

Wetlands and Coastal Dune Board

Public Hearing and Regular Meeting Agenda

July 27, 2016

Cape Charles Civic Center – 500 Tazewell Avenue

6:00 P.M.

- 1. Call to Order; Roll Call**
- 2. Consent Agenda**
 - a. Approval of Agenda Format**
 - b. Approval of Minutes**
- 3. Hearings on the matters of:**
 - a. JPA 16-0860 3 Bay Vistas Way – 184 linear feet of revetment stone and beach access steps**
 - Overview of application
 - Applicant's presentation
 - Public comments
 - Board discussion\deliberation
 - Decision
 - b. JPA 16 – 0882 Tax map # 83A-A-19 (1011 Bayshore Road) Construct five floating finger piers and ten mooring pilings**
 - Overview of application
 - Applicant's presentation
 - Public comments
 - Board discussion\deliberation
 - Decision
- 4. Adjourn**



DRAFT
Wetlands/Coastal Dune Board
Regular Meeting and Public Information Meeting
Civic Center
June 15, 2016
6:00 p.m.

At approximately 6 p.m., Chairwoman Ann Hayward Walker, having established a quorum, called to order the Wetlands/Coastal Dune Board Meeting. Board members Russ Dunton, Bob Roche and Brooke Binard were in attendance. Board member Joe Fehrer was not in attendance. Also present were Mayor George Proto, Councilmen Steve Bennett and Frank Wendell, Councilwoman Joan Natali, Councilman-elect Andy Buchholz, Town Manager Brent Manuel, Town Planner Larry DiRe, Assistant Town Clerk Tracy Outten, and four members from the Army Corps of Engineers. There were 15 members of the public in attendance.

Chairwoman Ann Hayward Walker welcomed the Board and thanked the Army Corps of Engineers and the members of the public for attending the meeting which was followed by the Pledge of Allegiance.

CONSENT AGENDA

Motion made by Russ Dunton, seconded by Bob Roche, to accept the agenda as written. The motion was unanimously approved.

The Board reviewed the minutes from the June 1, 2016 Regular Meeting.

Russ Dunton added the word is to page one section B item (i).

Motion made by Bob Roche, seconded by Brooke Binard, to accept the minutes of the June 1, 2016 Regular Meeting as amended . The motion was unanimously approved.

NEW BUSINESS:

A. *Town's approach to beach sand management practices*

Ann Hayward Walker explained the goal of the Wetlands/Coastal Dune Board was to gather information and give the town advice on how the dunes should be maintained. A questionnaire was handed out to the citizens to get their thoughts and concerns. (See attached)

Town Planner Larry DiRe read the staff report and reminded the public meeting agendas and minutes are available online.

B. *Presentation by staff of US Army Corps of Engineers on federal harbor dredge project.*

Town Manager Brent Manuel introduced the presenter from the US Army Corps of Engineers, Mike Anderson. The information presented is as follows. (i) Mike Anderson began with a brief overview of the town's project history with the USACE (ii) He explained the original plan and then went through the options the town was given to fulfill their contract. (iii) Mike Anderson continued his presentation with a summary of the project and the actual amount of sand being received: 30,000 cubic yards of sand on the north beach and 118,000 cubic yards of sand will be placed in the upland site; (iv) Mike Anderson listened to the citizens' concerns and answered questions.

C. *Public Comment.*

Ann Hayward reminded the citizens this meeting was for the public to get information on the upcoming project.

Public comments were as follows: (i) Citizens expressed concern about not being informed with the full process of the federal dredge project; (ii) sand being decreased was also a concern; one citizen stated tourism season was a big factor in decision; (iv) one member of the public asked if more sand would make a difference (v) the biggest concern was how the sand dunes would be maintained.

OLD BUSINESS:

A. None.

ANNOUNCEMENTS:

There were no announcements made.

Motion made by Brooke Binard, seconded by Bob Roche, and unanimously approved to adjourn the Wetlands/Coastal Dune Board Meeting.

Chairwoman Ann Hayward Walker

Assistant Town Clerk



DRAFT
Wetlands/Coastal Dune Board
Work Session
SEA Consulting
325 Mason Avenue
July 20, 2016
5:00 p.m.

At approximately 5 p.m., Chairwoman Ann Hayward Walker, having established a quorum, called to order the Wetlands/Coastal Dune Board Work Session. Board members Russ Dunton, Bob Roche and Joe Fehrer were in attendance. Also present were Manager Brent Manuel, Town Planner Larry DiRe, Public Works Foreman John Lockwood and Assistant Town Clerk Tracy Outten. There was one member of the public in attendance.

Chairwoman Ann Hayward Walker welcomed the Board, Town staff and the member of the public for attending the meeting.

REVIEW OF RESEARCH MATERIALS AND DOCUMENTS:

Discussion was based on attached materials.

TIMETABLE AND NEXT STEPS:

Proposed Beach Maintenance as follows:

- Dune height maximum 6' above boardwalk, 14' above meanlow water
- A minimum of 30' wide
- Cross overs 6' wide with wood planks

The numbers above were based on FEMA's recommendations for dune heights.

Chairwoman Ann Hayward Walker thanked the Board, Town staff and the member of the public for their time and adjourned the Wetlands and Coastal Dune Board Work Session.

Chairwoman Ann Hayward Walker

Assistant Town Clerk

Worksheet for July 20, 2016 Meeting

Of the Cape Charles Wetlands and Dune Board

Board Member: Collective Board Input

To facilitate our discussion on June 20th, please electronically add into the outline below the items you recommend, and, as appropriate, the source of the recommendation (report title, personal experience, personal observation, etc.)

Please also think about which ones you think are most important, e.g., immediate/top priority. I think we might also need to provide the town some sense of our agreed priorities once we have a list of our collective recommendations.

VIMS report/Hardaway 2004) on Northampton County

Chesapeake Bay coast of the county is very dynamic in terms of shoreline change and sediment transport processes. The county coast is rich in sand along the shoreline and nearshore due to high shoreline recession rates of sandy upland banks. Two primary long-term processes which cause the shoreline to recede: wave action and the slow rise in sea level (began 18,000 yrs. ago). Sea level rise for the area is about 1.45 ft. /century. Highest erosion takes place along open bay shore reaches where fetch exposure (35 nm up the bay to the NW) are the greatest. Long term trend for the county is about -1.0ft/year.

Cape Charles area: natural coastal sediment composition: yellowish-gray fine to medium sand. CC beach is referred to as man-made and has general shore recession although areas south accrete following beach sand deposition at the public beach.

Language from the Comp Plan

- a. Protect public beach from degradation (continue with beach nourishment) for present and future generations
- b. Preserve the integrity of and accessibility to the water's edge
- c. Control dune, beach and shoreline erosion
- d. Enhance the beach as an amenity for residents and visitors
- e. Establish a plan for funding continual maintenance and sand replenishment of the beach
- f. Protect amenity - views of beach (and harbor)
- g. Natural erosion of the shoreline must be abated to maintain the safety of the residents' homes, welfare and recreational opportunities
- h. Protecting and preserving the coastal dunes

Nordstrom and Jackson 2013: List of 15 ecosystem services and functions from dunes. Human action can be used to build and rebuild dunes but beach nourishment is required to maintain a healthy, well-vegetated dune on an eroding shore.

Chapin p. 40 – “Replenished beaches help manage erosion but don't prevent it”

MA StormSmart Properties (SSP) Fact sheets: No shoreline stabilization option permanently stops all erosion or storm damage.

Personal comment: It seems that it is the town and state's property (boardwalk and road) that the dunes can offer some protection from storm-driven erosion, rather than the adjacent property owners. ***It also seems that a wider***

beach is needed in order to build and maintain lower, wider dunes, implies that perhaps the town should receive all 100,000 cubic yards of sand to build a wider beach and dunes along the entire beach.

1. Different recommendations for the different “zones” in the beach? For example:

- South end (Harbor/Mason Ave. to Tazewell Ave.) Established dunes that are moving seaward, and continuously growing in height as new sand blows there from the north; also consider the build-up of sand along the harbor and on the Fun Pier
- Mid Beach (Tazewell Ave. to Jefferson Ave.) Transition zone from high dunes in the south, widening beach, to narrowing, scoured beach with low dunes
- North end (Washington Ave. to Jefferson Ave.) Scouring that threatens the bulkhead, inadequate sand for the beach, low to no dunes

I think it makes sense to have different zones, at least until the beach seems more uniform which we might be able to tell in a year or so. That is, maybe initially but then after that treat as a system.

I like the idea of creating zones. Each zone, while part of the “beach/dune” system has unique characteristics that should be addressed separately. An excellent example of this is the VIRGINIA BEACH MANAGEMENT PLAN which was included in an e-mail by Ann Hayward Walker on July 10th.

https://www.vbgov.com/government/departments/planning/areaplans/Documents/Oceanfront/beach_management_plan.pdf

2. Sand deposition, retention, and maintenance actions for different locations on the beach and/or times of year? See references 1 and 7

- Sand fences – angle to wind, with or without fabric behind it, etc.?

In reading various recommendations from other municipalities there seems to be no consensus as to whether to place sand fences perpendicular to the prevailing wind or parallel to the water. All approaches emphasized the need to insure the fence is wide enough.

Nordstrom and Jackson: There is often greater use of sand-trapping fences than is necessary (Grafals-Soto and Nordstrom 2009). Sand fences should not be placed where a dune of adequate size already exists, where they would trap sand in unnatural configurations, or where they cannot be buried, such as in vegetated portions of the dune or too close to the water. In many cases, sand-trapping fences need only be used for creation of the first dune ridge that functions as the core around which the natural dune can evolve (Nordstrom et al. 2000; Grafals-Soto and Nordstrom 2009). The location of the contact between the foredune and backshore is determined by erosion of the foredune during storms and dune accretion following storms. Storm wave uprush may eliminate the seaward portion of the dune and create an erosional scarp, but post-storm beach accretion creates a new source of sand to be blown to the foredune, reestablishing the dune sediment budget.

Straight fences placed parallel to the shore appear to provide the most economical method of building protective dunes (CERC 1984; Miller et al. 2001). Zig-zag fences can create wider dunes with more undulating crest lines and more gently sloping dune faces that are closer to the shapes of natural dunes (Snyder and Pinet 1981). Paired fences can create a broader based foredune with a rounded crest that can look more natural (Schwendiman 1977). Side spurs perpendicular to straight alongshore alignments can increase trapping rates in locations of strong longshore winds. Multiple lifts of fences can create a higher dune with much greater volume than single lifts (CERC 1984; Mendelssohn et al. 1991; Miller et al. 2001). ... In these cases of a widened beach, the landward fence could be at least 100 m from the active beach, as suggested by Dahl and Woodard (1977) and Miller et al. (2001).

Personal comment: Is USACE proposed method of sand fence installation “paired fences” or “side spurs”? Also conversation with Norfolk employee and literature review, fences may be necessary for newly created dunes to survive storms 1 year when built landward of the upper-most storm wrack line. Should we revisit fence design?

Dune Book, pages 21-23. Fences have some problems, are considered temporary solutions.

Coastal Dune Protection and Restoration: p. 3 “Once established, American Beach grass traps sand at a rate comparable to multiple sand fences”! Adding spurs to a straight sand fence, building zigzag configurations, or perpendicular or oblique configurations do not measurably improve long-term fence performance, and increase construction costs. Gently sloping, wider seaward facing dunes are less prone than steep slopes to wave induced scraping and loss of sand from storms.

Also review Scotland: “A guide to managing coastal erosion in beach/dune systems”: http://www.snh.org.uk/publications/on-line/heritagemanagement/erosion/appendix_1.5.shtml Shows pros and cons of multiple methods. Dune fencing example:

Appropriate locations	Above normal limit of wave run-up at any location with available blown sand. Unlikely to succeed where erosion is severe.
Cost	Low, but requires on-going maintenance. (£400 - £2000/100m frontage length, plus cost of transplanting and on-going repairs)
Effectiveness	Enhancement to natural dune recovery. Limited resistance to storm erosion. Enhanced by vegetation transplanting.
Benefits	Minimal impact on natural system. Can be used to control public access and to improve other systems.
Problems	Damaged fences and accumulated debris can be unsightly. Fences need regular maintenance and have a maximum life of about 5 years depending on material, frequency of storm wave damage and vandalism.

- Using the dunes as sand storage for the beach?

Coastal Dunes: A primer... (Rutgers Univ. 2000) - Dune reservoir: the portion of the dune that is fornt of the dune crest and above the 100-year flood level.

- Mechanical grooming on the beach? This is referred to as “sand raking”

Nordstrom and Jackson: Raking is one of the most common environmentally damaging actions on shores developed for human use... Finding a way to retain wrack is critical to conserving or restoring beach and dune habitats in developed areas. Alternatives for wrack management include:

1. Selectively removing the cultural litter and leaving the natural litter using non-mechanical methods
2. Leaving the highest storm wrack line on the backshore while raking the beach below it
3. Restricting cleaning operations to the summer (tourist season) or after massive fish kills
4. Leaving longshore segments unraked to develop as natural enclaves (Nordstrom et al. 2000).

- Large equipment moving of sand on/for the dunes?

The Dune Book p. 25: This seems to be known as “beach scraping” and is not advised. Alternative to scraping is adding/buying more sand – not really an option for CC.

Carley, J. T., et al. "Beach scraping as a coastal management option." *Proceedings of the 19th NSW Coastal Conference*. Vol. 890. 2010: Beach scraping is defined as the movement of sand from the intertidal zone to the dune or upper beach by mechanical means. It has also been called beach skimming, beach panning, nature assisted beach

enhancement and assisted beach recovery. Beach scraping mimics natural beach recovery processes, but increases the recovery rate compared with natural processes. In combination with revegetation schemes, beach scraping has commonly been used for dune building.

