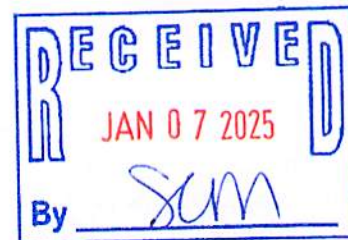


From: [Chris Davis](#)
To: [Mitchell, Sarah](#); [MRC - jpa Permits](#); [Johnson, Mike \(MRC\)](#)
Cc: [AS](#)
Subject: JPA #24-2929, Averelle Smith
Date: Friday, January 3, 2025 2:21:47 PM
Attachments: [ASmith Profile views A and B 1-3-25 \(1\).png](#)
[ASmith Plan View QReefs 1-3-25 \(4\).png](#)
[Averelle Smith Revised JPA 1-3-25 .pdf](#)



Revised JPA and drawings attached.

- ❖ DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (<http://www.deq.virginia.gov/Locations.aspx>). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- ❖ VMRC: An application fee of \$300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 24-2929

APPLICANTS

Part 1 – General Information

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 8-1/2 x 11 inch sheets of paper.

Check all that apply				
Pre-Construction Notification (PCN) <input type="checkbox"/>	PASDO – PGP Self Verification <input type="checkbox"/>			
NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>	<i>(Replaces Regional Permit 17 (RP-17) checklist)</i>			
County or City in which the project is located: _____ <small>Gloucester</small>				
Waterway at project site: _____ <small>Ware River</small>				
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

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:
- | | |
|---|--|
| Mary Averelle Smith
6482 Glenside Court
Gloucester, VA
23061 | Home () _____
Work () _____
Fax () _____
Cell () _____
e-mail 301 674-3357

_____ |
|---|--|
- State Corporation Commission Name and ID Number (if applicable) averellesmith@aol.com
-
2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:
- | | |
|--|--|
| | Home () _____
Work () _____
Fax () _____
Cell () _____
e-mail _____
_____ |
|--|--|
- State Corporation Commission Name and ID Number (if applicable) _____
-
3. Authorized agent name* and complete mailing address (if applicable): Contact Information:
- | | |
|---|---|
| Chris Davis
504 Smoketree Ct.
North Chesterfield, VA
23236 | Home () _____
Work () _____
Fax () _____
Cell (804) 338-3101
e-mail chris.readyreef@gmail.com
_____ |
|---|---|
- State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

The project is to install a Living Shoreline for 98 Linear Feet using Quick Reef oyster sill, backfilled with sand and planted with Spartina grasses. All work will be above MLW. All materials will be installed from Shore and delivered over the lawn. No clearing or grading is required.

Elements of the existing, decaying bulkhead will be cut down, and removed.

The north end of the project will not have a return to satisfy the low point opening requirement. The south end will merge into existing marsh grass.

807 Ft² of new marsh grass will be planted over non-vegetated Wetlands. Reefs will have a 433 Ft² footprint over non-vegetated Wetlands. Total over non-vegetated wetlands is 1240 Ft².

S.Patens will be ²planted at and above MHW, with S.Alterniflora at each end where the sand tapers down to the mid-tide line.

Approximately 200 ft² of sparse marsh grass will be covered over by reefs and sand backfill, but a net gain of 607ft² of new marsh grass will be achieved.

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? ___ Yes* ___ No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address:

Native Shorelines
1101 Haynes St, Suite 211
Raleigh, NC 27604

Contact Information:

Home () _____
Work () _____
Fax () _____
Cell () _____
email 252-333-9852
mary-margarone@native-shorelines.com

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Gloucester-Mathews Gazette Journal
PO Box 2060
Gloucester, VA
23031

Telephone number

(804) 693-3101

7. Give the following project location information:

Street Address (911 address if available) 6920 Ware Neck Road

Lot/Block/Parcel# 33-149

Subdivision _____

City / County Gloucester

ZIP Code 23061

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):

37.401265 / - 76.472958

(Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

From Gloucester Court House, go east on Route 14 from the stoplight at its intersection with Main Street. Go right onto Ware Neck Road.

Driveway for 6920 will be on the right. This driveway parallels one just to its north that goes to #6930.

Take a right turn at the end of the driveway before the fenced in property straight ahead. Follow rough driveway around to shoreline. No house is on the property, but a new dock has been installed.

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."

