

Wetlands Board Agenda

April 17, 2023



VIRGINIA BEACH WETLANDS BOARD

PUBLIC HEARING PROCEDURES & AGENDA

A Public Hearing of the Virginia Beach Wetlands Board will be held on **Monday, April 17, 2023** at 10:00 a.m. in the New Council Chamber - 2401 Courthouse Drive, Building 1, Second Floor, Virginia Beach, VA.

An informal session will be held the same day at 9:00 a.m. in room 2034, City Manager's Conference Room - 2401 Courthouse Drive, Building 1, Second Floor, Virginia Beach, VA. During the informal session, Staff briefs the Board on agenda items. All interested persons are invited to attend. There is no opportunity for citizenry to speak at the briefing session; however, the public is invited to speak at the formal Wetlands Board Public Hearing that follows. For information or to examine copies of proposed plans, ordinances or amendments call (757) 385-4621 or go to www.vbgov.com/wetlands or visit the Department of Planning and Community Development, 2875 Sabre Street, Suite 500, Virginia Beach, Virginia by appointment. Citizens may also submit comments to the Wetlands Board prior to the public hearing via email to waterfront@vbgov.com or via United States Mail to Waterfront Operations, 2875 Sabre Street, Suite 500, Virginia Beach, VA 23452.

The Staff reviews some or all of the items on the agenda and suggests that certain conditions be attached for deliberation by the Wetlands Board. However, it should not be assumed that those conditions constitute all the conditions that will ultimately be attached to the project. Staff agencies may impose further conditions and requirements during administration of applicable City Ordinances. The administrative comments contained in the attached Staff reports constitutes Staff recommendations for each application and are advisory only. Final determination of the application is made by the Virginia Beach Wetlands Board at the public hearing.

THE FOLLOWING DESCRIBES THE ORDER OF BUSINESS FOR THE PUBLIC HEARING

(If you have any questions, please contact Staff via email at waterfront@vbgov.com or call The Department of Planning & Community Development at 757-385-4621)

- 1. WITHDRAWALS AND DEFERRALS:** The first order of business is the consideration of withdrawals or requests to defer an item. The Board will ask those in attendance at the hearing if there are any requests to withdraw or defer an item that is on the agenda. PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.
 - a.** An applicant may WITHDRAW an application without the Boards' approval at any time prior to the commencement of the public hearing for that item. After the commencement of the hearing, however, the applicant must request that the Wetlands Board allow the item to be withdrawn.
 - b.** In the case of DEFERRALS, the Board's policy is to defer the item FOR AT LEAST 60 DAYS. Although the Board allows an item to be deferred upon request of the applicant, the Board will ask those in attendance if there are any objections to the request for deferral. If you wish to oppose a deferral request, let the Board know when they ask if there is anyone in attendance who is opposed to the deferral. PLEASE confine your remarks to the deferral request and do not address the issues of the application – in other words, please let the Board know why deferring the application is unacceptable rather than discussing what your specific issue is with the application.

- 2. REGULAR AGENDA:** The Board will then proceed with the remaining items on the agenda, according to the following process:
- a. The applicant or applicant's representative will have 10 minutes to present the case.
 - b. Next, those who wish to speak in support to the application will have 3 minutes to present their case.
 - c. If there is a spokesperson for the opposition, he or she will have 10 minutes to present their case.
 - d. All other speakers not represented by the spokesperson in opposition will have 3 minutes.
 - e. The applicant or applicant's representative will then have 3 minutes for rebuttal of any comments from the opposition.
 - f. There is then discussion among the Board members. No further public comment will be heard at that point. The Board may, however, allow additional comments from speakers if a member of the Board sponsors them. Normally, you will be sponsored only if it appears that new information is available, and the time will be limited to 3 minutes.
 - g. The Board does not allow slide or computer-generated projections other than those prepared by the Planning Department Staff.

The Board asks that speakers not be repetitive or redundant in their comments. Do not repeat something that someone else has already stated. Petitions may be presented and are encouraged. If you are part of a group, the Board requests, in the interest of time, that you use a spokesperson, and the spokesperson is encouraged to have his or her supporters stand to indicate their support.

If you require reasonable accommodation for this meeting due to a disability, please call the Department of Planning and Community Development at (757) 385-4621. If hearing impaired, you may contact Virginia Relay at 711 for TDD services.



WETLANDS BOARD AGENDA

Public Hearing Date **April 17, 2023**

9:00 AM INFORMAL STAFF BRIEFING OF PUBLIC HEARING AGENDA ITEMS.

10:00 AM FORMAL REVIEW OF PUBLIC HEARING AGENDA ITEMS.

Please be advised that copies of the proposed plans, ordinances, amendments and/or resolutions associated with this public hearing are also on file and may be examined by appointment at the Department of Planning & Community Development located at 2875 Sabre St, Suite 500, Virginia Beach, VA 23452 or online at www.vbgov.com/wetlands. For information call (757) 385-4621.

NEW BUSINESS - WETLANDS

1. 2023-WTRA-00041

City of Virginia Beach Public Works Operations

[Applicant & Owner]

604 Downing Crescent, 608 Downing Crescent, 600 Runnymede Court, 601 Runnymede Court, 681 Oxford Circle, 685 Oxford Circle

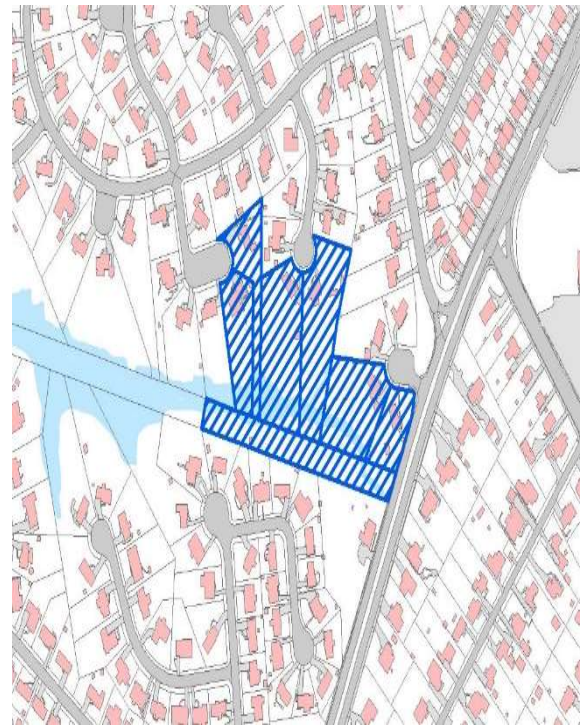
GPINs 1487-79-0987, 1488-70-1122, 1487-79-3996, 1487-79-2933, 1487-79-6790, 1487-79-5726, 1488-50-7020

City Council District: District 8, formerly Lynnhaven

Waterway – Oxford Drive Canal to Buchanan Creek

Subdivision – Kings Grant

Request: To maintenance dredge involving wetlands.