Norfolk McN&A doc: Reservoir volume (dune height and width) do matter and is key to protection

Personal comment: A continuing source of sand is necessary to maintain dunes but it doesn't appear that moving sand each year via heavy equipment is beneficial to the dune that is the source of the sand (no specific reference).

- Vegetation planting and maintenance (see Attachment 2)

Gulf Shores AL: Vegetation is a natural agent to stabilize sand within the coastal dune environment. Salt and sand-resistant species grow upward through the sand and spread laterally thereby forming a dense mat of roots and rhizomes that, in conjunction with their associated mycorrhizal fungi help lessen erosion of dune habitat due to wind and water. The most visible method of increasing plant mass is through rhizome spreading.

The Dune Book pg. 20-21: The density of the planting will directly affect the amount and location of blowing sand trapped by the plants. Using a closer spacing of plants will require more plants but will trap and stabilize more blowing sand. Space the first few rows of plants in a 12-by-12-inch grid and arrange the plants in a staggered pattern from row to row.

- After planting several rows with this spacing, increase the plant spacing and row width to 18 to 24 inches for three or four more rows and stagger the plants from row to row.
- Increase the plant spacing and row width to 36 inches for the last two or three rows closest to the ocean.
- Remember that all plants should be planted well landward of the high-tide line and seasonal beach fluctuations. Because the available blowing sand supply comes from the dry sand beach between the high-tide line and the area to be planted, this graduated spacing pattern allows more sand to blow through the wider spaced rows and accumulate in the tighter spaced plants where the volume of sand provides the most protection.

Nordstrom and Jackson: Tolerance to burial is an important cause of zonation of plant species on coastal foredunes, and burial can have a stimulating, positive effect on the growth of dune-building plants and prevent degeneration (Maun 2004).

USDA NRCS Plant Guide: Major use is to stabilize moving sand along the Atlantic seacoast and Great Lakes region. It is the best species for the initial stabilization of frontal dunes. One outstanding growth characteristic is the strong underground stems (rhizomes) that spread beneath the sand and give rise to many new plants. Its vigorous growth enables the plant to withstand heavy deposits of sand and grow up through it. Best time to plant American Beach Grass in mid-Atlantic: October 1 to March 30 in the Mid-Atlantic region. Space plants 18" by 18" unless wind erosion is severe, then spacing is reduced to 12" by 12". Fertilizer properly applied is the key to good vigorous growth, as coastal sands are rather infertile. Apply fertilizer 30 days after planting, but no earlier than April 1 in the Mid-Atlantic and May 1 in New England. Inorganic, granular fertilizers high in nitrogen are best, if available (N-P-K analysis of 30-10-0, 16-8-8 or 10-10-10). Split the fertilizer applications: One in spring, another early summer, and a third in late summer, only in the establishment year. Apply no more than 1 lb. of N/1000 sq. ft. in a single application.

City of Norfolk PowerPoint: Beware of /remove invasive plants p. 28

Can't recall source (AL?): Consider multiple/additional types of vegetation?

Coastal Dune Protection and Restoration: p. 3 Begin dune building farthest landward from mean high water as possible; plant vegetation at least *100 ft. or greater landward of mean high water*. p. 9 Rapid dune stabilization or steep slopes Plant 2-3 culms per hole at 12" spacing. Maximum dune width – gradually increase spacing seaward,

also decreasing plant spacing both landward and seaward from dune crest increased dune width and reduced slope of seaward dune from about 10% to 5%. Most dense plant spacing in the most landward location. Dune will grow in the direction of the source of windblown sand (so from the north on CC beach?)

Most, if not all of the beach/dune management plans that I read included all of the above.

- Other actions to prevent sand from blowing off the beach and dunes?

Norfolk PowerPoint: Christmas trees are not recommended. The Dune Book views them as temporary

Gulf Shores AL plan: Don't use hay bales

3. Timing of actions?

- Immediate Post-Corps sand deposition (Fall 2016 only) what needs to be done to stabilize the sand for this coming winter season?

My recommendation for first priority

USDA Plant Guide: Best time to plant American Beach Grass in mid-Atlantic: October 1 to March 30 in the Mid-Atlantic region.

- Fall - pre-winter sand stabilization each year
- Spring – annual debris removal, sand grooming and preparations for summer season
- Summer – sand maintenance and debris removal each year

Agree, each season has unique maintenance requirements

4. Recommendations for managing sand deposition?

Nordstrom and Jackson: The first step in building new dunes may be to build any dune-like feature, even if low, narrow, linear, and fixed in position, as has occurred in the State of New Jersey (Mauriello and Halsey 1987; Mauriello 1989).

- Dune height recommendations - Is there an “appropriate” height? Can they be topped off?

Norfolk PowerPoint: 14' H (> 30' W and 1:5 slope)

Coastal Dunes: A Primer... (Rutgers University, 2000) – pg. 13-14

- Dune width recommendations? (landward boundary controlled by the boardwalk)

Norfolk PowerPoint: > 30' W and 1:5 slope or greater

Coastal Dunes: A Primer... (Rutgers University, 2000) – pg. 13-14

- Beach width recommendations – how far seaward?

Coastal Dune Protection and Restoration: p. 3 Begin dune building farthest landward from mean high water as possible; plant vegetation at least 100 ft. or greater landward of mean high water.

Coastal Dunes: A Primer... (Rutgers University, 2000) – pg. 13-14

5. Other issues and considerations

Other studies and plans seem to recommend that access passages be above the existing dunes. Some of the existing current beach access [pits are cut through the dunes. One study states that such conditions and cause

“blow outs” of surrounding dunes. This may be a cause of some of the sand that is ending up on homeowner’s properties.

- Ongoing monitoring of the beach to have data-driven decisions in the future - see reference 9

Gulf Shores AL pg. 27-28 – monitor for 30 years! Many other references also mentioned the need for/value of monitoring.

- Roles of entities with responsibility – see reference 3
- Sand interaction with the breakwaters to stabilize an appropriate width of beach and to minimize shoreline erosion
- Public interaction with the dunes, e.g., walkways

Dune Book page. 24 for details. Direct pathways that are more than 3 feet lower than the dunes should be avoided. Many other references also mentioned the importance of not walking on the dunes.

NJ Sea Grant Consortium (NJSGC) Dune Manual (Draft) – p. 21-25

- Sand on the sidewalks and Fun Pier – public safety and access impediments

Personal comment: Need to remove sand from sidewalks for safety. Sand build up is clearly evident when walking along several areas on Bay Ave. and western end of Mason Ave. close to Bay. It seems that sidewalk maintenance is not the legal responsibility of adjacent property owners.

- Sand on property of Bay Ave. owners and view from Bay Ave. (FYI - taxes are higher for properties with a view; no water view lowers the appraisal portion of their tax assessment - I called the county last week to learn this)

Personal comment: Reasonable to consider their input for potential solutions which do not compromise the public trust by reviewing the comment sheets from the June 15hr meeting and allowing further public review of the draft board’s recommendations.

- Relationship to FEMA rules and funding <https://www.fema.gov/floodplain-management-definition>

From the above referenced VB Management Plan:

In the opinion of the Commission, the restoration and replenishment of public beaches should be the responsibility of the government and should therefore be financed through federal, state, and local funds. If these funds are not available, then City Council should allow the residents of specific beach areas to elect to create a Special Service District.

In paraphrasing another report, there are many excellent beach/dune management plans available on the internet so there is no need to re-invent the wheel.

Any recommendations we make should be done independent of whether or not the town has the manpower and/or funds to implement them.

FEMA 540 SF Criterion = Primary frontal dunes will not be considered as effective barriers to base flood storm surges and associated wave action where the cross-sectional area of the primary frontal dune, as measured perpendicular to the shoreline and above the 100-year stillwater flood elevation and seaward of the dune crest, is equal to, or less than, 540 square feet. <https://www.law.cornell.edu/cfr/text/44/65.11>

[FEMA Fact Sheet 9580.8: Eligible Sand Replacement on Public Beaches](#)

Eligibility is divided into two areas: emergency work and permanent work (restoration of damaged facilities). This Fact Sheet addresses eligibility requirements for each area.

[FEMA Disaster Assistance Fact Sheet DAP580.9](#): To document eligibility of the beach as a designed and maintained facility, the Town should be able to provide the following information to FEMA:

1. All design studies, plans, construction documents, and as-built for the original nourishment.
2. All studies, plans, construction documents, and as-built for every nourishment.
3. Documentation and details of the Maintenance Plan, including how the need for nourishment is determined and funded.
4. Pre- and Post-storm profiles of that extend at least to the seaward edge of the sub-aqueous nearshore zone (closure depth, usually –15 to –20 feet).

Wetlands and Dune Board Staff Report

From: Larry DiRe 
Date: July 27, 2016
Item: 3A- JPA 16-0860 3 Bay Vistas Way
Attachments: Application, photos, VMRC report

Background

The Cape Charles Wetlands and Dune Board meets on an as-needed basis to review permit applications. This application is to install a riprap revetment stone structure, and beach access steps. The revetment structure is proposed to be 184 linear feet.

Item Specifics

According to the applicant, the reason for this request is that the existing wave attenuating device system is not sufficient to prevent continued erosion of their upland area, and they wish to “harden the embankment”. The following are features of the proposed work plan:

- There are no vegetated wetlands to be impacted by the project.
- No equipment will be working in the water.
- Matting will be used to protect the adjacent vacant lot.
- No stock piling of materials will be done on the beach.
- Stock piling of materials will occur on the applicant’s driveway and adjacent vacant lot.
- Beach vegetation will be planted behind the proposed new revetment structure.

Design Review –

- Proposed revetment structure to be 184 linear feet, composed of Class I+ stone (50-100lbs) used for the armor (outer layer).
- Stone will be placed over filter cloth and no backfill is required.
- Marine construction grade hardware and lumber will be used for the proposed steps.

To date, one response has been received from an adjacent property owner who is not opposed to the project. Their comment is included with the application, and should be taken into consideration by the Board while making its decision. The Virginia Marine Resources Commission (VMRC) is not requiring a permit.

Recommendation

Review the application materials, photos and public comment. After discussion, determine whether issuance of the permit would be appropriate. It should be noted that approval by this Board is valid only for the local Wetlands Board, and authorization from all other necessary agencies is required prior to any work being done.

Howell, Beth (MRC)

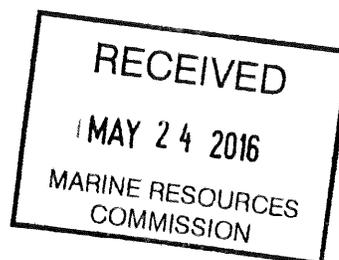
From: Wayne D. McCoy [midatlanticenvironmental@yahoo.com]
Sent: Tuesday, May 24, 2016 8:51 AM
To: Howell, Beth (MRC)
Subject: Calder JPA
Attachments: Calder JPA Form.pdf; Bay Vistas Way _3 Site Plan for Riprap (1).pdf

Good Morning Beth!

I am attaching a new JPA for John and Beth Calder in Cape Charles. Please note that Robert Rea, one of the APO's has already signed his Acknowledgement Form and is included. Thanks for your help.

Best regards,
Wayne

Wayne D. McCoy
President
Mid Atlantic Environmental LLC
1517 Mirassou Lane
Virginia Beach, VA 23454
757 560-5780 (o) 757 496-8744 (f)
Website: <http://www.midatlanticenvironmental.com/>
Email: midatlanticenvironmental@yahoo.com



Part 1 – General Information

PLEASE PRINT OR TYPE ALL RESPONSES: If a question does not apply to your project, please print N/A (not applicable) in the block or space provided. If additional space is needed, attach 8-1/2" x 11" sheets of paper.

County or City in which the project is located: <u>Cape Charles</u>
Waterway at project site: <u>Chesapeake Bay</u>

<p>1. Applicant's name* and complete mailing address:</p> <p>Beth and John Calder 3 Bay Vistas Way Cape Charles, VA 23310</p>	<p>Contact Information:</p> <p>Home (757) <u>377-3979</u></p> <p>Work () _____</p> <p>Fax () _____</p> <p>Cell/ Pager () _____</p> <p>e-mail _____</p> <p>State Corporation Commission ID Number (if applicable) _____</p>
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<p>2. Property owner(s) name* and complete address, if different from applicant</p>	<p>Contact Information:</p> <p>Home () _____</p> <p>Work () _____</p> <p>Fax () _____</p> <p>Cell/ Pager () _____</p> <p>e-mail _____</p> <p>State Corporation Commission ID Number (if applicable) _____</p>
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<p>3. Authorized agent name* and complete mailing address (if applicable):</p> <p>Mid Atlantic Environmental LLC 1517 Mirassou Lane Virginia Beach Virginia 23454</p>	<p>Contact Information:</p> <p>Home () _____</p> <p>Work (757) <u>560-5780</u></p> <p>Fax () _____</p> <p>Cell/ Pager () _____</p> <p>e-mail _____</p> <p>State Corporation Commission ID Number (if applicable) _____</p>
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*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page. If for a company, use the SCC registered name.**

4. Provide a detailed description of the project in the space below. If additional space is needed, provide a separate sheet of paper with the project description. Be sure to include how the construction site will be accessed, especially if clearing and/or grading will be required.

The Applicant wishes to harden their embankment to prevent further erosion of their upland area. A rip rap revetment is proposed for their property. They own both BV-1 and BV-2 lots. Materials will be stored on their driveway and on the vacant lot. Construction will be performed from the upland area, not using the beach, so as to not disturb the beach area. Matting will be used to prevent disturbance to the vacant, sand lot.