The primary purpose of the project is to stop the erosion that is undercutting the bank using a Living Shoreline.

The secondary purpose is to maximize environmental contribution by combining the LS with an oyster reef sill.

Part 1 - General Information (continued)

9. Proposed use (check one):

- Single user (private, non-commercial, residential)
 Multi-user (community, commercial, industrial, government)

10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*

SEAS engineer has determined that a Living Shoreline is possible, so no alternatives were considered in order to conform to State Law. There will be a net gain in marsh grasses. There are only a few thin vegetated wetlands in the project area, no SAVs in the intertidal zone, or sensitive buffer areas. No upland clearing, grading nor excavating is required. One large pin oak that is being undercut is hoped to be saved by the project.

11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? Yes No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.

12. Approximate cost of the entire project (materials, labor, etc.): \$45000 _____
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 0 _____

13. Completion date of the proposed work: Sept. 30 _____ 2025 _____

14. Adjacent Property Owner Information: List the name and complete mailing address, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

Steve Hanson
6699 Fox Centre Parkway PMB 166
Gloucester, VA
23061

Cecil Booker Family Trust
& Barbara McGowen Booker
PO Box 953
Gloucester, Va.
23031

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

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 all 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.

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

Applicant's Signature

(Use if more than one applicant)

Date

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), _____, hereby certify that I (we) have authorized _____
(Applicant's legal name(s)) (Agent's name(s))

to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

(Agent's Signature)

(Use if more than one agent)

(Date)

(Applicant's Signature)

(Use if more than one applicant)

(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), _____, have contracted _____
(Applicant's legal name(s)) (Contractor's name(s))

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

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. 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, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, 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 terms and conditions.

Contractor's name or name of firm

Contractor's or firms address

Contractor's signature and title

Contractor's License Number

Applicant's signature

(use if more than one applicant)

Date

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER’S ACKNOWLEDGEMENT FORM

I (we), Steve Hanson, own land next to (across the water
(Print adjacent/nearby property owner’s name)

from/on the same cove as) the land of Averelle Smith.
(Print applicant’s name(s))

I have reviewed the applicant’s project drawings dated 1-3-25
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT _____ TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

Adjacent/nearby property owner’s signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER’S ACKNOWLEDGEMENT FORM

I (we), Cecil Booker Family Trust, own land next to (across the water
(Print adjacent/nearby property owner’s name)

from/on the same cove as) the land of Averelle Smith.
(Print applicant’s name(s))

I have reviewed the applicant’s project drawings dated 1-3-25
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT _____ TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form, be sure you have checked the appropriate option above).

Adjacent/nearby property owner’s signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT
23-SPGP-PASDO SELF-VERIFICATION FORM
CATEGORY A PIER STRUCTURES

Expires: August 21, 2028

Please review the 23-SPGP-PASDO before completing this form. This can only be used for proposed PRIVATE USE structures that comply with the terms and conditions of the 23-SPGP-PASDO located on the Corps website: <https://www.nao.usace.army.mil/Missions/Regulatory/RBregional/>.

1. Has the permittee reviewed the 23-SPGP-PASDO and verified that the proposed structures are in compliance with all the terms, conditions, and limitations of 23-SPGP-PASDO?
 YES NO
2. Are the proposed structures for private use only?
 YES NO
3. To avoid adverse effects to navigation, do the proposed structures extend no more than one-fourth of the distance across the waterway measured from either mean high water (MHW) to MHW (including all channelward wetlands) or ordinary high water (OHW) to OHW (including all channelward wetlands)?
 YES NO
4. If the proposed structures cross wetland vegetation, are they an open-pile design that has a maximum width of five (5) feet and a minimum height of four (4) feet between the decking and the wetland substrate?
 YES NO N/A
5. Do the proposed structures include no more than two (2) lifts and no more than two (2) boat slips?
 YES NO N/A
6. Is the open-sided roof structure designed to shelter a boat no more than 700 square feet and/or is the open-sided roof structure or gazebo structure designed to shelter a pier no more than 400 square feet?
 YES NO N/A
7. Are all piles associated with the proposed structure non-steel, no more than 12" in diameter, and will there be no more than 25 piles installed channelward of MHW?
 YES NO
8. When operationally feasible, is all work occurring behind cofferdams, turbidity curtains, or other methods used to control turbidity?
 YES NO
9. If the proposed structures are to be located within an anadromous fish use area, will the prospective permittee adhere to the anadromous fish use area time of year restriction (TOYR) prohibiting in-water work from occurring between February 15 through June 30 of any given year if 1) piles are to be installed with a cushioned impact hammer and there are fewer than 492 feet between the most channelward pile and mean low water (MLW) on the opposite shoreline; or 2) piles are to be installed with a vibratory hammer and there are fewer than 384 feet between the most channelward pile and MLW on the opposite shoreline? <https://services.dwr.virginia.gov/fwis/>.
 YES NO N/A
10. Is all work occurring outside of submerged aquatic vegetation (SAV) mapped by the Virginia Institute of Marine Sciences' (VIMS) most recent survey year and 5-year composite?
<https://mobjack.vims.edu/sav/savwabmap/>
 YES NO
11. Has the permittee ensured the construction of the proposed structures will not affect federally listed threatened or endangered species or designated critical habitat?
NOAA PRD: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultations-greater-atlantic-region>; and
US Fish and Wildlife Service: <https://ipac.ecosphere.fws.gov/>
 YES NO