2. 2023-WTRA-00050

Daniel A. & Crystal Maxwell

[Applicants & Owners]

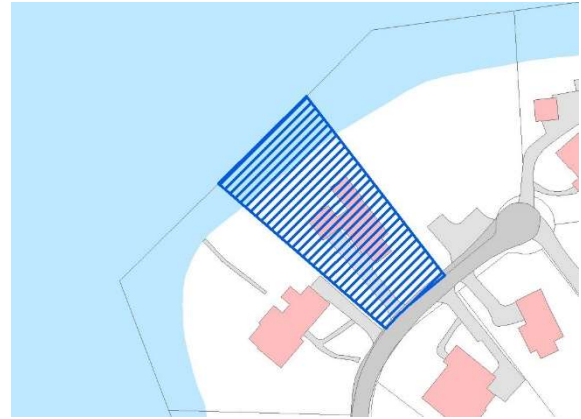
680 Thalia Point Road

GPIN 1488-01-4433

City Council District: District 8, formerly Lynnhaven

Waterway – Western Branch Lynnhaven River
Subdivision – Thalia Waterfront

Request: To construct a rip rap revetment and return walls involving wetlands.



3. 2023-WTRA-00058

David A. Schrenk

[Applicant & Owner]

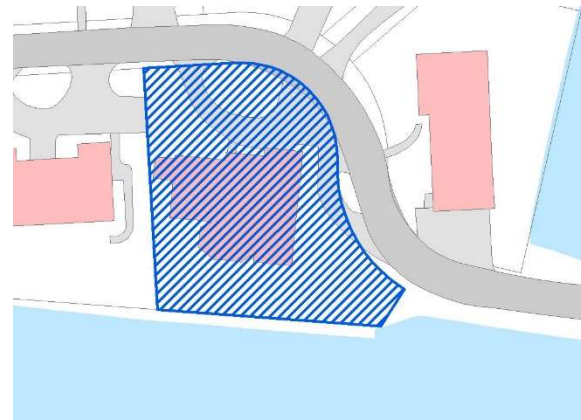
2709 Canal Road

GPIN 1499-57-7374

City Council District: District 8, formerly Lynnhaven

Waterway – Broad Bay
Subdivision – Broad Bay Colony

Request: To construct a bulkhead and return wall involving wetlands.



1. 2023-WTRA-00041

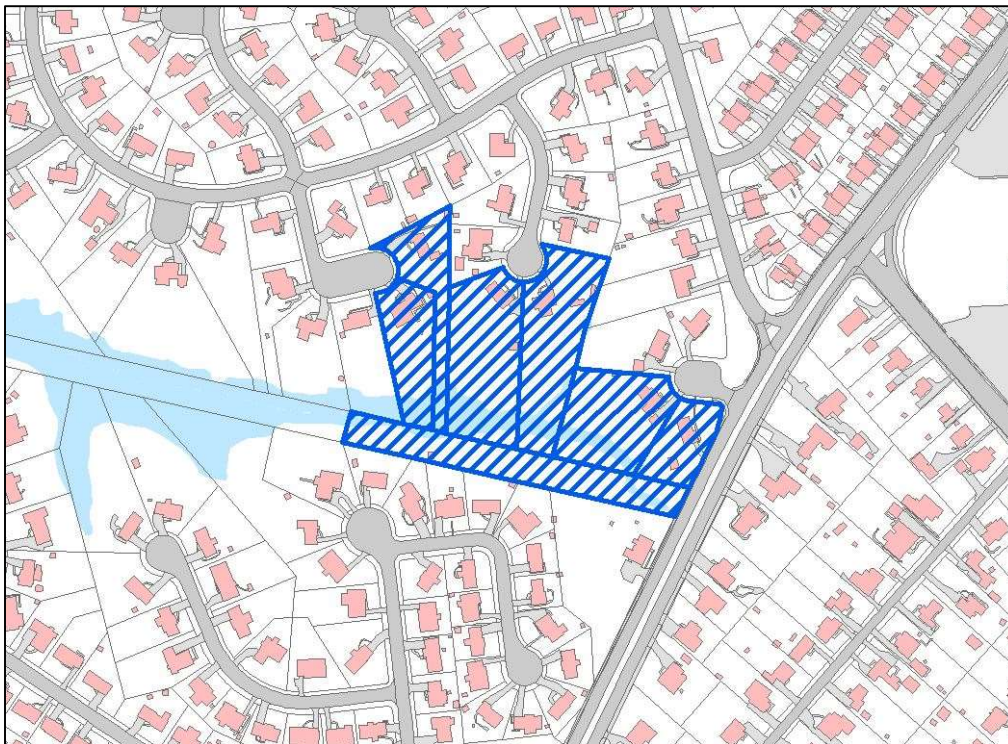
City of Virginia Beach Public Works Operations

[Applicant & Owner]

604 Downing Crescent, 608 Downing Crescent, 600 Runnymede Court, 601 Runnymede Court, 681 Oxford Circle, 685 Oxford Circle
GPINs 1487-79-0987, 1488-70-1122, 1487-79-3996, 1487-79-2933, 1487-79-6790, 1487-79-5726, 1488-50-7020
City Council District: District 8, formerly Lynnhaven

Waterway – Oxford Drive Canal to Buchanan Creek
Subdivision – Kings Grant

Request: To maintenance dredge involving wetlands.



LICENSE/AGENCY AGREEMENT

RE:

600 Runnymede Court

1. I/we, the undersigned and property owner of Virginia Beach, VA 23452, hereby authorize City of Virginia Beach Public Works Operations to make application in our name to the City of Virginia Beach, Planning Department for the purpose of making certain improvements to the above property owned by us, which improvements are more fully set forth in a copy of the proposed Permit Application attached hereto and incorporated herein by reference. We further authorize City of Virginia Beach Public Works Operations to execute the necessary permits and bonds on our behalf if the City of Virginia Beach, Planning Department grants approval for such a permit.
2. We do further grant to the agents of the City of Virginia Beach, Virginia for a period of time until the project is released by the City of Virginia Beach, Planning Department's authorized agent, in writing, the irrevocable right to go upon our said property described above for the purpose of making such improvements deemed necessary to correct or complete any activity referenced on the attached application for Waterfront Construction Permit pursuant to an approved permit(s) from said City. The period of time mentioned above is to commence upon the issuance of a valid permit for said improvements on said property by the City of Virginia Beach, Planning Department.
3. All of the improvements made under any permit issued by the City of Virginia Beach, Planning Department, the Virginia Marine Resources Commission and/or the U. S. Army Corps of Engineers are to be made at the sole expense of City of Virginia Beach Public Works Operations including the posting of any required bond or other surety.