<div style="border: 2px solid black; padding: 10px; transform: rotate(-2deg);"> <p style="font-size: 1.2em; margin: 0;">RECEIVED</p> <p style="font-size: 1.2em; margin: 0;">MAY 24 2016</p> <p style="font-size: 0.8em; margin: 0;">MARINE RESOURCES COMMISSION</p> </div>	FOR AGENCY USE ONLY
	Notes:
	JPA # <u>16-0260</u>

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:

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell / Pager () _____

email _____

State Corporation Commission ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page. If for a company, use the SCC registered name.**

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:

Telephone number

Eastern Shore News
23079 Courthouse Ave.
Accomack, VA, 23301

(757) _____ 787-1200

Note: The Applicant is responsible for Public Notice and Review Fees.

7. Give the following project location information:

Street Address (911 address if available) 3 Bay Vistas Way

Lot/Block/Parcel# Parcel 83A1-18-BV1

Subdivision Bay Vistas

City / County Cape Charles Zipcode 23310

Latitude and Longitude at Center of Project Site (Decimal Degrees): 37 -16 -25 / 76 -01 -08

If the project is located in a rural area, please provide driving directions.

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.

Part 1 - General Information (continued)

8. What is the primary and secondary purpose of 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 is to prevent additional erosion of the upland bank. The secondary purpose is to prevent further deposition of sediments into receiving waters.

9. Proposed use (check one):

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

10. Describe 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.

All construction will be performed from the upland to prevent impacts to the beach area. no impact to wetlands. Cutting back of the existing bank will be required to achieve the angle of repose for the rip rap revetment. The Applicant has planted Ammophila in the upland area and will be transplanted behind the new revetment.

11. Have you previously had a site visit, applied to, or obtained a permit from any agency (Federal, State, or Local) for any portion of the project described in this application or any other project at the site?

Yes* No * If you answered “Yes”, provide the following information:

<u>Agency / Representative</u>	<u>Activity</u>	<u>Permit/Project No.</u>	<u>Action** & Date</u>
ACOE	Offshore Revetment	NAO-2011-0281	Issued 3-15-12
VMRC/Wetland Board	" "	VMRC # 12-0059	Issued

(**Issued, Denied, Withdrawn, or Site Visit)

Part 1 - General Information (continued)

12. 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.
13. Approximate cost of the entire project (materials, labor, etc.): \$ 55,000
Approximate cost of that portion of the project which is below mean low water: \$ 0
14. Completion date of the proposed work: 6-28 - 2017
15. Adjacent Property Owner Information: List the name and complete mailing address, including zip code, of each adjacent property owner to the project. (NOTE: a property owner/applicant cannot be their own adjacent property owner. You must give the next owner down the river, creek, etc).

Robert Rea
375 Middle Street,
Portsmouth, VA 23704

Seabreeze Apartments
Attn. George Mirmelstein
13195 Warwick Blvd.
Building 1 Suite F
Newport News, VA
23602

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, U.S. Army Corps of Engineers, 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.

John Calder

Applicant's Name (printed/typed)



Applicant's Signature

5/17/16

Date

Beth Calder

(Use if more than one applicant)



(Use if more than one applicant)

Property Owner's 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), John and Beth Calder, hereby certify that I (we) have authorized Mid Atlantic Environmental LLC
(Applicant's 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.

Wayne D. McCoy
(Agent's Signature)

(Use if more than one agent)

5-17-16
(Date)

Beth Calder
(Applicant's Signature)

John Calder
(Use if more than one applicant)

5/22/2016
(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), _____, have contracted _____
(Applicant's 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), Seabreeze Apartments/ G. Mirmelstein, own land next to (across
(Print adjacent/nearby property owner's name)

the water from/on the same cove as) the land of John and Beth Calder
(Print applicant's name(s))

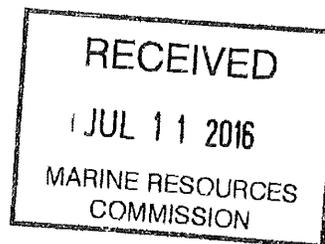
I have reviewed the applicant's project drawings dated 5-14-16
(Date)

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).

Greg Mirmelstein, agent for Seabreeze Apartments LP
Adjacent/nearby property owner's signature(s)

7/16/16
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), ^{Robert Rea} _____, own land next to (across
(Print adjacent/nearby property owner's name)

the water from/on the same cove as) the land of ^{John and Beth Calder} _____.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated _____
(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 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, etc). Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service.

NOTE: 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. For **riprap, bulkheads, marsh toe, breakwaters, groins, jetties**: What is the overall length of the structure(s)? 184 linear feet. If applicable, what is the volume of the associated backfill? 0 cubic yards.
2. What is the maximum encroachment channelward of mean high water? 0 feet.
channelward of mean low water? 0 feet.
channelward of the back edge of the dune or beach? 0 feet.
3. Please calculate the square footage of encroachment over:
 - Vegetated wetlands 0 square feet
 - Nonvegetated wetlands 0 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.

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).

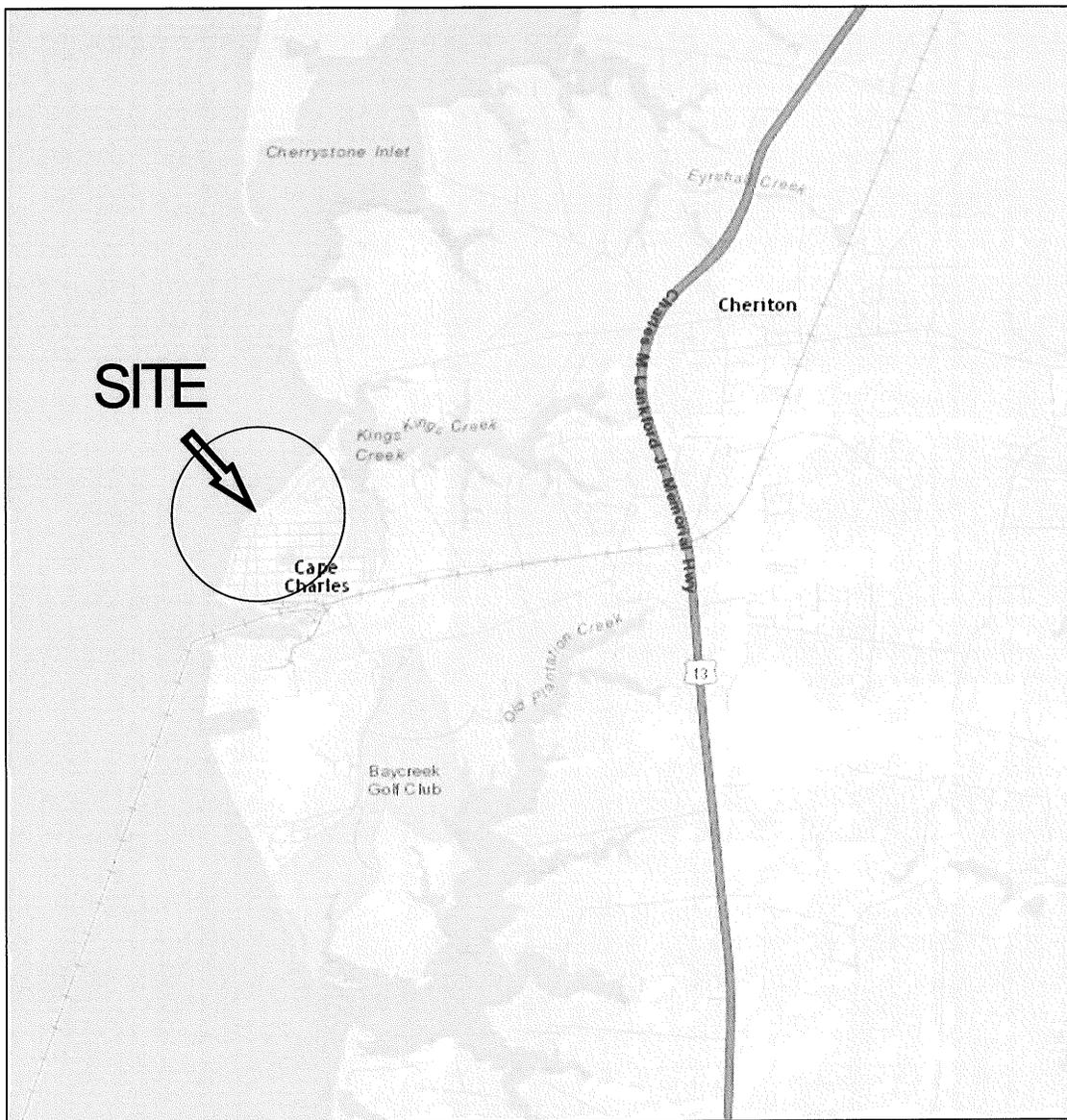
NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

Class I+ quarry stone armor over filter cloth. No backfill will be required.

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 50-100 pounds per stone Class size I+

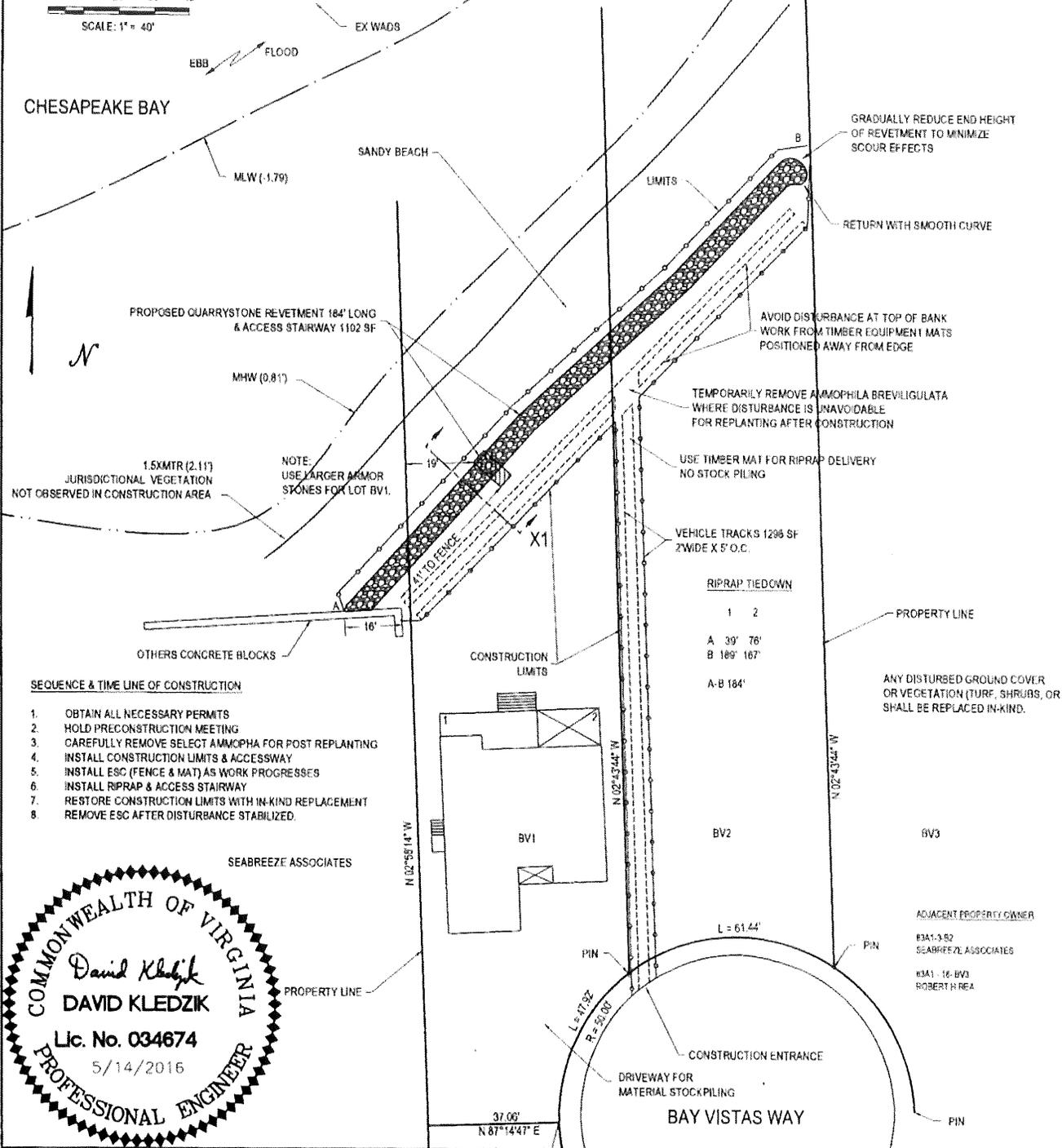
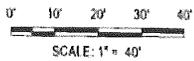
AREA MAP OF 3 BAY VISTAS WAY CAPE CHARLES VA 23310