12. Will the proposed structures be located outside of the following waterbodies: Broad Creek in Middlesex County, Fisherman's Cove in Norfolk, or the Salt Ponds in Hampton?
 YES NO
13. Is your project located outside of the Section 408 Review Area boundaries for civil works projects (e.g. federal navigation channels, flood risk management projects, or aquatic ecosystem restoration projects) as depicted on the "Norfolk District Section 408 Review Layer" in the Norfolk District Section 408 Map? <https://www.nao.usace.army.mil/408Review/>
 YES NO
14. Is your project located outside of any federal property? Federal property can be located on the "NAO Real Estate Data – CWLDM Land Parcel Area" layer on the Norfolk District Section 408 Map? <https://www.nao.usace.army.mil/408Review/> .
 YES NO
15. Will the proposed structures be located outside of any Designated Trout Waters?
<https://services.dwr.virginia.gov/fwis/>
 YES NO
16. If the proposed structures include floatation units, will the floating sections be braced so they will not rest on the bottom during periods of low water?
 YES NO N/A
17. Does the permittee recognize this form does not authorize any dredging or filling of waters of the United States (including wetlands) and does not imply that future dredging proposals or any other structures will be approved by the Corps?
 YES NO

If you have answered "NO" to any of the questions above, then the Category A Self-Verification of the 23-SPGP-PASDO does NOT apply, and you are required to obtain written authorization from the Corps prior to performing the work.

If you answered "YES" (or "N/A, where applicable) to all of the questions above, you are in compliance with the Category A Self-Verification of the 23-SPGP-PASDO. Please sign below and submit this self-verification form with your completed Joint Permit Application (JPA). This signed form serves as your letter of authorization from the Corps. You WILL NOT receive any other written authorization from the Corps; however, you MAY NOT proceed with construction until you have obtained all other necessary state and local permits.

By signing below, I certify that I have read and understand all conditions of the Army Corps of Engineers Norfolk District Regulatory Branch 23-SPGP-PASDO, dated August 22, 2023. I accept all of the terms and conditions of the permit, including the limits of federal liability contained in the 23-SPGP-PASDO enclosure. I acknowledge that structures authorized under this permit may be exposed to waves caused by passing vessels. The permittee is solely responsible for the integrity of the permitted structures and any resulting wave damage to such structures or moored vessels. I accept that the United States is not liable in any way for such damage and that the permittee will not seek to involve the United States in any actions or claims regarding such damage.

Proposed work location:

 Signature of Property Owner(s) or Agent

 Date

 VMRC Number

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write “N/A” in the space provided.

Appendix A: (TWO PAGES) Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. **Briefly describe your proposed project.**

2. **For private, noncommercial piers:**

Do you have an existing pier on your property? Yes No

If yes, will it be removed? Yes No

Is your lot platted to the mean low water shoreline? Yes No

What is the overall length of the proposed structure? _____ feet.

Channelward of Mean High Water? _____ feet.

Channelward of Mean Low Water? _____ feet.

What is the area of the piers and platforms that will be constructed over

Tidal non-vegetated wetlands _____ square feet.

Tidal vegetated wetlands _____ square feet.

Submerged lands _____ square feet.

What is the total size of any and all L- or T-head platforms? _____ sq. ft.

For boathouses, what is the overall size of the roof structure? _____ sq. ft.