John & Karen Brewington

(Printed Name of Owner)

(Signature of Owner)

(Date)

WAYNE A. McCLINTOCK

City of Virginia Beach Public Works Operations

(Printed Name of Applicant)

(Signature of Applicant)

(Date)

Phillip Koetter

"Any alteration of this form or its endorsements without express consent from the originator shall invalidate this instrument."

LICENSE/AGENCY AGREEMENT

RE:

601 Runnymede Court

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Richard Foley & Shawna Gugel

(Printed Name of Owner)

(Signature of Owner)

(Date)

WAYNE A. McCORMACK

(Printed Name of Applicant)

(Signature of Applicant)

(Date)

Phillip Koetter

3/10/23

3/13/23

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LICENSE/AGENCY AGREEMENT

RE:

604 Downing Crescent

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Edward & Veronica Byng

(Printed Name of Owner)

Edward & Veronica Byng
(Signature of Owner)

3/2/23
(Date)

WAYNE A. McCANN J.
City of Virginia Beach Public Works Operations

(Printed Name of Applicant)

Wayne A. McCann J.
(Signature of Applicant)

3/10/2023
(Date)

Phillip Koetter

Phillip Koetter
(Signature of Applicant)

3/13/23
(Date)

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LICENSE/AGENCY AGREEMENT

RE:

681 Oxford Circle

1. I/we, the undersigned and property owner of Virginia Beach, VA 23452, hereby authorize City of Virginia Beach Public Works Operations to make application in our name to the City of Virginia Beach, Planning Department for the purpose of making certain improvements to the above property owned by us, which improvements are more fully set forth in a copy of the proposed Permit Application attached hereto and incorporated herein by reference. We further authorize City of Virginia Beach Public Works Operations to execute the necessary permits and bonds on our behalf if the City of Virginia Beach, Planning Department grants approval for such a permit.

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SAS WILLIAM DAVID

SAS Anne Clarke

(Printed Name of Owner)


(Signature of Owner)

1 MAR 23
(Date)

WAYNE A. MCCIAN J.
City of Virginia Beach Public Works Operations

(Printed Name of Applicant)


(Signature of Applicant)

3/10/2023
(Date)

Phillip Koetter


(Signature of Applicant)

3/13/23
(Date)

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LICENSE/AGENCY AGREEMENT

RE:

685 Oxford Circle

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Robert & Joann ~~Bloch~~ BRICH Jo Ann Brick 3-1-23
(Printed Name of Owner) (Signature of Owner) (Date)

WAYNE A. McCANN [Signature] 3/10/2023
City of Virginia Beach Public Works Operations (Signature of Applicant) (Date)

Phillip Koetter [Signature] 3/13/23
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FOR AGENCY USE ONLY

	Notes:
JPA#	

APPLICANTS

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 extra 8 ½ x 11 inch sheets of paper.**

Check all that apply

Pre-Construction Notification (PCN) <input type="checkbox"/> NWP # 7 and RP-15 (For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)	SPGP <input type="checkbox"/>	DEQ Reapplication <input type="checkbox"/> Existing permit number: _____	Receiving federal funds <input type="checkbox"/> Agency providing funding: _____
Regional Permit 17 (RP-17) <input type="checkbox"/>			

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://csm.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
	Not Applicable			

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION

The applicant(s) is/are the legal entity to which the permit may be issued (see How to Apply at beginning of form). The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please also provide the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

Legal Name(s) of Applicant(s) Phillip Koetter, PE - PW Operations				Agent (if applicable) Waterway Surveys & Engineering - Rebecca Francese		
Mailing address 3556 Dam Neck Road				Mailing address 321 Cleveland Place		
City Virginia Beach	State VA	ZIP Code 23453	City Virginia Beach	State VA	ZIP Code 23462	
Phone number w/area code	Fax		Phone number w/area code 757-490-1691	Fax 757-490-1348		
Mobile	E-mail pkoetter@vbgov.com		Mobile 757-537-5401	E-mail beccaf@waterway.net		
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name and ID number (if applicable)			

Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here: beccaf@waterway.net

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)					
Property owner(s) legal name, if different from applicant City of Virginia Beach and Private Homeowners			Contractor, if known To be bid		
Mailing address Provided in narrative			Mailing address		
City	State	ZIP code	City	State	ZIP code
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile	E-mail		Mobile	E-mail	
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name ID number (if applicable)		

2. PROJECT LOCATION INFORMATION (Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction. Include the drainage area if the SPGP box is checked on Page 7.)	
Street Address (911 address if available) None Available	City/County/ZIP Code
Subdivision Kings Grant	Lot/Block/Parcel #
Name of water body(ies) within project boundaries and drainage area (acres or square miles). Oxford Drive Canal (<1 square mile)	
Tributary(ies) to: <u>Buchanan Creek</u> Basin: <u>Lynnhaven-Poquoson</u> Sub-basin: <u>Chesapeake Bay-Lynnhaven River</u> (Example: Basin: <u>James River</u> Sub-basin: <u>Middle James River</u>)	
Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.): <u>Not Applicable</u>	
Project type (check one) <input type="checkbox"/> Single user (private, non-commercial, residential) <input checked="" type="checkbox"/> Multi-user (community, commercial, industrial, government) <input type="checkbox"/> Surface water withdrawal	
Latitude and longitude at center of project site (decimal degrees): <u>36.854768</u> / <u>-76.091505</u> (Example: 37.33164/-77.68200)	
USGS topographic map name: <u>Princess Anne</u>	
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): <u>02080108</u> If known, indicate the 10-digit and 12-digit USGS HUCs (see http://dswcapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm): <u>0208010802 CB-F</u> <u>020801080201 CB25</u>	
Name of your project (Example: <i>Water Creek driveway crossing</i>) <u>Oxford Drive Canal - Stormwater Maintenance Dredging</u>	
Is there an access road to the project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No. If yes, check all that apply: <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input checked="" type="checkbox"/> improved <input type="checkbox"/> unimproved	
Total size of the project area (in acres): <u>~1.0 acres</u>	

2. PROJECT LOCATION INFORMATION (Continued)

Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections:

Oxford Drive Canal is located at the upstream end of Buchanan Creek in Virginia Beach, Virginia. It is bound by Little Neck Road to the south (by the primary outfall system), Oxford Circle and Runnymede Court to the northeast and East Coral Key to the southwest.