SCALE 1" : 1 MILE



RECEIVED
MAY 24 2016
 MARINE RESOURCES
 COMMISSION

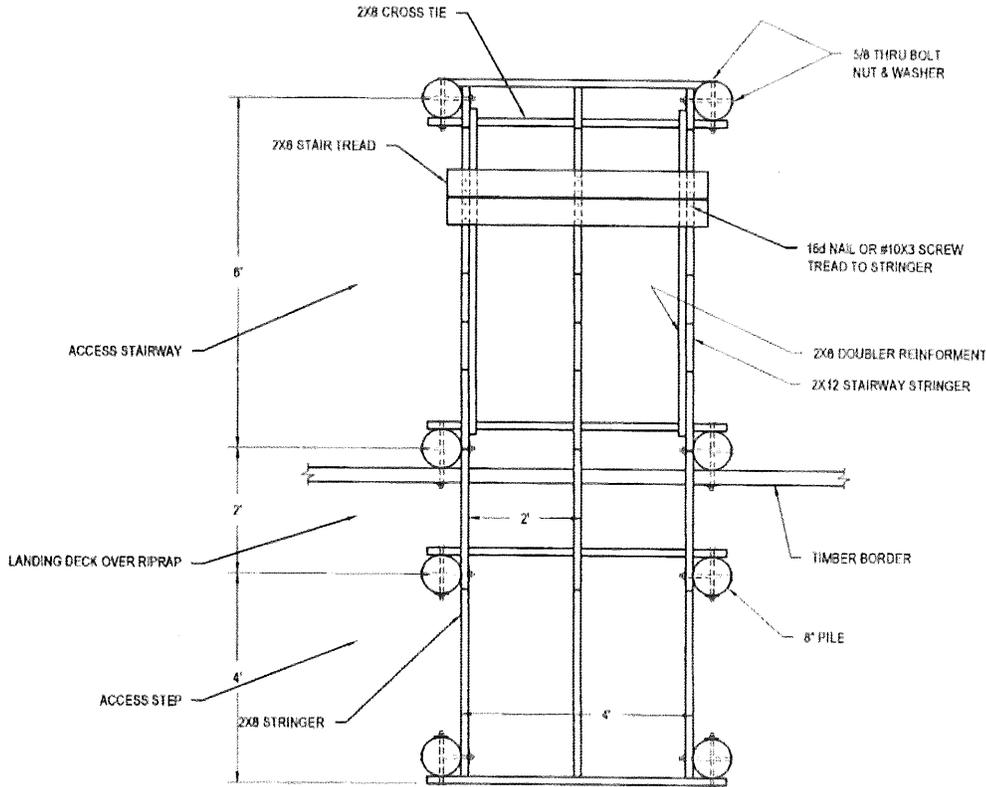
SITE PLAN OF PROPOSED RIPRAP PROJECT



RECEIVED
MAY 24 2016
MARINE RESOURCES
COMMISSION

PROPOSED ACCESS STAIRWAY DETAILS

SCALE: 1" = 3'



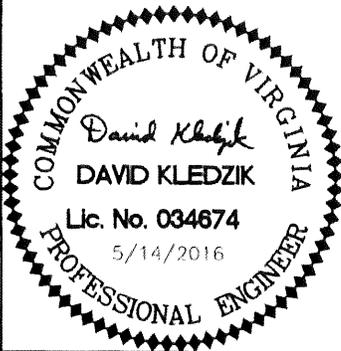
CONSTRUCTION MATERIALS:

MARINE CONSTRUCTION GRADE HARDWARE
HOT DIPPED GALVANIZED PER ASTM 153

5/8" THRU BOLT, WASHER & NUT
16d NAIL
10X3 SCREW

MARINE CONSTRUCTION GRADE SOUTHERN PINE
TIMBER TREATED IAW AWWA FOR UCSB USE

6" BUTT DIAMETER PILE
2" X 8" CROSS TIE
2" X 8" STRINGER
2" X 6" DECKBOARD



APPLICANT:
JOHN & BETH CALDER
3 BAY VISTAS WAY
CAPE CHARLES, VA 23310

MARINE ENGINEERING
4212 DOUGHERTY CT
VIRGINIA BEACH, VA 23455
PH: (757) 477-4787
MID-ATLANTIC ENVIRONMENTAL

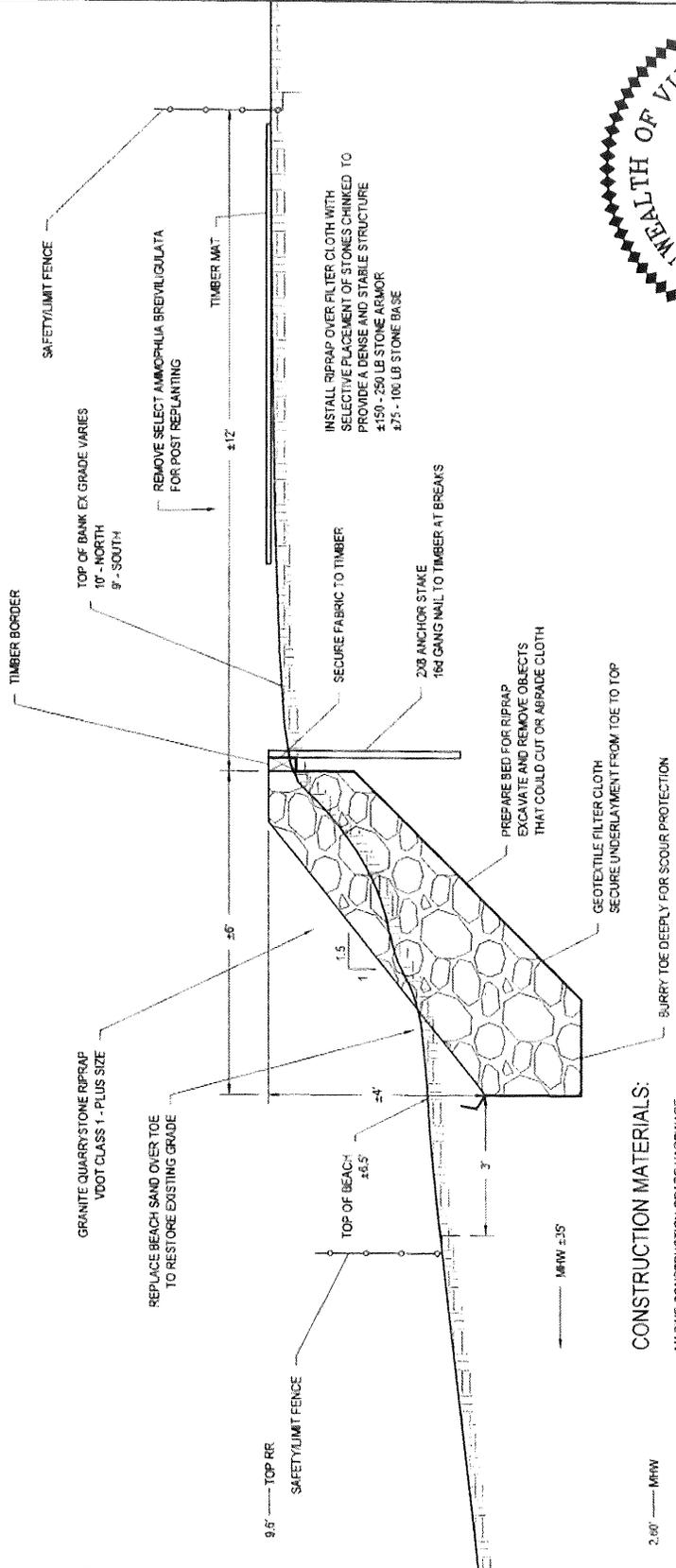
PROPOSED PROJECT FOR EROSION CONTROL
& ACCESS
DATUM: MLW = 0.00'
SHEET 1 OF 4
DATE: FEBRUARY 16, 2016
REV-

RECEIVED
 MAY 24 2016
 MARINE RESOURCES
 COMMISSION



SECTION X1A - X1A
 PROPOSED REVETMENT DETAILS

SCALE: 1" = 3'



- CONSTRUCTION MATERIALS:**
- MARINE CONSTRUCTION GRADE HARDWARE
HOT DIPPED GALVANIZED PER ASTM 153
 - 164 NAIL
 - MARINE CONSTRUCTION GRADE SOUTHERN PINE
TIMBER TREATED AW AMPA FOR UCSB USE
 - TIMBER BORDER
2" X 8" ANCHOR POST
 - GRANITE QUARRYSTONE RIPRAP (FOOT CLASS 1 PLUS SIZE)
GEOTEXTILE FILTER CLOTH

DESIGN BASED ON STANDARD PRACTICES WITHOUT THE BENEFIT OF SOIL SAMPLING. NO ALLOWANCES HAVE BEEN MADE FOR ATYPICAL SUBSOIL CONDITIONS. DEVELOPER TO CONTACT THE ENGINEER OF RECORD IF EITHER MINIMUM PENETRATION DEPTHS OF PILES CANNOT BE MET OR IF SOIL DISCOVERED NOT FIRM. ALL DIMENSIONS AND MATERIAL SPECIFICATIONS ARE MINIMUMS UNLESS OTHERWISE SPECIFIED.

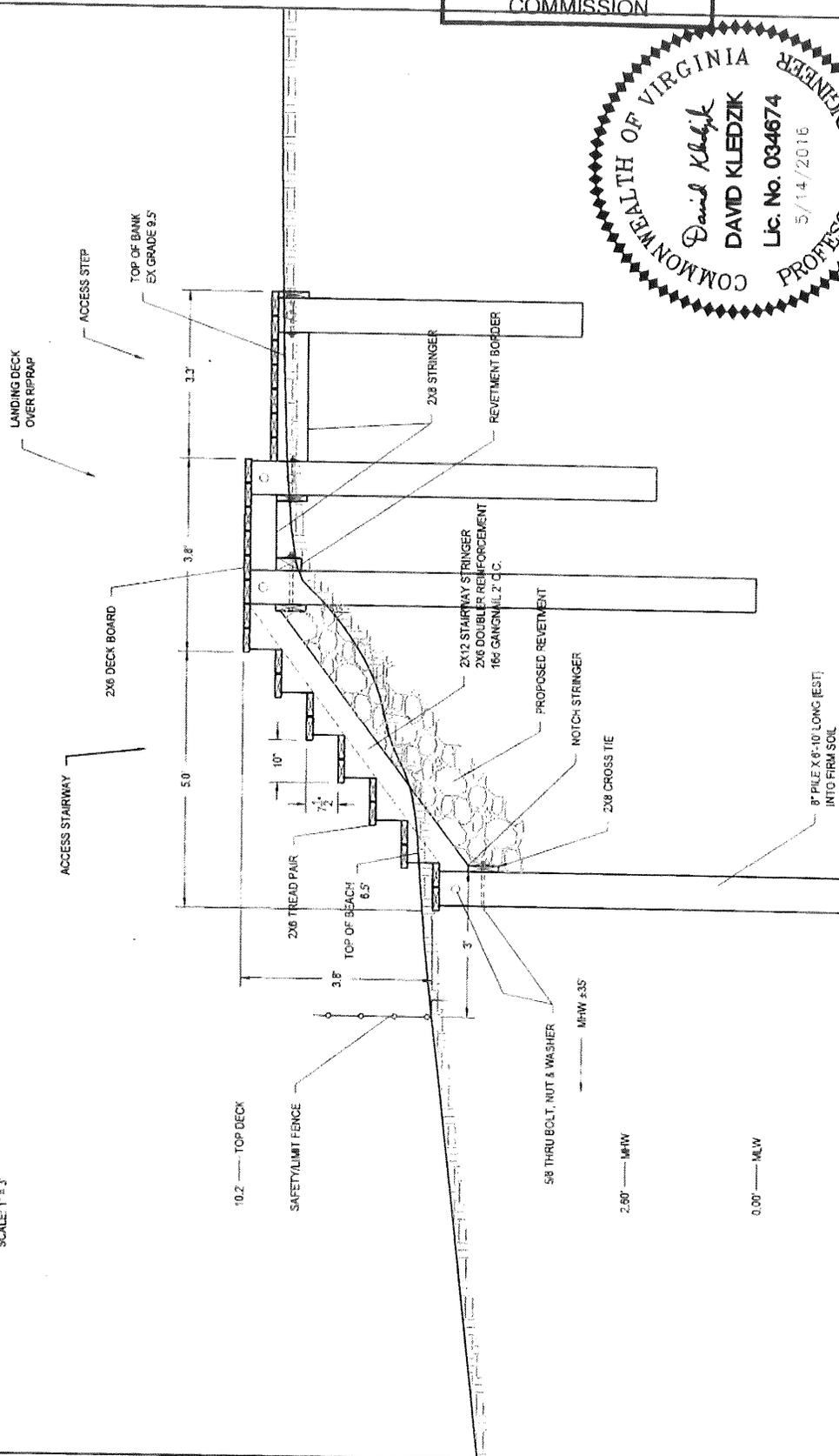
<p>APPLICANT: JOHN & BETH CALDER 3 BAY VISTAS WAY CAPE CHARLES, VA 23310</p>	<p>MARINE ENGINEERING 4212 DOUGHERTY CT VIRGINIA BEACH, VA 23455 PH: (757) 477-4787</p>	<p>PROPOSED PROJECT FOR EROSION CONTROL & ACCESS</p> <p>DATUM: MLW = 0.00' SHEET 1 OF 4 DATE: FEBRUARY 16, 2016 REV-</p>
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RECEIVED
 MAY 24 2016
 MARINE RESOURCES
 COMMISSION

COMMONWEALTH OF VIRGINIA
David Kleczik
 DAVID KLEDZIK
 Lic. No. 034674
 5/14/2016
 PROFESSIONAL ENGINEER

SECTION X1B - X1B
 PROPOSED STAIRWAY DETAILS

SCALE: 1" = 3'



PROPOSED PROJECT FOR EROSION CONTROL
 & ACCESS

DATUM: MLW = 0.00'

SHEET 1 OF 4

DATE: FEBRUARY 16, 2016

REV: _____

MARINE ENGINEERING

4212 DOUGHERTY CT
 VIRGINIA BEACH, VA 23455
 PH: (757) 477-4787

MID-ATLANTIC ENVIRONMENTAL

APPLICANT:
 JOHN & BETH CALDER
 3 BAY VISTAS WAY
 CAPE CHARLES, VA 23310

Virginia Marine Resources Commission
Permit Application 20160860

Printed: Friday July 22, 2016 10:54 AM



Applicant: John Calder
3 BayVistas Way
Cape Charles, VA 23310

Application Number:	20160860	Engineer:	Hank Badger
Application Date:	May 24, 2016	Locality:	Cape Charles
Permit Type:	No VMRC Permit Nec.	Waterway:	Chesapeake Bay East
Permit Status:	No Permit Nec	Expiration Date:	
Wetlands Board Action:		Public Hearing Date:	

Project Description: Riprap

Project Dimensions:

Riprap: 184 Linear Feet





Wetlands and Dune Board Staff Report

From: Larry DiRe 
Date: July 27, 2016
Item: 3B- JPA 16-0882 Tax map # 83A3-A-19 (1011 Bayshore Road)
Attachments: Application, VMRC report

Background

The Cape Charles Wetlands and Dune Board meets on an as-needed basis to review permit applications. This application is to construct five floating finger piers and ten mooring piles perpendicular to the existing bulkhead at the above cited location. All work will take place on private property and not over state-owned submerged bottomlands.