Will your boathouse have sides? Yes No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § 28.2-1203 A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § 28.2-1205 for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § 28.2-1204.

Part 3 – Appendices (continued)

3. For USACE permits, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information must be included before the application will be considered complete. For an application to be considered complete:

- a. The USACE MAY require depth soundings across the waterway at increments designated by the USACE project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.).
- b. The applicant MUST provide a justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands.
- c. The applicant MUST provide justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.

4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration #

5. For Marinas, Commercial Piers, Governmental Piers, Community Piers and other non-private piers, provide the following information:

- A) Have you obtained approval for sanitary facilities from the Virginia Department of Health? _____ (required pursuant to Section 28.2-1205 C of the Code of Virginia).
- B) Will petroleum products or other hazardous materials be stored or handled at your facility? _____.
- C) Will the facility be equipped to off-load sewage from boats? _____.
- D) How many wet slips are proposed? _____. How many are existing? _____.
- E) What is the area of the piers and platforms that will be constructed over
 - Tidal non-vegetated wetlands _____ square feet
 - Tidal vegetated wetlands _____ square feet
 - Submerged lands _____ square feet

6. For boat ramps, what is the overall length of the structure? _____ feet.
 From Mean High Water? _____ feet.
 From Mean Low Water? _____ feet.

Note: drawings must include the construction materials, method of installation, and all dimensions. If tending piers are proposed, complete the pier portion.

Note: If dredging or excavation is required, you must complete the Standard Joint Point Permit application.

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

NOTE: It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://ccrm.vims.edu/coastal_zone/living_shorelines/index.html.**

1. Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

98' LF of structural sill made with Quick Reefs will range in height from 2'-4' to match the varying height of the backshore scarp. Quick Reefs are 10% Concrete and 90% limestone marl. Their footprint will be 433 ft² over mostly unvegetated wetlands and approx 30ft² of sparsely vegetated wetlands.

90 cu yds of clean sand backfill will cover 807 ft² of mostly unvegetated wetlands, all in the intertidal zone.

Most of the current intertidal Wetlands will be converted into uplands by the sand backfill, which buries the eroding scarp face, with the backfill, but it will be planted with marsh grasses. A path for upwards migration of all marsh grasses (and oysters) will be established in the event of continued Relative Sea Level Rise.

2. What is the maximum encroachment channelward of mean high water? 19.7 feet.
Channelward of mean low water? 0 feet.
Channelward of the back edge of the dune or beach? 18.7 feet.
3. Please calculate the square footage of encroachment over:
- Vegetated wetlands 200 square feet
 - Non-vegetated wetlands 807 square feet
 - Subaqueous bottom 0 square feet
 - Dune and/or beach 0 square feet

4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? Yes No.

If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? Yes No.

If no, please provide an explanation for the purpose and need for the additional encroachment.

Part 3 – Appendices (continued)

5. Describe the type of construction and **all** materials to be used, including source of backfill material, if applicable (e.g., vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).

NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

Quick Reefs are 10% Concrete and 90% limestone marl, weighing 100-200 Lbs per LF. Sand is from an upland pit in Middlesex that tests out at 93% sand with 7% clay.

6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:

Core (inner layer) material _____ pounds per stone Class size _____
 Armor (outer layer) material _____ pounds per stone Class size _____

7. For **beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

- Volume of material

0	cubic yards channelward of mean low water
90	cubic yards landward of mean low water
85	cubic yards channelward of mean high water
5	cubic yards landward of mean high water

- Area to be covered

0	square feet channelward of mean low water
807	square feet landward of mean low water
750	square feet channelward of mean high water
57	square feet landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay): 93 % sand and 7% clay
- Method of transportation and placement: Truck to site, skid steer to behind sill

- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at <http://www.vims.edu/about/search/index.php?q=planting+guidelines>:
 807 sqft of Spartina grasses will be planted 14" on Center (12" hole to hole).
 Grasses will be monitored by contractor for 1 year after planting to ensure coverage and 10 years by the land owner per VCAP contract terms.

Part 3 – Appendices (continued)

Appendix C: Crossings in, on, over, or under, waters, submerged lands, tidal wetlands and/or dunes and beaches, including but not limited to, bridges, walkways, pipelines and utility lines.