Does your project site cross boundaries of two or more localities (i.e., cities/counties/towns)? Yes No

If so, name those localities: _____

3. DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE(S), AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose and need must include any new development or expansion of an existing land use and/or proposed future use of residual land.
- Describe the physical alteration of surface waters, including the use of pilings (#, materials), vibratory hammers, explosives, and hydraulic dredging, when applicable, and *whether or not tree clearing will occur* (include the area in square feet and time of year).
- Include a description of alternatives considered and measures taken to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For surface water withdrawals, public surface water supply withdrawals, or projects that will alter in stream flows, include the water supply issues that form the basis of the proposed project.

See attached narrative. The narrative provides the project purpose and need and full impact analysis for dredging the stormwater canal referred to as Oxford Drive Canal. Stormwater outfall protection and the staging location for transfer of dredged material are also identified in the narrative.

Oxford Drive Canal is an improved tidal tributary created to promote stormwater drainage from the public road system and adjacent neighborhoods towards the Lynnhaven River. The drainage canal has started to silt in and has accumulated organic debris over the years, thereby impeding stormwater flow causing upstream flooding during moderate to severe rainfall events. The purpose of this project is to restore depths within the drainage tributary by creating a large forebay for current and future maintenance purposes.

Date of proposed commencement of work (MM/DD/YYYY)
Upon receipt of permits _____

Date of proposed completion of work (MM/DD/YYYY)
within 2 years _____

Are you submitting this application at the direction of any state, local, or federal agency? _____ Yes X No

Has any work commenced or has any portion of the project for which you are seeking a permit been completed?
_____ Yes X No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

Not applicable

Are you aware of any unresolved violations of environmental law or litigation involving the property? _____ Yes X No
(If yes, please explain)

Not applicable

4. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ \$225,000
Approximate cost of only the portion of the project affecting state waters (channelward of mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ \$25,000

5. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove. 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.

Property owner's name	Mailing address	City	State	ZIP code
Anna Clark Sas	681 Oxford Circle	Virginia Beach	VA	23452
Siriah Kasarabad Suchtira Tadimalla	621 Little Neck Road	Virginia Beach	VA	23452
Patrick Stimson	600 Downing Crescent	Virginia Beach	VA	23452
Buchanan Creek Assoc.	No address available			

Name of newspaper having general circulation in the area of the project: Virginian Pilot
Address and phone number (including area code) of newspaper _____

Have adjacent property owners been notified with forms in Appendix A? ___ Yes No (attach copies of distributed forms)

6. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or confirmed waters and wetlands delineation/jurisdictional determination. Include information when applicable regarding the location of the project in Endangered Species Act-designated or -critical habitats. Contact information for the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Virginia Dept. of Game and Inland Fisheries, and the Virginia Dept. of Conservation and Recreation-Division of Natural Heritage can be found on page 4 of this package.

7. HISTORIC RESOURCES INFORMATION

Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the USACE from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the USACE, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.

Are any historic properties located within or adjacent to the project site? ___ Yes ___ No Uncertain
If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site? ___ Yes ___ No Uncertain
If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district? ___ Yes No ___ Uncertain

If Yes, please indicate which district: Not applicable

7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?

Yes No Uncertain

If Yes, please provide the following information: Date of Survey: _____

Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? Yes No Uncertain

Title of Cultural Resources Management (CRM) report: _____

Was any historic property located? Yes No Uncertain

8. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 17.

	Impact site number 1	Impact site number 2	Impact site number 3	Impact site number 4	Impact site number 5
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example: F, NT, PE, V)	Dredging EX, T, PE, SB 2x = 1,410 sf EX, T, PE, NV 2x = 13,195 sf EX, T, PE, VG 4x = 80 sf	Outfall Stabilization F, T, PE, SB 550 sf F, T, PE, NV 290 sf			
Latitude / Longitude (in decimal degrees)	36.8548/76.0915	36.8548/76.0915			
Wetland/waters impact area (square feet / acres)	14,685 sf/0.34 ac	840 sf/0.02ac			
Dune/beach impact area (square feet)	0	0			
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)	Stormwater 650 ft X 40 ft	Stormwater 650 ft x 40 ft			
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)	0 cy	62 cy			

outfall stabilization will include ~62 cy of Class I stone

8. WETLANDS/WATERS IMPACT INFORMATION (Continued)

<p>Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO;</i> <i>Example stream: 'C' channel and if tidal, whether vegetated or non-vegetated wetlands per Section 28.2-1300 of the Code of Virginia</i></p>	<p>PFO</p>	<p>UBX</p>			
<p>Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)</p>	<p>stormwater/ tidal</p>	<p>stormwater/ tidal</p>			
<p>Contributing drainage area in acres or square miles (VMRC cannot complete review without this information)</p>	<p>< 1 sq mile</p>	<p><1 sq mile</p>			
<p>DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+9</p>	<p>Estuarine Class II</p>	<p>Estuarine Class II</p>			
<p>For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map – see (3) in the Footnotes section in the form instructions.</p>					
<p>For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.</p>					

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS


READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

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 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.

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)


Is/Are the Applicant(s) and Owner(s) the same? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Legal name & title of Applicant Phillip Koetter, P.E. - PW Operations	Second applicant's legal name & title, if applicable
Applicant's signature 	Second applicant's signature
Date 2/9/2023	Date
Property owner's legal name, if different from Applicant	Second property owner's legal name, if applicable
Property owner's signature, if different from Applicant	Second property owner's signature
Date	Date

CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S)' BEHALF (IF APPLICABLE)

I (we), Phillip Koetter, P.E. (and) _____ ,
 APPLICANT'S LEGAL NAME(S) – *complete the second blank if more than one Applicant*

hereby certify that I (we) have authorized Rebecca S. Francese (and) _____
 AGENT'S NAME(S) – *complete the second blank if more than one Agent*

to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.