Item Specifics

According to the applicant the purpose of this proposed project is to provide more secure mooring for customers' vessels and to provide access to those vessels. The following are features of the proposed work plan:

- There are no vegetated wetlands to be impacted by the project.
- +/- 1300 square feet area of submerged lands are proposed as the project site.
- No stock piling of materials will be done on a wetland or beach area.
- No petroleum products or hazardous materials will be stored or handled during this construction project.

The Virginia Marine Resources Commission (VMRC) is not requiring a permit.

Recommendation

Review the application materials, and public comment. After discussion, determine whether issuance of the permit would be appropriate. It should be noted that approval by this Board is valid only for the local Wetlands Board, and authorization from all other necessary agencies is required prior to any work being done.



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

June 1, 2016

South Port Investors, LLC
Mr. Eyre Baldwin
c/o Mr. Ben Mears
Post Office Box 128
Eastville, VA 23347

Re: VMRC #16-0882

Dear Mr. Baldwin:

We have received your application requesting authorization to install 5 floating finger piers with mooring piles adjacent to your property situated along Cape Charles Harbor in the Town of Cape Charles.

Your proposal is located in a manmade harbor and not over State-owned submerged bottomlands, therefore, no authorization is required from the Marine Resources Commission.

For your information you may need authorization from your local wetlands board and/or the U. S. Army Corps of Engineers prior to commencing your project. Your application has been forwarded to these agencies.

If I may be of further assistance, please do not hesitate to contact me at (757) 414-0710.

Sincerely,

A handwritten signature in black ink, appearing to read "George H. Badger, III".

George H. Badger, III
Environmental Engineer

GHB/lra
HM

cc: U. S. Army Corps of Engineers #6
Cape Charles Wetlands Board
Applicant

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

DATE _____

APPLICANT South Port Investors, LLC
VMRC # 16-0882 EE CODE 17
OLD VMRC # _____
DATE REC'D May 27, 2016
HANK

Corps of Engineers ROD #6

VMRC e-mailed COE 05/31/16
 VMRC rec'd from COE _____

Applicant/Agent sent to COE _____
 LWB sent to COE _____

Local Wetlands Board:

VMRC e-mailed LWB 05/31/16
 VMRC rec'd from LWB _____

Applicant/Agent sent to LWB _____
 Corps sent to LWB _____

VMRC e-mailed VIMS _____
 VMRC e-mailed DEQ# _____

(Only send VIMS JPAs/Add'l Info for 2009 and earlier)
 Applicant/Agent sent to DEQ _____

6/1 No Permit Necessary

_____ No Action Necessary

_____ Prepare Field Check

_____ EE Notified for Agency Comments:

DEQ VHD-OEHS VHD-DSS VDGIF VDCR VDHR

_____ Notify FYI Only:

DEQ VHD-OEHS VHD-DSS VDGIF VDCR VDHR
 PDC VDOT MPO Other _____

_____ Notify Adjoining Property Owners

_____ Prepare OPG Check

_____ Notify OPG Leaseholder(s)

_____ Notify FFD Licensee(s)

_____ Newspaper Notice: Subaqueous Wetlands Dunes/Beaches
 Issue

Hold

_____ VIMS Report Printed

_____ Acknowledgement Letter: Form Letter Attached Letter

1/1/16 Project Description Completed/Entered by Engineer

_____ File

6/1/16 => Leu => Cover - NPN (MAN-MAD)
QHB

DATE _____

APPLICANT South Port Investors, LLC

VMRC # 16-0882 EE CODE 17

OLD VMRC # _____

DATE REC'D May 27, 2016

HANK

Corps of Engineers ROD #6

VMRC e-mailed COE 05/31/16

VMRC rec'd from COE _____

Applicant/Agent sent to COE _____

LWB sent to COE _____

Local Wetlands Board:

VMRC e-mailed LWB 05/31/16

VMRC rec'd from LWB _____

Applicant/Agent sent to LWB _____

Corps sent to LWB _____

VMRC e-mailed VIMS _____

(Only send VIMS JPAs/Add'l Info for 2009 and earlier)

VMRC e-mailed DEQ# _____

Applicant/Agent sent to DEQ _____

_____ No Permit Necessary

_____ No Action Necessary

_____ Prepare Field Check

_____ EE Notified for Agency Comments:

DEQ VHD-OEHS VHD-DSS VDGIF VDCR VDHR

_____ Notify FYI Only:

DEQ VHD-OEHS VHD-DSS VDGIF VDCR VDHR

PDC VDOT MPO Other _____

_____ Notify Adjoining Property Owners

_____ Prepare OPG Check

_____ Notify OPG Leaseholder(s)

_____ Notify FFD Licensee(s)

_____ Newspaper Notice: Subaqueous Wetlands Dunes/Beaches

Issue

Hold

_____ VIMS Report Printed

_____ Acknowledgement Letter: Form Letter Attached Letter

_____ Project Description Completed/Entered by Engineer

_____ File

Part 1 – General Information

PLEASE PRINT OR TYPE ALL RESPONSES: If a question does not apply to your project, please print N/A (not applicable) in the block or space provided. If additional space is needed, attach 8-1/2" x 11" sheets of paper.

County or City in which the project is located: <u>Cape Charles</u>
Waterway at project site: <u>Cape Charles Harbor</u>

<p>1. Applicant's name* and complete mailing address:</p> <p>South Port Investors, LLC c/o Eyre Baldwin P.O. Box 395 Eastville, VA 23347</p>	<p>Contact Information:</p> <p>Home () _____</p> <p>Work (757) _____ 331-3100</p> <p>Fax () _____</p> <p>Cell/ Pager (757) _____ 636-2885</p> <p>e-mail _____ info@ccyachtcenter.com</p> <p>State Corporation Commission ID Number (if applicable) _____</p>
---	--

<p>2. Property owner(s) name* and complete address, if different from applicant</p>	<p>Contact Information:</p> <p>Home () _____</p> <p>Work () _____</p> <p>Fax () _____</p> <p>Cell/ Pager () _____</p> <p>e-mail _____</p> <p>State Corporation Commission ID Number (if applicable) _____</p>
---	---

<p>3. Authorized agent name* and complete mailing address (if applicable):</p> <p>Ben Mears P.O. Box 128 Eastville, VA 23347</p>	<p>Contact Information:</p> <p>Home () _____</p> <p>Work (757) _____ 695-0017</p> <p>Fax () _____</p> <p>Cell/ Pager () _____ same</p> <p>e-mail _____ skypilot.bwm3@gmail.com</p> <p>State Corporation Commission ID Number (if applicable) _____</p>
--	---

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page. If for a company, use the SCC registered name.**

4. Provide a detailed description of the project in the space below. If additional space is needed, provide a separate sheet of paper with the project description. Be sure to include how the construction site will be accessed, especially if clearing and/or grading will be required.

Construct five floating finger piers with ten associated independent mooring piles to create ten new slips along and perpendicular to the existing 8.5' x 410' floating pier in the southeast corner of harbor. Finger piers will be of similar design and construction as existing floating pier.

<div style="border: 2px solid black; padding: 5px; margin: 0 auto; width: 80%;"> <p style="font-size: 1.2em; margin: 0;">RECEIVED</p> <p style="font-size: 1.2em; margin: 0;">MAY 27 2016</p> <p style="font-size: 0.8em; margin: 0;">MARINE RESOURCES COMMISSION</p> </div>	<p>FOR AGENCY USE ONLY</p>
	<p>Notes:</p>
	<p>JPA # <u>16-0882</u></p>

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:

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell / Pager () _____

email _____

State Corporation Commission ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page. If for a company, use the SCC registered name.**

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:

Telephone number

Eastern Shore News
P.O. Box 288
Tasley, VA 23441

(757) _____ 787-1200

7. Give the following project location information:

Street Address (911 address if available) _____ 1011 Bayshore Road

Lot/Block/Parcel# _____ 83A3 - A - 19

Subdivision _____

City / County _____ Cape Charles

Zipcode _____ 23310

Latitude and Longitude at Center of Project Site (Decimal Degrees): 37.2678 N, 76.0178 W

If the project is located in a rural area, please provide driving directions.

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.

Part 1 - General Information (continued)

8. What is the primary and secondary purpose of 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."

To provide more secure mooring for customers vessels.
To provide access to such vessels.

9. Proposed use (check one):

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

10. Describe 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.

N/A

11. Have you previously had a site visit, applied to, or obtained a permit from any agency (Federal, State, or Local) for any portion of the project described in this application or any other project at the site?

Yes* No * If you answered "Yes", provide the following information:

<u>Agency / Representative</u>	<u>Activity</u>	<u>Permit/Project No.</u>	<u>Action** & Date</u>	
USACOE	Floating Pier	NAO - 2008 - 1837	Issued	2008
VMRC	and Travellift Wave Attenuator	VMRC#08-V0104 (Modification to same)	Issued	Apr. 20, 2015

(**Issued, Denied, Withdrawn, or Site Visit)

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.

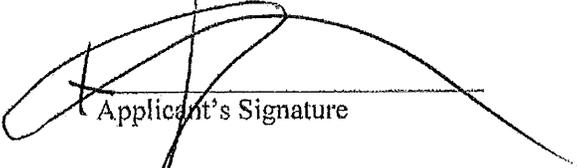
CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, U.S. Army Corps of Engineers, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises 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.

South Port Investors, LLC

Applicant's Name (printed/typed)

(Use if more than one applicant)



Applicant's Signature

(Use if more than one applicant)

5-18-2016

Date

Property Owner's 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), South Port Investors, L, hereby certify that I (we) have authorized Ben Mears
(Applicant's 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.

Ben Mears
(Agent's Signature)

(Use if more than one agent)

5-18-2016

[Signature]
(Date)
(Applicant's Signature)

(Use if more than one applicant)

5-18-2016

(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), _____, have contracted _____
(Applicant's 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 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: Projects for Access to the water (private and community piers, boathouses, marinas, moorings, boat ramps, aquaculture facilities, etc). Answer all questions that apply.

1. Briefly describe your proposed project.

Construct five floating finger piers with ten new mooring poles to create ten new slips along floating pier in southeast corner of harbor.

2. For private, noncommercial piers:

What is the overall length of the structure? 60 feet.

channelward of Mean High Water? 73 feet.

channelward of Mean Low Water? 73 feet

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

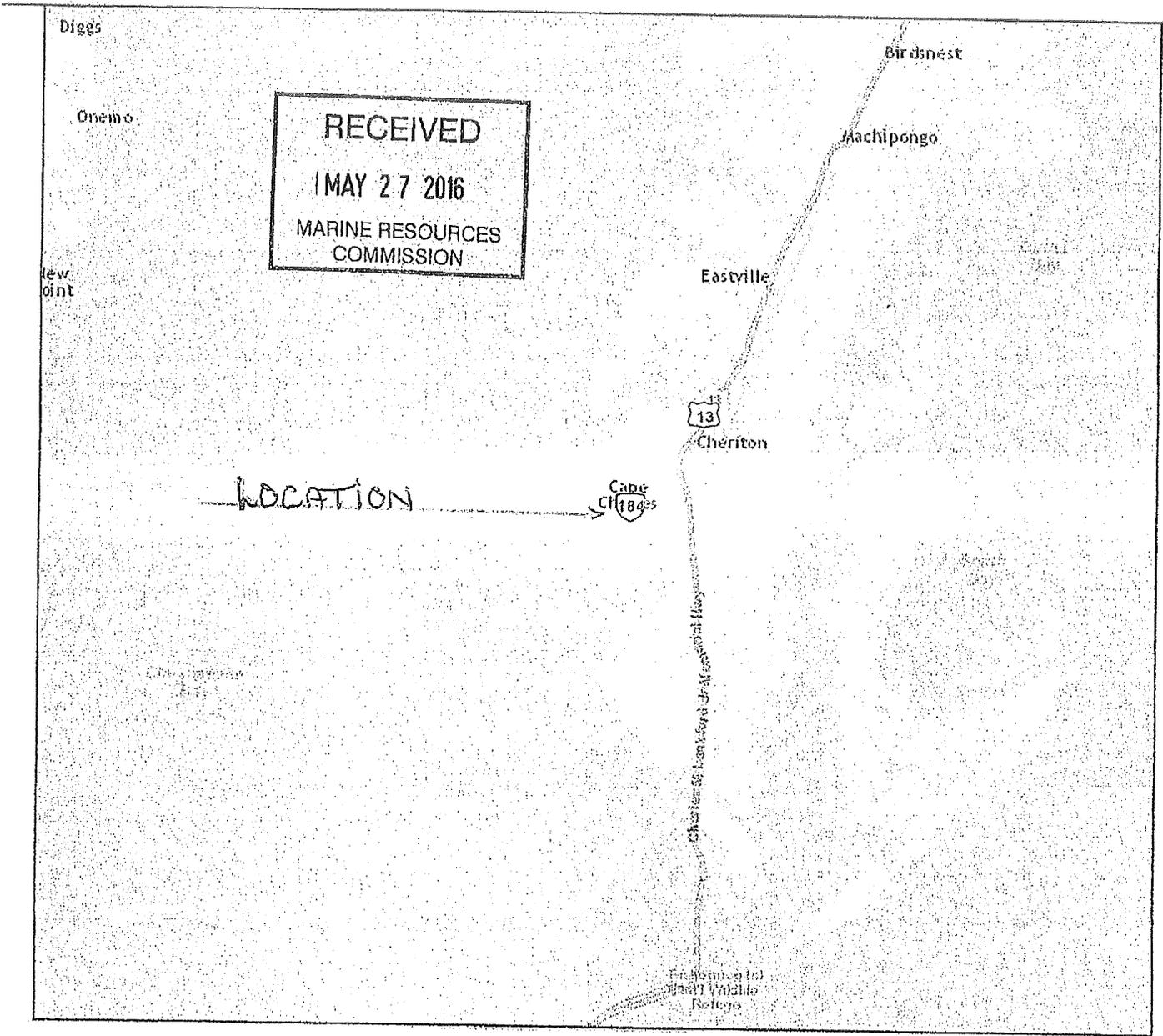
For boathouses, what is the overall size of the roof structure? _____ sq. ft.