1. What is the purpose and method of installation of the crossing?

2. What is the width of the waterway and/or wetlands to be crossed
from mean high water to mean high water (tidal waters)? _____ feet.
from mean low water to mean low water (tidal waters)? _____ feet.
from ordinary high water to ordinary high water (non-tidal waters)? _____ feet.

3. For bridges (footbridges, golf cart bridges, roadway bridges, etc.), what is the width of the structure over the tidal wetlands, dunes/beaches and/or submerged lands? _____ square feet.

4. For overhead crossings:
 - a. What will be the height above mean high water? _____ feet.
 - b. If there are other overhead crossings in the area, what is the minimum height? _____ feet.
 - c. If the proposed crossing is an electrical line, please confirm the total number of electrical circuits: _____

5. For buried crossings, what will be the depth below the substrate? _____ feet. Will the proposed utility provide empty conduits for any additional utilities that may propose to co-locate at a later date? _____ Yes _____ No.

6. Will there be any excavation or fill required for placement of abutments, piers, towers, or other permanent structures on State-owned submerged lands, tidal wetlands, and dunes/beaches? _____ Yes _____ No.

If yes, please provide the following:

- a. Amount of excavation in wetlands _____ cubic yards
_____ square feet

- b. Amount of excavation in submerged land _____ cubic yards
_____ square feet

- c. Amount of excavation in dune/beach _____ cubic yards
_____ square feet

- d. Amount of fill in wetlands _____ cubic yards
_____ square feet

- e. Amount of fill in submerged lands _____ cubic yards
_____ square feet

- f. Amount of fill in dune/beach _____ cubic yards
_____ square feet

Part 3 – Appendices (continued)

Appendix D: Aquaculture Related Structures such as cages and floats. Before completing this appendix, please review the aquaculture requirements summary at: http://mrc.virginia.gov/Shellfish_Aquaculture.shtm.

1. Will the activity be for commercial purposes? Yes No.

If Yes and structures will be placed upon an oyster ground lease, you may qualify for the VMRC General Permit #4 for Temporary Protective Enclosures for Shellfish. For more info see: http://www.mrc.virginia.gov/regulations/MRC_Scanned_Regs/Shellfish_Mix/fr1130_12-0107.pdf. If you qualify for the General Permit #4, or if such structures are proposed that are not on an oyster planting ground lease, or for floating structures of any kind, complete this Joint Permit Application and include the necessary information requested below in question 2 through 11.

If No, you may qualify for the VMRC General Permit #3, for Noncommercial Riparian Shellfish Growing (i.e. "Gardening") For more information see: http://www.mrc.virginia.gov/forms/VGP3_Aquaculture.doc.pdf. If you qualify for this general permit use the Abbreviated Joint Permit Application For Noncommercial Riparian Shellfish Aquaculture Structures available at https://mrc.virginia.gov/forms/2019/VGP3_Aquaculture_form_2019.pdf **do not use this Joint Permit Application.**

2. Will aquaculture structures be attached to an existing pier or other structure? Yes No.
3. The plat file # if proposed upon oyster planting ground lease(s). _____
4. The maximum area where enclosures are proposed. _____ square feet
5. The maximum number of enclosures being proposed to be deployed. _____
6. The species of shellfish to be cultured. _____
7. A detailed description of the enclosures to include width, length and height.
8. In addition to the requirements itemized in Part 4 Project Drawings, the following additional information must be included on your project drawings: A general description of the area within 500 feet of deployment area. Provide a drawing that depicts existing marine resources such as SAV, shellfish beds, fixed fishing devices, public grounds, piers, water depths at mean low water, tide range, and the minimum clearance at mean low tide over the enclosures.
9. Provide the date enclosures are proposed to be deployed _____. How will the structures be secured? _____.

Part 4 - Project Drawings

Plan view and cross-sectional view drawings are required for all projects. Application drawings do not need to be prepared by a professional draftsman, but they must be clear, accurate, and should be to an appropriate scale. If a scale is not used, all dimensions must be clearly depicted in the drawings. If available, a plat of the property should be included, with the existing and proposed structures clearly indicated. Distances from the proposed structure(s) to fixed points of reference (benchmarks) and to the adjacent property lines must be shown. A vicinity map (County road map, USGS Topographic map, etc.) must also be provided to show the location of the property. **NOTE:** The sample drawings have been included at the end of this section to provide guidance on the information required for different types of projects. Clear and accurate drawings are essential for project review and compliance determination. Incomplete or unclear drawings may cause delays in the processing of your application.