Applicant's signature 	Second applicant's signature, if applicable
Date 2/9/2023	Date
Agent's signature and title <u>Rebecca S. Francese</u>	Second agent's signature and title, if applicable
Date <u>Francese</u>	Date

Digitally signed by Rebecca S. Francese
 DN: cn=Rebecca S. Francese, o=Waterway
 Surveys & Engineering, ou,
 email=beccaf@waterway.net, c=US
 Date: 2023.03.19 19:16:21 -04'00'

CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)

I (we), _____ (and) _____ ,
 APPLICANT'S LEGAL NAME(S) – *complete the second blank if more than one Applicant*

have contracted _____ (and) _____
 CONTRACTOR'S NAME(S) – *complete the second blank if more than one Contractor*

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

I (we) will read and abide by all conditions as set forth in all federal, state, and local permits as required for this project. I (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, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (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 of the terms and conditions.

Contractor's name or name of firm (printed/typed)	Contractor's or firm's mailing address	
Contractor's signature and title	Contractor's license number	Date
Applicant's signature	Second applicant's signature, if applicable	
Date	Date	

16. BEACH NOURISHMENT (Continued)

Describe the type(s) of vegetation proposed for stabilization and the proposed planting plan, including schedule, spacing, monitoring, etc. Attach additional sheets if necessary.

17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands							10	80
Non-vegetated wetlands							1,235	13,195
Subaqueous land							130	1,410
Totals							1,375	14,685

Is this a one-time dredging event? Yes No If "no", how many dredging cycles are anticipated: as needed in next 15 yrs
 (___ initial cycle in cu. yds.) (___ subsequent cycles in cu. yds.)

Composition of material (percentage sand, silt, clay, rock):
 Provide documentation (i.e., laboratory results or analytical reports) that *dredged* material from on-site areas is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site).

Material is a clayey to silty sand with organic debris. All material will go to Whitehurst DMMA.

Please include a dredged material management plan that includes specifics on how the dredged material will be handled and retained to prevent its entry into surface waters or wetlands. If on-site dewatering is proposed, please include plan view and cross-sectional drawings of the dewatering area and associated outfall.

Material will be transported in barges to the staging area, transferred to trucks and hauled to the Whitehurst DMMA.

Will the dredged material be used for any commercial purpose or beneficial use? ___ Yes No
 If yes, please explain:

Not applicable

If this is a maintenance dredging project, what was the date that the dredging was last performed? Canal was improved ~1970
 Permit number of original permit: N/A (It is important that you attach a copy of the original permit.)

17. DREDGING, MINING, AND EXCAVATING (Continued)

For mining projects: On separate sheets of paper, explain the operation plans, including: 1) the frequency (e.g., every six weeks), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in water body segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list ([available at http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/TMDLProgramPriorities.aspx](http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/TMDLProgramPriorities.aspx)) or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL (see, "What's in my backyard" or subsequent spatial files at <http://www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx> to determine the extent of TMDL watersheds and impairment segments).

Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ____ Yes No If Yes:
Existing permit number: N/A Date permit issued: _____

Contributing drainage area: <1 _____ square miles	Average stream flow at site (flow rate under normal rainfall conditions): tidal stormwater _____ cfs
---	--

18. FILL (not associated with backfilled shoreline structures) AND OTHER STRUCTURES (other than piers and boathouses) IN WETLANDS OR WATERS, OR ON DUNES/BEACHES

Source and composition of fill material (percentage sand, silt, clay, rock):

Provide documentation (i.e., laboratory results or analytical reports) that fill material from off-site locations is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site). Documentation is not necessary for fill material obtained from on-site areas.

Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any):

Describe any structure that will be placed in wetlands/waters or on a beach dune and its purpose:

Will the structure be placed on pilings? ____ Yes ____ No	Total area occupied by any structure. _____ Square Feet
How far will the structure be placed channelward from the back edge of the dune? _____ feet	How far will the structure be placed channelward from the back edge of the beach? _____ feet

19. NONTIDAL STREAM CHANNEL MODIFICATIONS FOR RESTORATION OR ENHANCMENT, or TEMPORARY OR PERMANENT RELOCATIONS

If proposed activities are being conducted for the purposes of compensatory mitigation, please attach separate sheets of paper providing all information required by the most recent version of the stream assessment methodology approved by the Norfolk District of the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality, in lieu of completing the questions below. Required information outlined by the methodology can be found at: <http://www.nao.usace.army.mil/Missions/Regulatory/UnifiedStreamMethodology.aspx> or <http://www.deq.virginia.gov/Programs/Water/WetlandsStreams/Mitigation.aspx>.

For all projects proposing stream restoration provide a completed Natural Channel Design Review Checklist and Selected Morphological Characteristics form. These forms and the associated manual can be located at: <https://www.fws.gov/chesapeakebay/StreamReports/NCD%20Review%20Checklist/Natural%20Channel%20Design%20Checklist%20Doc%20V2%20Final%2011-4-11.pdf>

Has the stream restoration project been designed by a local, state, or federal agency? ____ Yes ____ No. If yes, please include the name of the agency here: _____.

Is the agency also providing funding for this project? ____ Yes ____ No

Stream dimensions at impact site (length and average width in linear feet, and area in square feet):
L: _____ (feet) AW: _____ (feet) Area: _____ (square feet)

Contributing drainage area: _____ acres or _____ square miles

Stormwater Utility Improvements
Oxford Drive Canal
Virginia Beach, Virginia
February, 2023

Location

Oxford Drive Canal, is an improved tidal tributary located at the upstream end of Buchanan Creek in the Kings Grant subdivision of Virginia Beach. Oxford Drive Canal is bound by Little Neck Road to the south, Oxford Circle and Runnymede Court to the northeast and East Coral Key to the west. The attached plan sheets provide the location of the stormwater facility.

Historical Setting

The canal is an improved stormwater utility constructed out of a small tidal drainage swale. Figure 1 and Figure 2 provide topographic information from the 1948 and 1955 Princess Anne quad sheets, respectively. These figures show that Oxford Drive Canal was a small intermittent drainage feature located at the upper reaches of Buchanan Creek in an undeveloped section of the City. The 1965 quad sheet (Figure 3) shows that the surrounding area had begun to develop and the tributary appears to have been improved, but Little Neck Road had not been expanded. Figure 4 is the 1965 quad sheet photo-revised in 1986. This survey shows that the surrounding area has been completely developed and Oxford Drive Canal is still depicted as a small, improved drainage feature. Tax records for the surrounding development shows that the homes around Oxford Drive Canal were constructed in the late 1960's and Little Neck Road was extended during the 1970's.