Will your boathouse have sides? _____ Yes _____ No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by VMRC; however, pursuant to § 28.2-1203(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, (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.

3. For Corps 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 should be included:

- a. Written 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
- b. Written 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.
- c. Depth soundings across the waterway at increments designated by the Corps 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.). Inclusion of depth sounding data is recommended in order to expedite permit evaluation.



Vicinity MAP 1

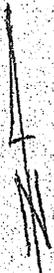
Proposed 5 Finger Piers 5-18-2016

South Port

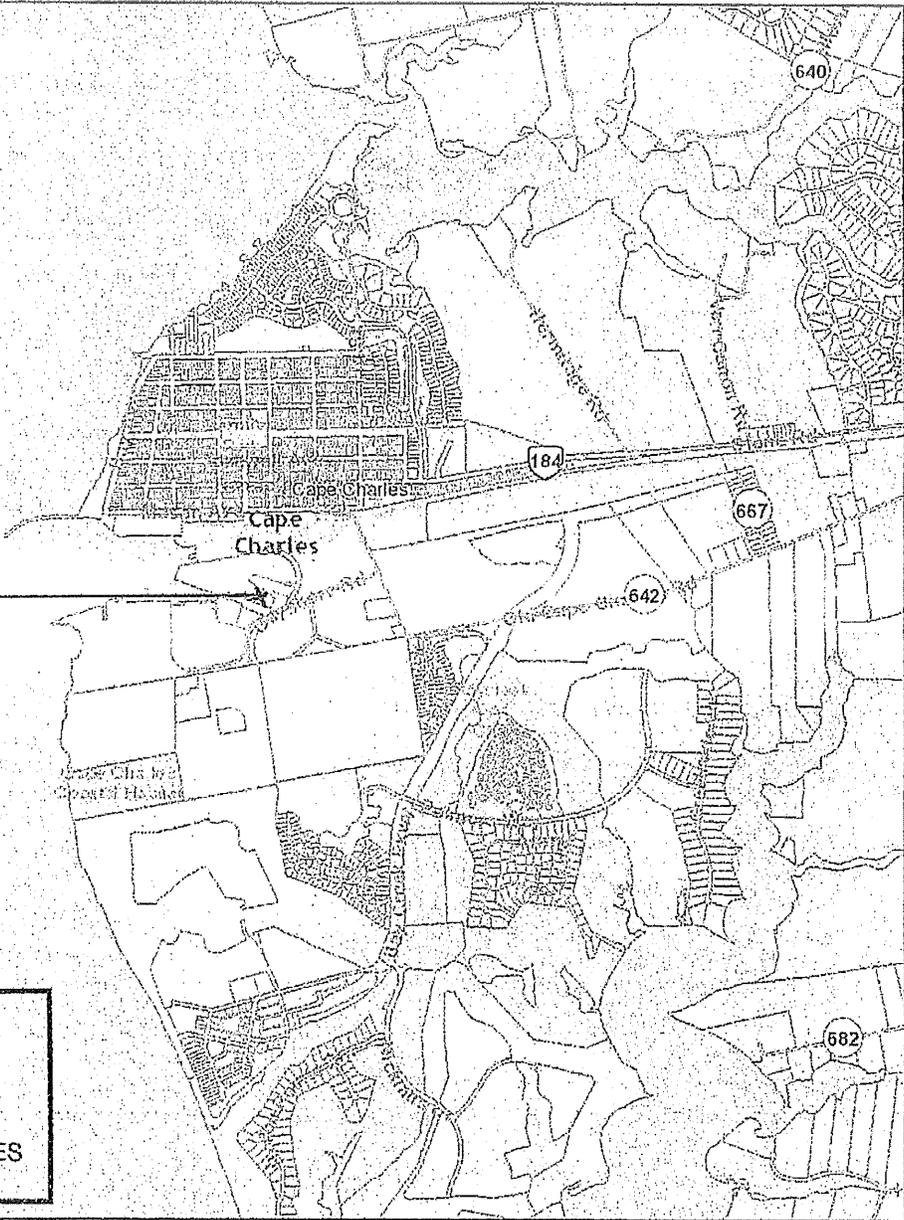
10 mooring Piers

Chesapeake Bay

Location

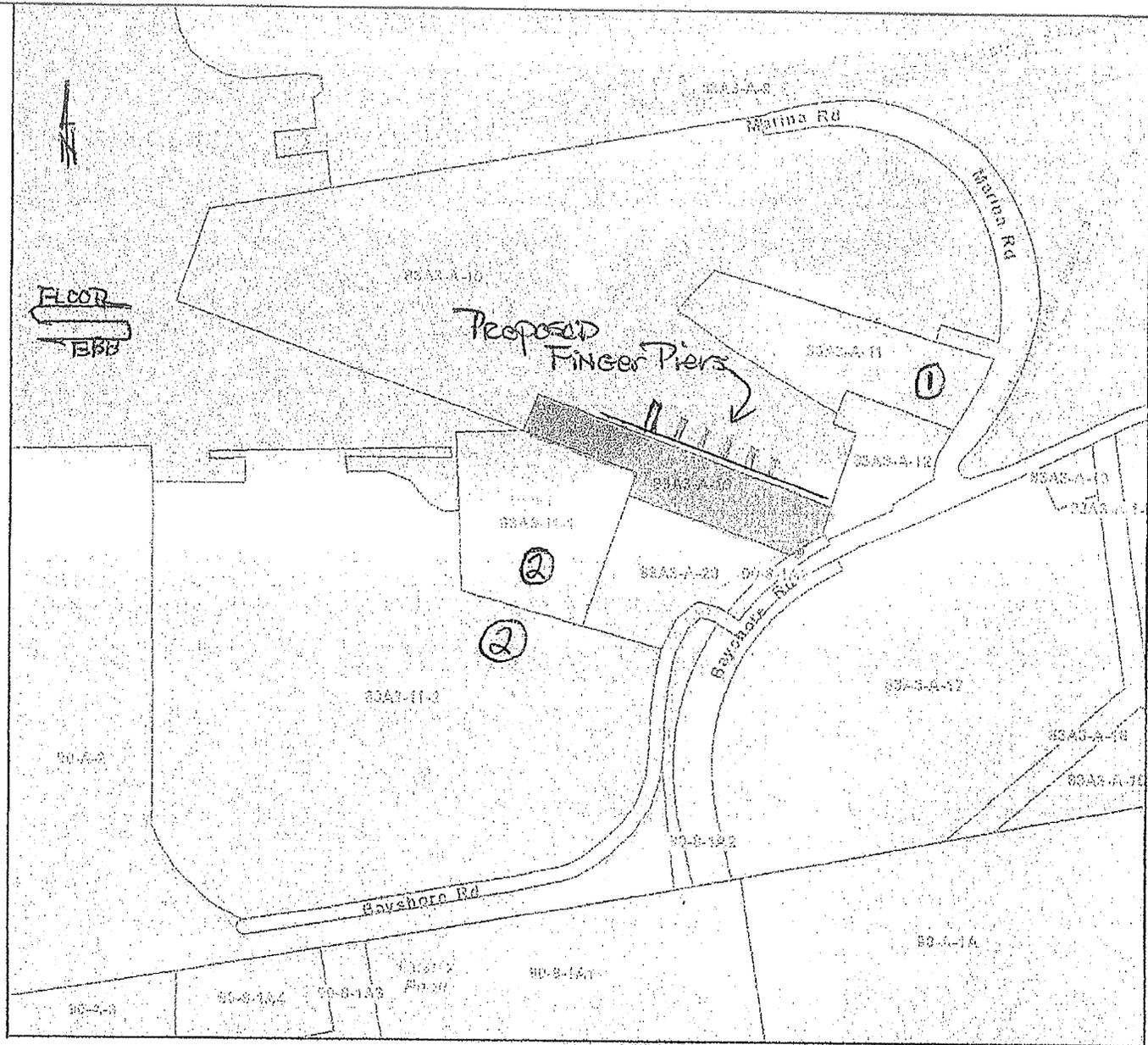


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Vicinity Map 2
South Port Investors, LLC
Proposed Finger Piers
+ Mooring Poles

5-18-2016



APO's

Proposed Finger Piers
South Port Inv., LLC

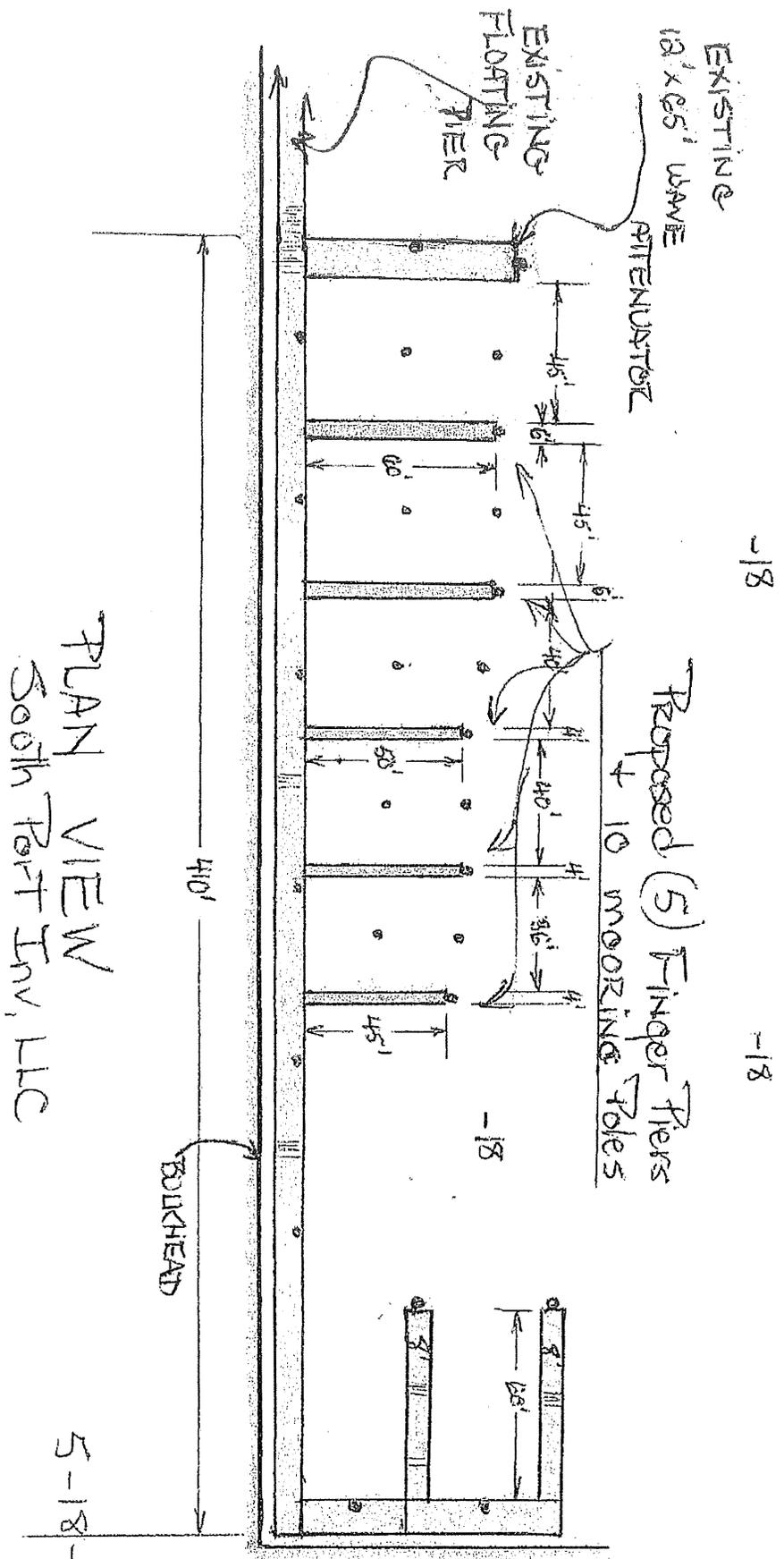
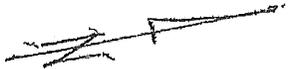
① Tax Parcel 83A3-A-11
US Coast Guard