The following items must be included on ALL project drawings: (plan and cross-sectional, as appropriate)

- **name of project**
- **north arrow**
- **scale**
- **waterway name**
- **existing and proposed structures, labeled as such**
- **dimensions of proposed structures**
- **mean high water and mean low water lines**
- **all delineated wetlands and all surface waters on the site, including the Cowardin classification (i.e., emergent, scrub-shrub, or forested) for those surface waters (if applicable)**
- **limits of proposed impacts to surface waters, such as fill areas, riprap scour protection placement, and dredged areas, and the amount of such impacts in square feet and acres**
- **ebb/flood direction**
- **adjacent property lines and owner's name**
- **distances from proposed structures to fixed points of reference (benchmarks) and adjacent property lines**

Part 5 - Chesapeake Bay Preservation Act Information

All proposed development, redevelopment, land disturbance, clearing or grading related to this Tidewater JPA must comply with the Chesapeake Bay Preservation Area Designation and Management Regulations, which are enforced through locally adopted Chesapeake Bay Preservation Area (CBPA) ordinances. Compliance with state and local CBPA requirements mandates the submission of a *Water Quality Impact Assessment (WQIA)* for the review and approval of the local government. Contact the appropriate local government office to determine if a WQIA is required for the proposed activity(ies).

Because the 84 local governments within Tidewater Virginia are responsible for enforcing the CBPA Regulations, the completion of the JPA process does not constitute compliance with the Bay Act Regulations nor does it guarantee that the local government will approve encroachments into the RPA that may result from this project. Applicants should contact their local government as early in the design process as possible to ensure that the final design and construction of the proposed project meets all applicable CBPA requirements. Early cooperation with local government staff can help applicants avoid unnecessary and costly delays to construction. Applicants should provide local government staff with information regarding existing vegetation within the Resource Protection Area (RPA) as well as a description and site drawings of any proposed land disturbance, construction, or vegetation clearing. As part of their review and approval processes, local government staff will evaluate the proposed project and determine whether or not approval can be granted. Once the locality has made a decision on the project, they will advise the Local Wetlands Boards and other appropriate parties of applicable CBPA concerns or issues.

Resource Protection Areas (RPAs) are composed of the following features:

- 1. Tidal wetlands;**
- 2. Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;**
- 3. Tidal shores;**
- 4. Other lands considered by the local government to meet the provisions of subsection A of 9VAC25-830-80 and to be necessary to protect the quality of state waters; and**
- 5. A buffer area not less than 100 feet in width located adjacent to and landward of the components listed in subdivisions 1 through 4 above, and along both sides of any water body with perennial flow.**

Notes for all projects in RPAs

Development, redevelopment, construction, land disturbance, or placement of fill within the RPA features listed above requires the approval of the locality and may require an exception or variance from the local Bay Act ordinance. Please contact the appropriate local government to determine the types of development or land uses that are permitted within RPAs.

Pursuant to 9VAC25-830-110, on-site delineation of the RPA is required for all projects in CBPAs. Because USGS maps are not always indicative of actual "in-field" conditions, they may not be used to determine the site-specific boundaries of the RPA.

Notes for shoreline erosion control projects in RPAs

Re-establishment of woody vegetation in the buffer will be required by the locality to mitigate for the removal or disturbance of buffer vegetation associated with your proposed project. Please contact the local government to determine the mitigation requirements for impacts to the 100-foot RPA buffer.

Part 5 - Chesapeake Bay Preservation Act Information (continued)

Pursuant to 9VAC25-830-140 5 a (4) of the Virginia Administrative Code, shoreline erosion projects are a permitted modification to RPAs provided that the project is based on the “best technical advice” and complies with applicable permit conditions. In accordance with 9VAC25-830-140 1 of the Virginia Administrative Code, the locality will use the information provided in this Part V, in the project drawings, in this permit application, and as required by the locality, to make a determination that:

1. Any proposed shoreline erosion control measure is necessary and consistent with the nature of the erosion occurring on the site, and the measures have employed the “best available technical advice”
2. Indigenous vegetation will be preserved to the maximum extent practicable
3. Proposed land disturbance has been minimized
4. Appropriate mitigation plantings will provide the required water quality functions of the buffer (9VAC25-830-140 3)
5. The project is consistent with the locality’s comprehensive plan
6. Access to the project will be provided with the minimum disturbance necessary.

