
37 52.402
75 55.802

7-H-3
37 51.912
75 55.530

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2015 Pocomoke Proposed Shell Plants

10-H-2
37 56.619
75 44.513

9-H-2
37 57.029
75 42.692

9-H-1
37 56.812
75 43.015

10-H-1
37 56.206
75 44.952

13-H-2
13-H-3
37 54.186
75 47.241

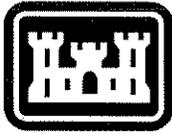
13-H-5
37 53.644
75 47.680

Byrd Rock
37 51.124
75 47.813

13-H-1
37 54.491
75 48.076

Marshall's Rock
37 51.853
75 49.926

RECEIVED 13 JAN 2015
USACE - jde



**U.S. Army Corps
Of Engineers**
Norfolk District

**CERTIFICATE OF COMPLIANCE
WITH
ARMY CORPS OF ENGINEERS PERMIT**

Permit Number: NAO-2000-3926 (Evans)

Name of Permittee: VMRC – Tribell Shoal Oyster Shell 2015

Date of Issuance: 3/10/2015

Permit Type: RP-20 for Tribell Shoal Oyster Shell 2015.

Within 30 days of completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

Norfolk District Corps of Engineers
Regulatory Branch Attn: John Evans
803 Front Street
Norfolk, Va. 23510-1096

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation has been completed in accordance with the permit conditions.

Signature of Permittee

Date



Reply to
Attention of

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

FEB 25 2015

Executive Office

Mr. James A. Wesson
Virginia Marine Resources Commission
2600 Washington Avenue, 3rd Floor
Newport News, Virginia 23607

Dear Mr. Wesson:

In accordance with Engineering Circular (EC) 1165-2-216, the U.S. Army Corps of Engineers (USACE), Norfolk District performed an evaluation of your request to perform annual Oyster Shell dredging in the James River near Tribell Shoal, Rappahannock Rivers, Pocomoke and Tangier Sounds. Based on this evaluation, I have determined the requested dredging of these areas effectively alters a portion of the James River Federal Navigation Project operated and maintained by the USACE. Therefore, pursuant to Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408), you must obtain USACE permission to alter the project.

I have determined that the proposed dredging does not impair the usefulness of the Federal project nor harm the public interest. Therefore, based on this evaluation, the request is hereby granted to alter the James River project, provided you adhere to the following conditions:

- a. VMRC dredge and discharge activity shall not take place within 200-feet of the toe of the Tribell Shoal Federal Navigational Channel.
- b. The dredge locations shall be recorded by sub-meter Global Positioning System (GPS), and GPS data and submitted electronically to USACE.
- c. VMRC shall ensure that the washed sediment material is returned and contained to the river area that they have dredged and not transported to the Federal Navigational Channel.

For any questions regarding this evaluation, please contact Mr. Michael R. Darrow, Chief, Water Resources Division and Section 408 Coordinator, at (757) 201-7112.

Sincerely,

Paul B. Olsen, P.E.
Colonel, U.S. Army
Commanding