② Tax Parcels 83A3-11-1 and 2
Harbor Development Group LLC
2728 Nestlebrook Trail
Virginia Beach, VA 23456

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5-18-2016

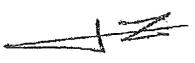
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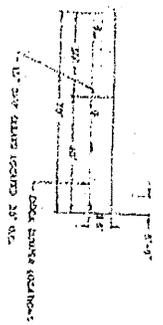
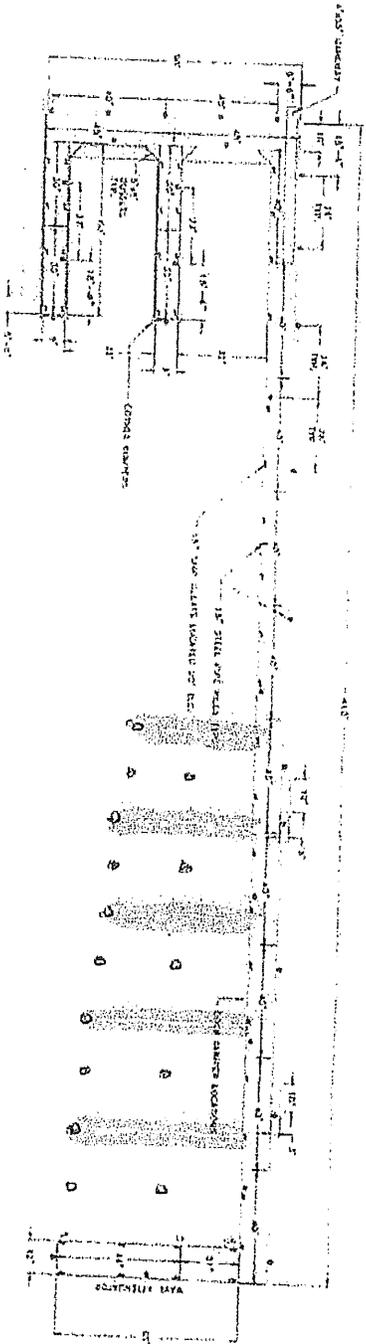
PLAN VIEW
SOUTH PORT INV, LLC

5-18-2016

SCALE 1" = 50'



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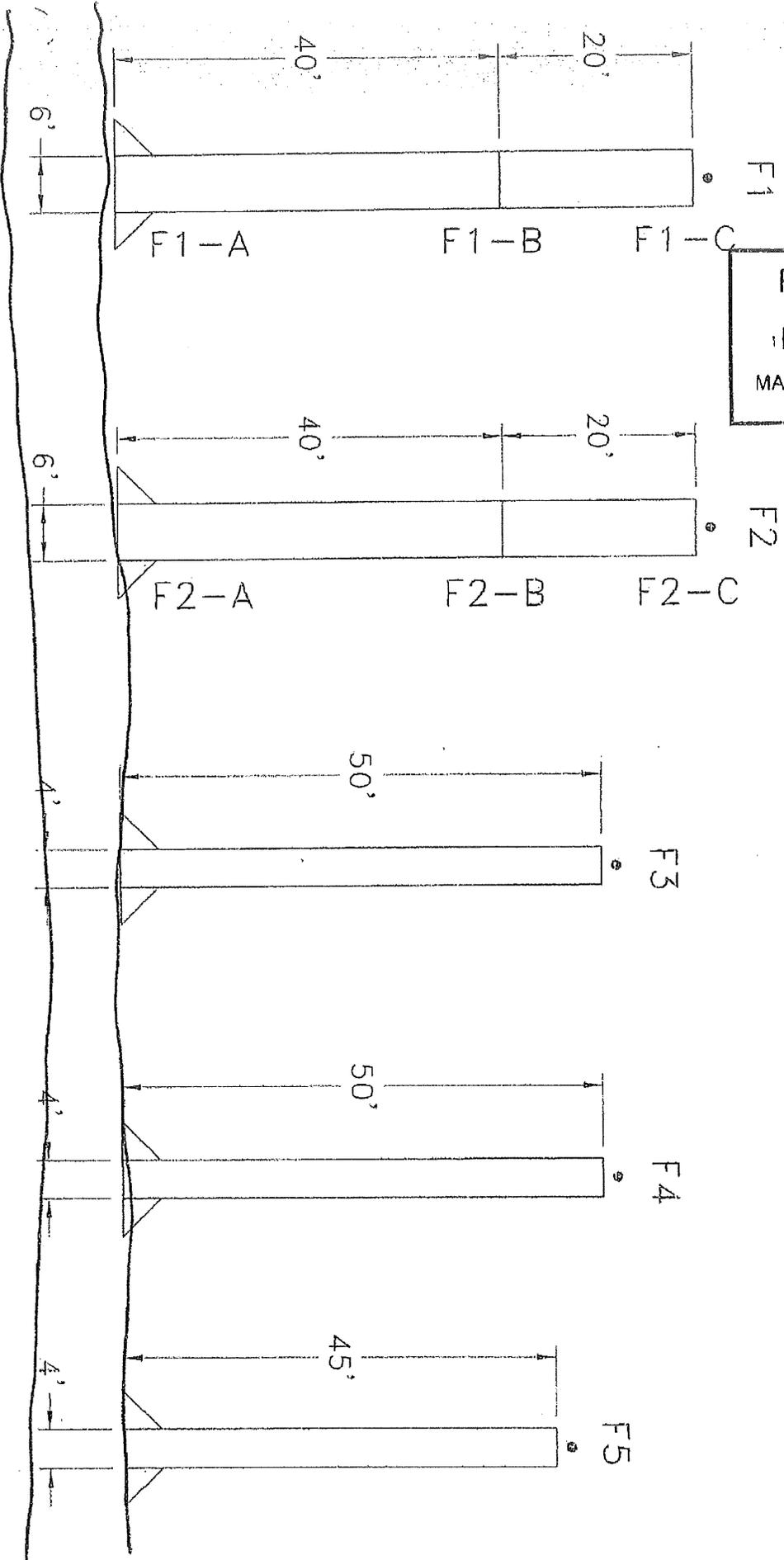


South Part
 Item 1

U.S. Fish and Wildlife Service National Wildlife Refuge System	
FOR THE DISTRICT SUPERVISOR MARINE RESOURCES DIVISION ASHLEY (PH) 866-3377 AN (PH) 866-4411 FAX (PH) 866-4411 MARINE RESOURCES DIVISION WASHINGTON, DC 20540	
PROJECT:	CAPE CHARLES, V
SUBPROJECT:	SOUTH PART
DRAWING TITLE:	OVERALL LAYOUT
DRAWING NUMBER:	SHRIMP FACILITY
DATE:	12-25-15
SCALE:	AS SHOWN
DESIGNED BY:	U.S. FISH AND WILDLIFE SERVICE
CHECKED BY:	U.S. FISH AND WILDLIFE SERVICE
APPROVED BY:	U.S. FISH AND WILDLIFE SERVICE
PROJECT #:	SI

SOUTHPORT

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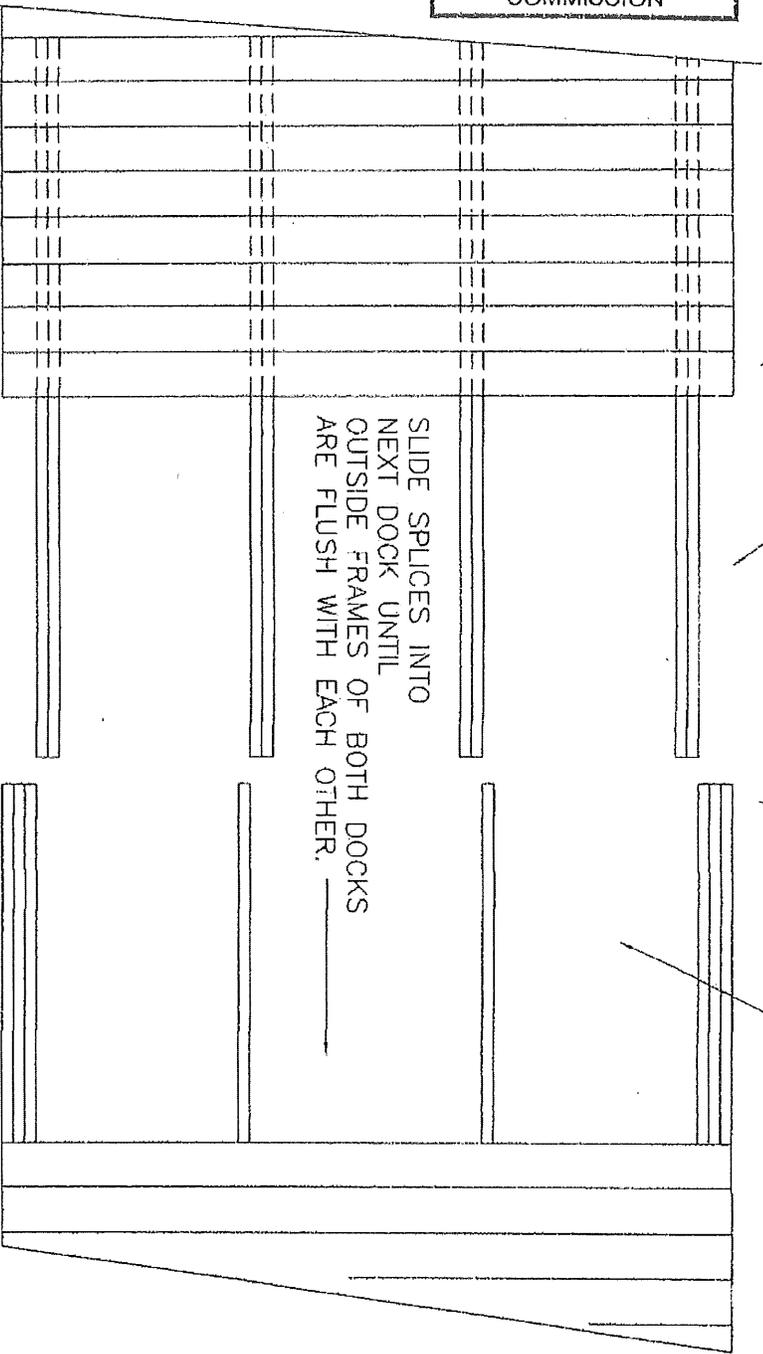


DOCK I.D. LAYOUT

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SPLICE BLOCK EXTENDING FROM DOCK

"2" END OF DOCK 1-2



"2" END OF DOCK 2-3

REMOVE PANELS (OR TACKED DECK)
FROM THIS END OF DOCK

SLIDE SPLICES INTO
NEXT DOCK UNTIL
OUTSIDE FRAMES OF BOTH DOCKS
ARE FLUSH WITH EACH OTHER.

NUMBER OF CENTER BEAMS AND SPLICE BLOCKS MAY VARY DEPENDING ON WIDTH OF DOCK

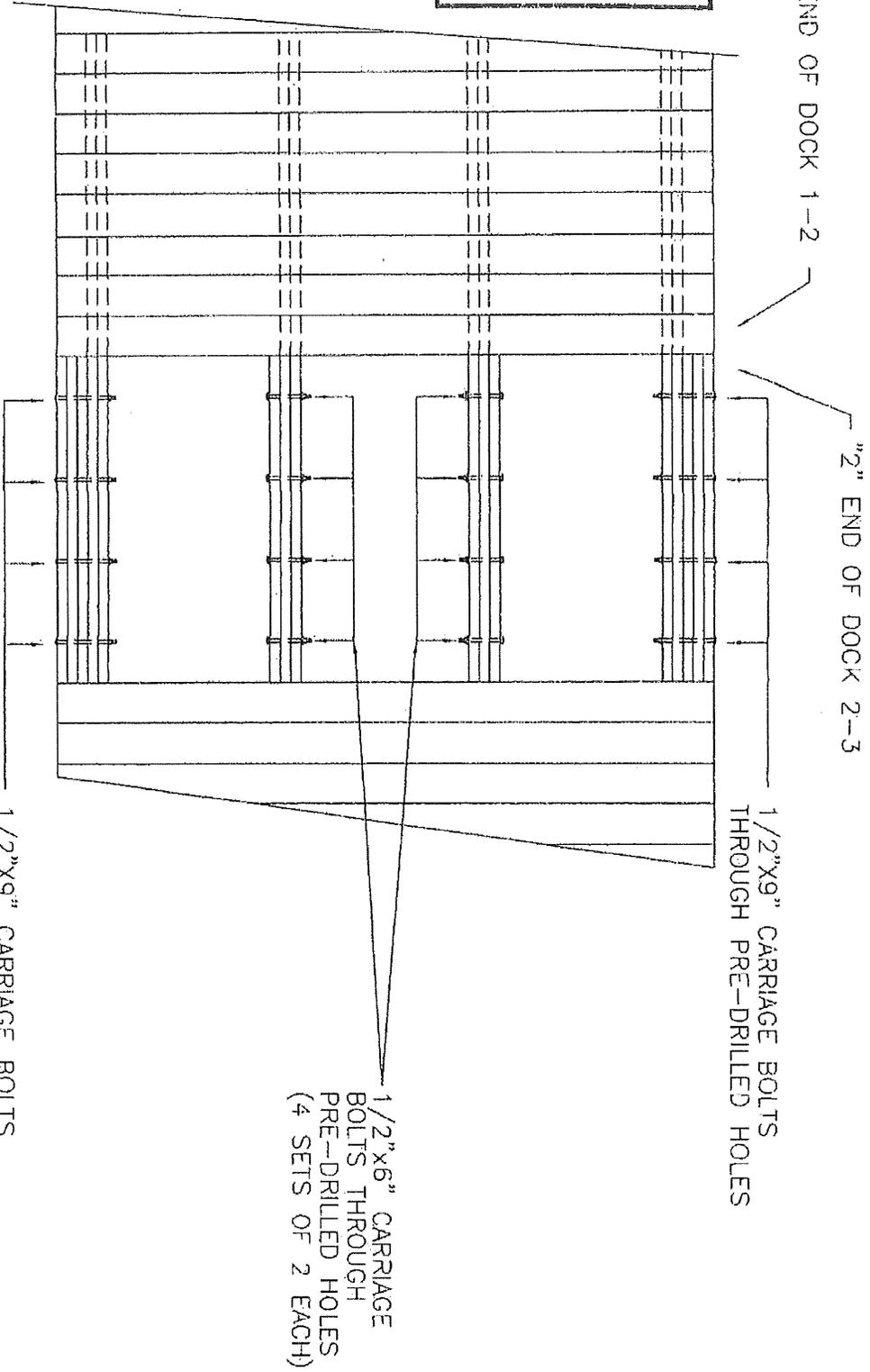
SPLICE CONNECTION (fig 1)

(NOTE: DOCK NUMBERS SHOWN ARE FOR EXAMPLE, NUMBERS WILL VARY
BUT THE DOCK ENDS THAT GO TOGETHER WILL ALWAYS BE NUMBERED
THE SAME 1-2 TO 2-3 TO 3-4 ETC.)