Oxford Drive Canal is at the upper reaches of Buchanan Creek and maintains tidal characteristics. The MHW is estimated at 0.8 ft NAVD and the MLW is estimated at -1.6 ft NAVD. The tidal datums were developed using the NOAA VDATUM Transformation software. All impacts below -1.6 ft NAVD are considered subaqueous (SB), impacts between -1.6 ft NAVD and 0.8 ft NAVD are non-vegetated, tidal wetlands (NV), and areas containing wetland vegetation within the 4x buffer are referenced as VG.

Dredging

The Kings Grant neighborhood has been experiencing flooding during moderate to heavy rainfall events. Initial investigations have suggested that removing the organic debris and sediment from the drainage canal will improve flow and storage capacity. The City proposes to mechanically dredge a large forebay/canal in front of the large outfalls along Little Neck Road to reduce flooding. The plan is to mechanically remove (excavate) 2 to 4 feet of sediment from the bottom of the drainage system referred to as Oxford Drive Canal. The material that is excavated will be placed in barges and transported to a staging/transfer area (shown on the plans).

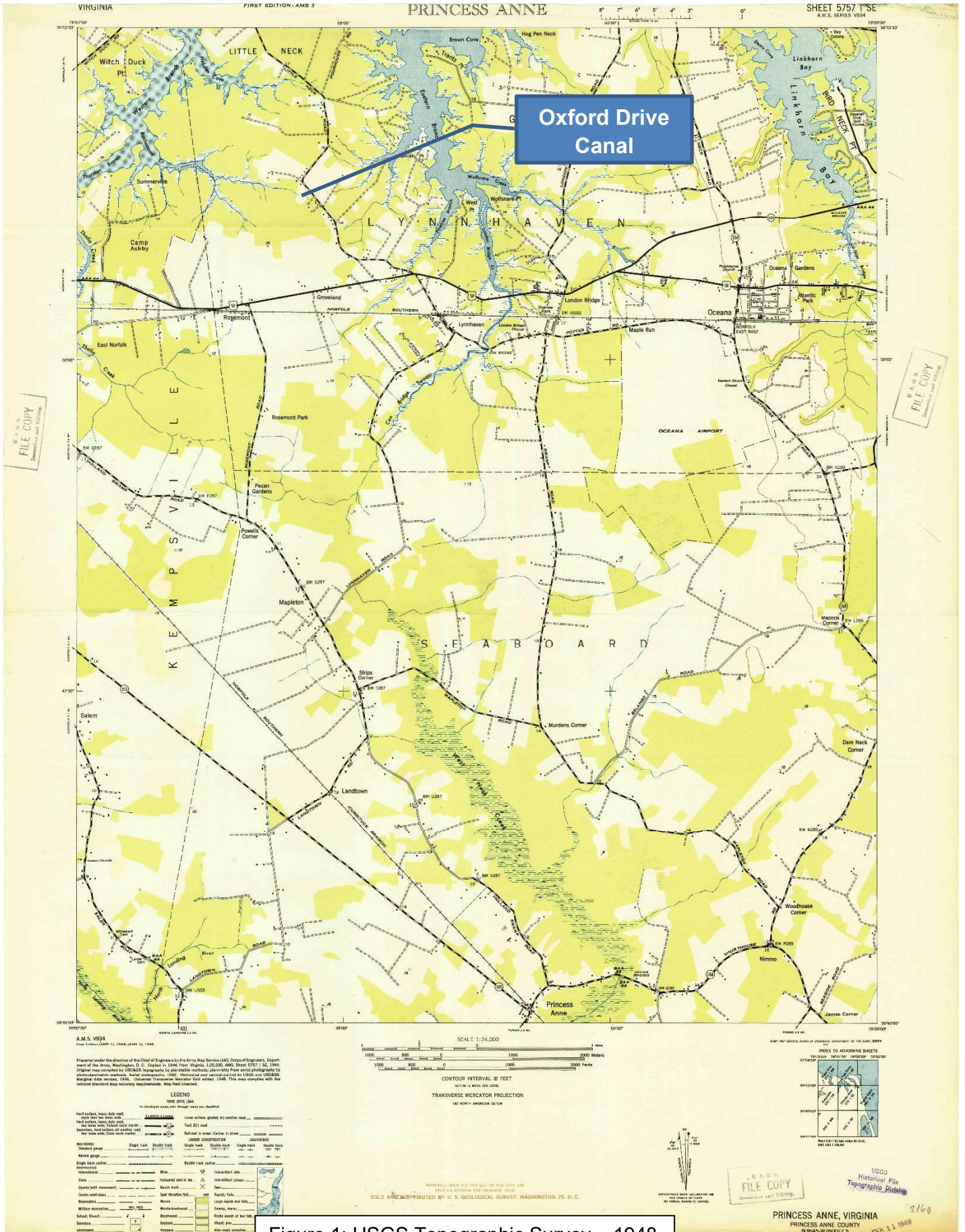


Figure 1: USGS Topographic Survey – 1948

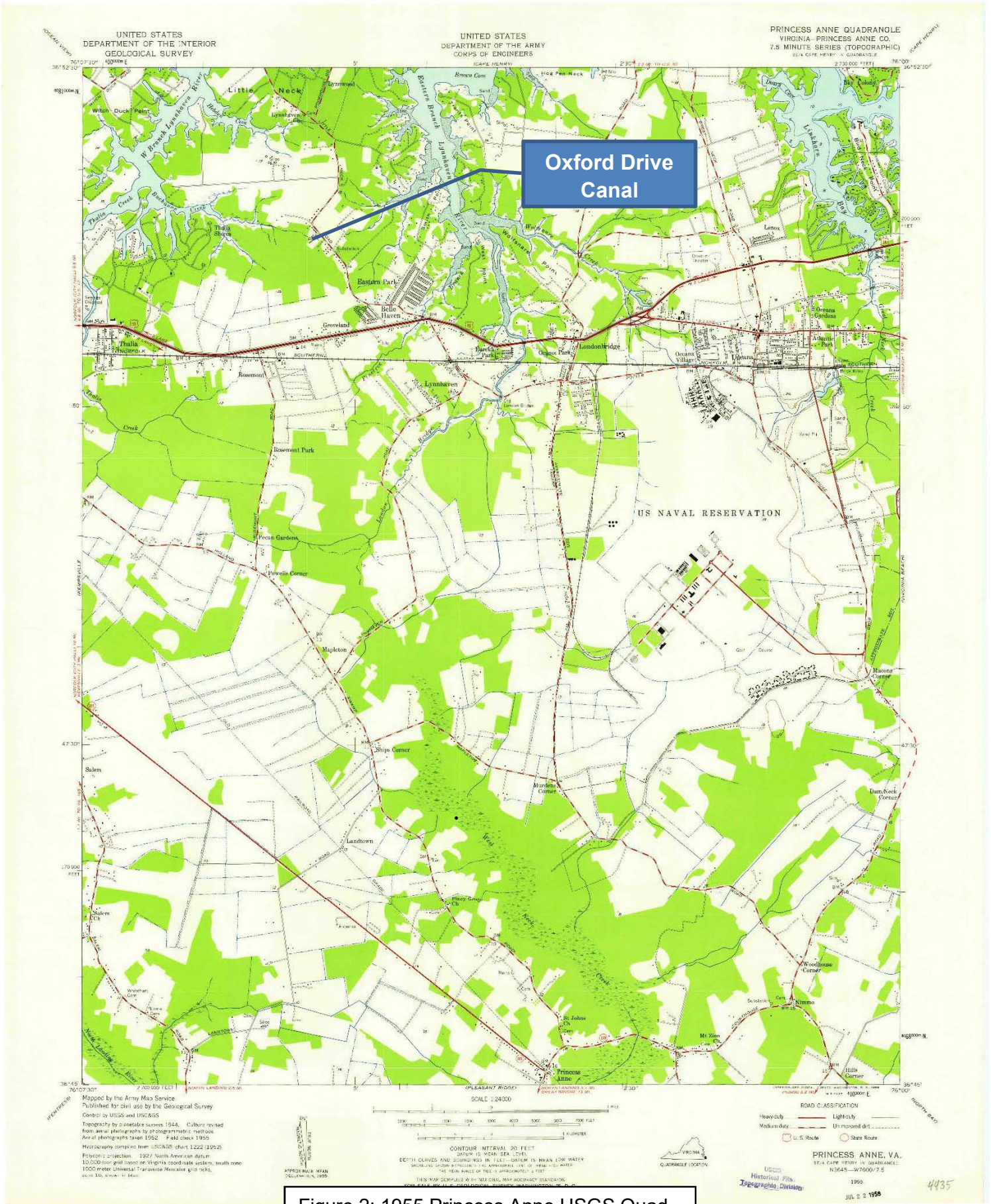
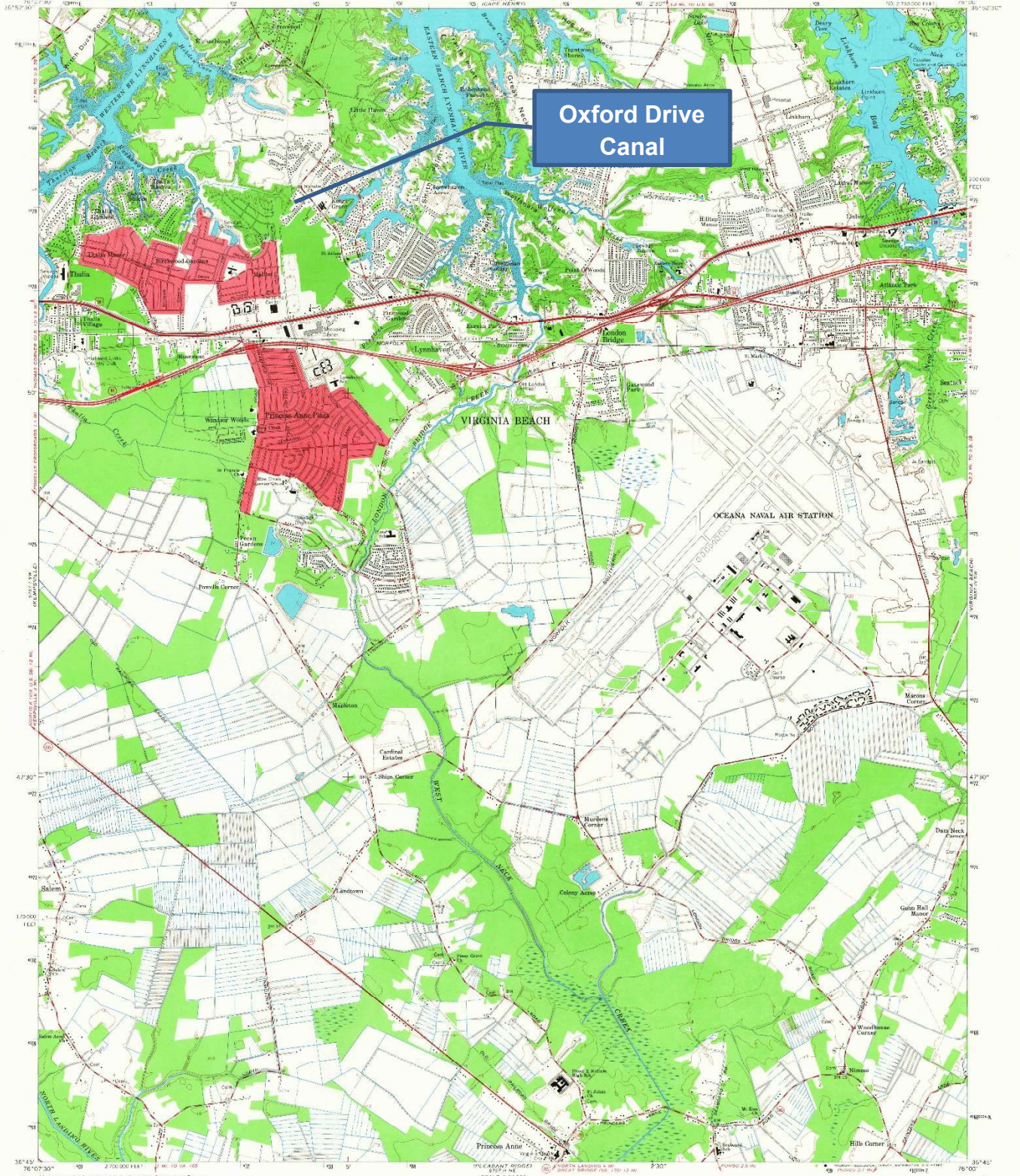


Figure 2: 1955 Princess Anne USGS Quad



Oxford Drive
Canal

Mapster, edited, and published by the Geological Survey
checked by street and contour.
Topography by photogrammetric methods from aerial
photographs taken 1963. Field checked 1965.
Supervisory Army Map Service File No. 1355.
Selected hydrographic data compiled from USGS Chart 592 (1964).
This information is not intended for navigational purposes.
TYPING: corrected. 1927 Republic American Maps
2500000 grid based on NAD 83 coordinate system, north zone.
1:50,000 scale. The contour interval is 5 feet.
The red dashed lines indicate selected fence and field lines where
generally visible on aerial photographs. This information is uncharted.
Red lines indicate areas in which only landmarks and buildings show.

