



STAFFORD COUNTY WETLANDS BOARD

Meeting Minutes

Monday, June 15, 2020 at 2:00 pm
ABC Conference Room of the George L. Gordon, Jr. Government Center

A. Call to Order

B. Roll Call

Members Present: Anthony Pineau, Ben Rudasill, Mary Rust, Dan Adams, Sue Henderson, Frank Rubio

Members Absent: Jim Riutta

Staff Present: John Saunders, Ben Foster, Joe Fiorello, Cindy Bush

C. Determination of a Quorum

A quorum was established with 6 of the 7 members present.

D. Election of Officers

Ms. Henderson nominated Mr. Pineau for Chairman, which was seconded by Mr. Adams. Mr. Pineau was elected Chairman with a total of 6 votes. Mr. Pineau abstained.

Mr. Pineau nominated Mr. Rudasill for Vice-Chairman, which was seconded by Ms. Rust. Mr. Rudasill was elected as Vice-Chairman with a total of 6 votes. Mr. Rudasill abstained.

E. Approval of Minutes

Mr. Pineau made a motion to approve the minutes. Ms. Henderson seconded the motion requesting a minor change. The motion passed.

F. Public Hearing

WB20-1:CSX Permit Extension and Modification Request

Mr. Foster stated to consider the updated application of CSX Transportation, Inc., applicant, to construct a riprap slope protection at 3 strategic locations to re-establish the slope and previous toe of slope adjacent the Potomac River with additional impacts to tidal wetlands, within and along the CSX right-of-way. Mr. Foster presented the background the riprap revetments require a wetlands permit as they are not permitted uses pursuant to Section 27-18 of the Stafford County Wetlands

Ordinance entitled "Permitted Uses". The stated purpose of this project is to construct a third rail from Arkendale to Powell's Creek and to protect it from erosion.

The CSX right of way encompasses existing rail lines passing through Stafford County. In 2010, a joint permit application was submitted by the Virginia Railway Express for the wetland impacts associated with the construction of a third rail through Prince William and Stafford counties, up to the Arkendale area of Widewater. As a State project exempt from local review, the original impacts were subsequently permitted in 2011 at the State and Federal level. The permit was transferred from Virginia Railway Express to CSX Transportation, Inc. on March 5, 2014. The State Attorney General's office made the determination that the project was no longer classified as a State project and needed additional approval at the local level. In addition, they determined that the Stafford and Prince William County Wetlands Boards had jurisdiction over tidal wetlands on the Quantico Marine Corps Base.

The original permit was approved by the Wetlands Board on January 13, 2015 with a modification approved on March 21, 2016. The modified permit was then extended on February 26, 2018 for two years by the Board. This current proposal will serve to modify and extend the existing permit which was set to expire on March 21, 2020.

The current modification request proposes impacts that will be in addition to the permitted impacts in Resolution WB18-01 (Attachment 2).

Riprap slope protection is proposed to be placed along the track alignment at three (3) strategic locations to re-establish the slope and previous toe of slope adjacent to the Potomac River. Impacts at two (2) of the locations, known as Area B and RW-5, were previously permitted, but never constructed. Further engineering evaluation has dictated a revised riprap slope protection footprint at these locations as depicted in the "Currently Permitted versus Proposed Limits" overlays found in Attachment 3. Additionally, a third area of bank erosion (known as Wall 1 to Wall 2) was identified and is included in the permit modification request (Attachment 3). The purpose of this effort is to protect the integrity of the banks of the Potomac River slope and ultimately the railroad tracks.

Proposed impacts for each of these areas are shown in the tables on Attachment 2 of the permit modification request. In-Lieu fees for previously permitted impacts have been paid. Should the Board approve the modification; an additional in-lieu fee of \$76,552.39 will be collected for the additional intertidal impacts proposed. Staff recommends approval for WB20-01

Mr. Pineau asked for Public comments there were none. The Public comments was closed and opened up to the Board for comments.

Ms. Rust inquired if the access road is still operable. Mr. Allen replied the access road was never constructed the current plan all equipment and rock material will be brought in by rail car. Ms. Rust inquired if any soil, vegetation being removed. Mr. Allen replied that is correct there is an existing stock pile area at the South end of the project.

Ms. Rust made a Motion to approve WB20-1 CSX Permit Extension and Modification, which was seconded by Mr. Adams. The motion passed 6-0.

G. Reports by Commission Members

Ms. Henderson stated in the past we have discussed how to find a way to make some educational material available to property owners also asking staff for the status of Parks & Recreation to provide with a list of ways that county properties could use some of those funds. Mr. Foster asked if he could get back on this.

H. Staff Report

None

With no further business to discuss, the meeting adjourned at 2:25 pm.