NOTE: IN SOME CASES THE SPLICE BLOCKS ARE SHIPPED LOOSE, DUE TO LENGTH LIMITS IN
SHIPPING. FOR THESE CASES, INSTALL SPLICES ON ONE DOCK FIRST (INSTALL BOLTS
AND NUTS BUT DON'T TIGHTEN) AND THEN PROCEED AS SHOWN IN FIGURES 1 & 2.

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BE SURE TO USE A FLAT WASHER & NUT AT EACH CONNECTION POINT



SPLICE CONNECTION (fig 2)

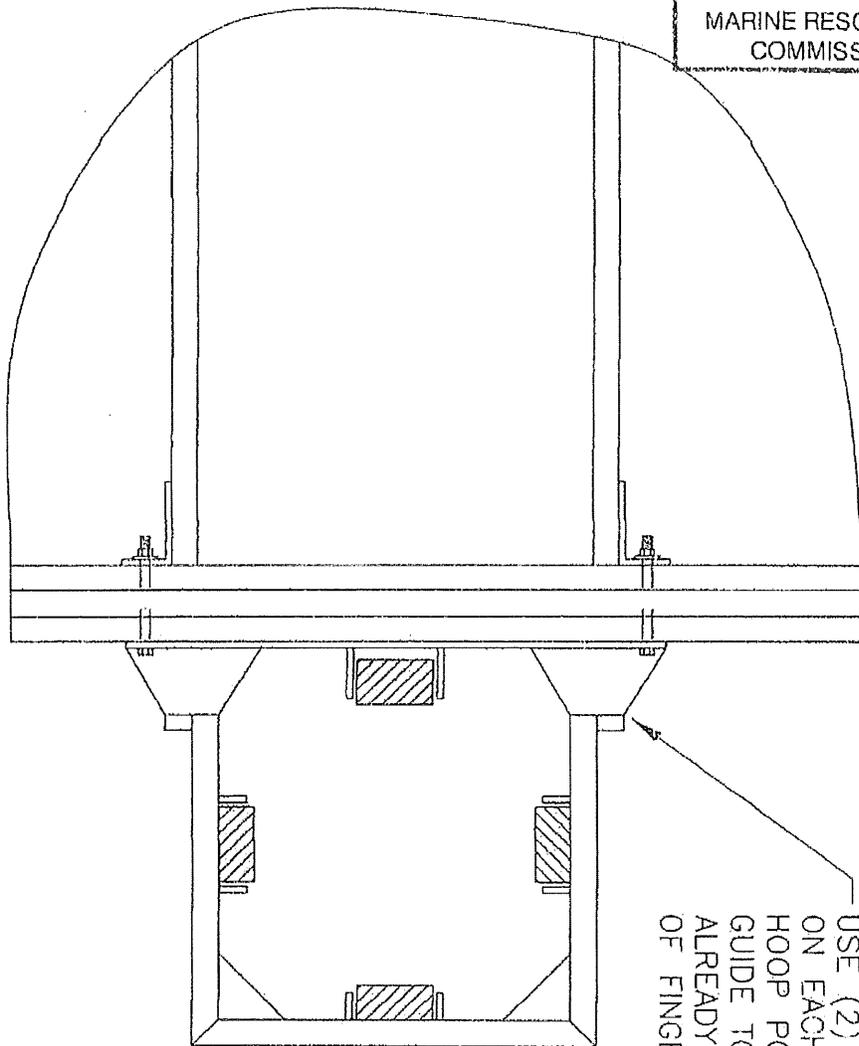
NUMBER OF CENTER BEAMS AND SPLICE BLOCKS MAY VARY DEPENDING ON WIDTH OF DOCK

(NOTE: DOCK NUMBERS SHOWN ARE FOR EXAMPLE, NUMBERS WILL VARY BUT THE DOCK ENDS THAT GO TOGETHER WILL ALWAYS BE NUMBERED THE SAME 1-2 TO 2-3 TO 3-4 ETC.)

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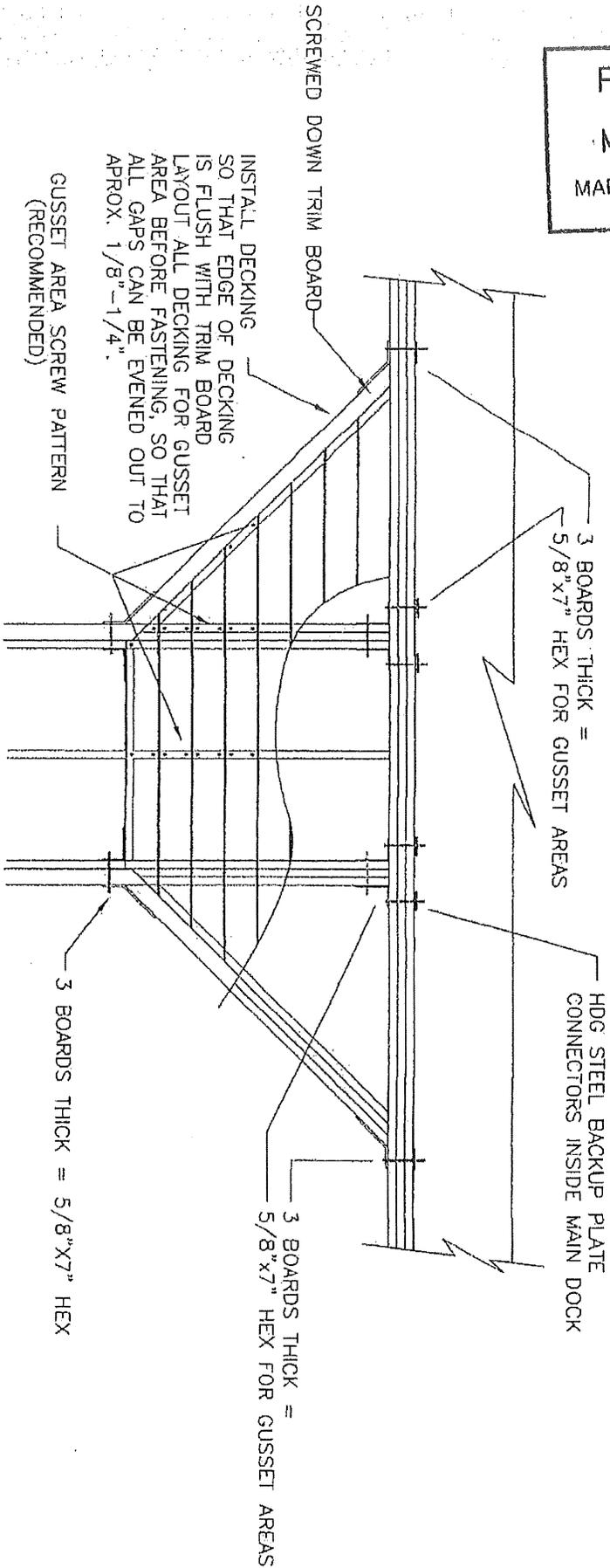


USE (2) 5/8"x2" HEX BOLTS
ON EACH SIDE TO FASTEN
HOOP PORTION OF PILE
GUIDE TO BASE PLATE
ALREADY MOUNTED ON END
OF FINGER

PILE GUIDE CONNECTION DRAWING

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WHEN MAKING THIS CONNECTION GET ALL BOLTS IN PLACE BEFORE TIGHTENING THEN TIGHTEN THE FINGER CONNECTIONS FIRST SQUARING UP THE FINGER PIER NEXT TIGHTEN UP THE GUSSET CONNECTIONS

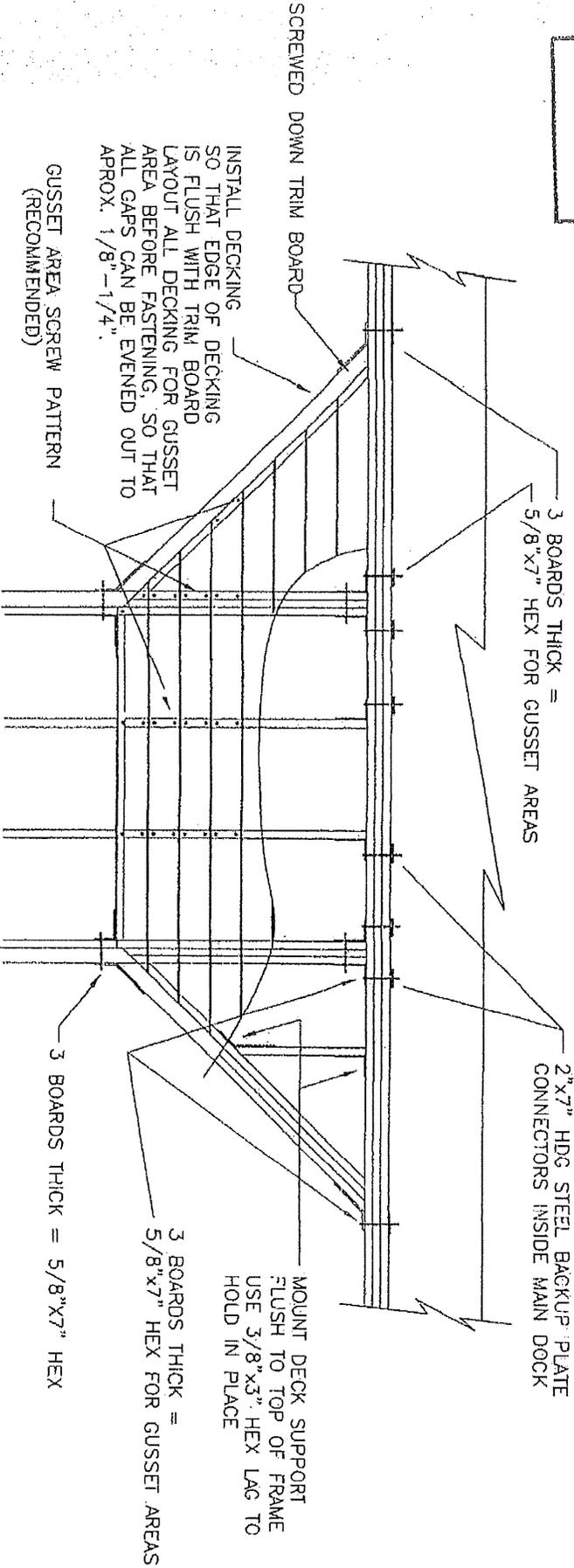


IN LOCATIONS WHERE BOLTS ARE GOING THROUGH STEEL INTO STEEL
 USE A LOCK WASHER & NUT
 IN LOCATIONS WHERE BOLTS ARE GOING THROUGH STEEL INTO WOOD
 USE A FLAT WASHER & NUT

4' FINGER & GUSSET CONNECTIONS

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WHEN MAKING THIS CONNECTION GET ALL BOLTS IN PLACE BEFORE TIGHTENING THEN TIGHTEN THE FINGER CONNECTIONS FIRST SQUARING UP THE FINGER PIER NEXT TIGHTEN UP THE GUSSET CONNECTIONS



IN LOCATIONS WHERE BOLTS ARE GOING THROUGH STEEL INTO STEEL
USE A LOCK WASHER & NUT
IN LOCATIONS WHERE BOLTS ARE GOING THROUGH STEEL INTO WOOD
USE A FLAT WASHER & NUT

6' FINGER & GUSSET CONNECTIONS

Virginia Marine Resources Commission

Permit Application 20160882

Printed: Friday July 22, 2016 10:36 AM



Applicant: South Port Investors, LLC
Post Office Box 395
Eastville, VA 23347

Application Number:	20160882	Engineer:	Hank Badger
Application Date:	May 27, 2016	Locality:	Cape Charles
Permit Type:	No VMRC Permit Nec.	Waterway:	Cape Charles Harbor
Permit Status:	No Permit Nec	Expiration Date:	
Wetlands Board Action:		Public Hearing Date:	

Project Description: Finger piers, mooring piles,

Project Dimensions:

Pier: 265 Linear Feet