SCALE 1:24,000
CONTOUR INTERVAL 5 FEET
DARKER TO HIGHER ELEVATION
DEPICTED AREAS FORMERLY IN FEET CENTER IS MEAN LOW WATER
ELEVATION BASED ON THE HIGHEST OF 10 FEET MEAN LOW WATER
SEA LEVEL MEASUREMENTS AT ALBUQUERQUE, N.M. 1929

ROAD CLASSIFICATION
Heavy-duty Light-duty
Medium-duty Unimproved dirt
U.S. Route State Route
U.S.G.S. TOPOGRAPHIC DIVISION
PRINCESS ANNE, VA.
1965
JUN 5 1967

Figure 3: 1965 Princess Anne USGS Quad



Figure 4: 1965 Princess Anne USGS Quad – PhotoRev - 1986

There will be one staging area for Oxford Drive Canal and it is located at the northeast end of the project along Little Neck Road. At the staging area, the material will be transferred from the barges and placed in sealed trucks. The dredged material will then be hauled to the Whitehurst Dredged Material Management Area (DMMA) for disposal. The excavation will only remove built up sedimentation and organic material and will not change the footprint of the existing drainage lake.

The basic dredging design includes a 650 ft long forebay channel within one stormwater drainage canal. Approximately 50 ft on the channel by the main outfall (Station 0+50 to 1+00) consists of stabilization and the remainder of the forebay (Stations 1+00 to 7+00) will be dredged to removed shoals and accumulated sediment that impedes flow through the outfall. The typical design includes a toe width ranging between 12 ft and 27 ft. The proposed design depth is -3.0 ft NAVD (+0.5 ft of overdepth) for a maximum depth of -3.5 ft NAVD with 1:2 (V:H) side slopes for 110 ft of channel (Stations 1+00 to 2+10). The proposed depth increases to -3.5 ft (+0.5 ft of overdepth) for a maximum depth of -4.0 ft NAVD for 490 ft of channel (Stations 2+10 to Station 7+00). The depth of -3.5 ft NAVD is -1.9 ft MLW and -4.0 ft NAVD is -2.4 ft MLW. Sediment probes were conducted along the lake which indicate that sandy sediment or silt/organic matter that has built up in the lake.

The estimated volume from the stormwater lake is 1,375 cy. Approximately 1,410 sf of subaqueous (SB) area will be impacted as part of the project. In addition, about 13,195 sf of non-tidal, non-vegetated wetlands and upland areas (above OHW) will be impacted as a result of the dredging. Approximately 80 sf of salt bush and emergent vegetation within the 4x buffer will potentially be impacted during the dredging. The saltbush occurs along the outer edges of the side slopes of the cut and will be replanted upon project completion, as necessary. The small area of herbaceous emergent vegetation will naturally revegetate if disturbed. Removing this material and potential impacts to vegetated areas is necessary to restore conveyance and reduce flooding. The dredging footprint was minimized to avoid all vegetated impacts within the 2x buffer with only fringe impacts to saltbush within the 4x.

TABLE OF DIRECT DREDGING IMPACTS (APPROXIMATE 2X BUFFER)

CHANNEL SEGMENT	SUBAQUEOUS 2X – SB (SF)	INTERTIDAL 2X - NV (SF)	VEGETATED 4X – VG (SF)	TOTAL IMPACTS (SF)
Oxford Drive Canal	1,410	13,195	80	14,685

Tree Removal

An estimated twenty-one (21) trees of varying size will be removed during the lake maintenance project. The majority of the tree removal occurs within the staging area for construction access.

TABLE OF TREE REMOVAL

CHANNEL SEGMENT	Shrubs (Area – sf)	< 10” DBH	10” to 18” DBH	>18” DBH	Total
Oxford Drive Canal	0	9	12	0	21

Bank Stabilization

The dredging project has been designed to minimize impacts to the adjacent banks. If there are any bank failures or erosion due to the dredging project, the bank will be graded and then stabilized with coconut matting and reseeded or re-planted, as needed.

At this time, there are no plans to stabilize the banks with rip rap and/or bulkhead. Specific areas of erosion that cannot be addressed with coconut matting and vegetation will be identified and a separate application will be submitted to modify the permit.

Outfall Stabilization

In order to improve the stormwater utility, the ends of three (3) outfalls at two (2) locations will be stabilized with Class I rip rap. The area of impact is based on the pipe size and flow parameters. A maximum 2 ft depth of rock has been used to calculate impacts. The outfall locations and labels are identified on the mapping and summarized in the table below. Standard details have also been included with the drawings. The outfall stabilization (both SB and NV) are within the municipal easement – with the exception of 40 sf of NV area at P-3.

TABLE OF OUTFALL STABILIZATION IMPACTS TO SB, VG AND UPLAND AREAS

CHANNEL SEGMENT	SUBAQUEOUS 2X – SB (SF)	INTERTIDAL 2X - NV (SF)	VEGETATED 4X – VG (SF)	TOTAL IMPACTS (SF)
Oxford Drive Canal	550	290	0	840

TABLE OF OUTFALLS WITH ESTIMATED IMPACT AND ROCK VOLUME

Outfall Number	Area of Rip Rap (sf)	Volume of Rock (cy)	Estimated Tonnage
P-1 & P-2	685	51	91
P-3	155	11	20
TOTAL	840	62	111

TABLE OF OUTFALL LOCATIONS

Outfall Number	Latitude	Longitude
P-1 & P2	36.85442	-76.09112
P-3	36.85477	-76.09130

Property Ownership

City of Virginia Beach, Public Works – Operations is the applicant for the maintenance of the Oxford Drive Canal. There is a maintenance easement along the project site that includes the staging area and a portion of the actual canal. The remainder of the canal is on private property. The figures in the plan set provide a depiction of the easement, the adjacent property owners (APOs) and the actual owners. The JPA form provides information on the APOs and the contact information for the Owners are as follows:

Edward Byng
Veronica Byng
604 Downing Crescent
Virginia Beach, VA 23452

Mark & Katherine Stines
608 Downing Crescent
Virginia Beach, VA 23452

Richard Foley
Shawna Gugel
600 Runnymede Court
Virginia Beach, VA 23452

John & Karen Brewington
601 Runnymede Court
Virginia Beach, VA 23452

Robert & Joann Birch
685 Oxford Circle
Virginia Beach, VA 23452

While four small dredging areas within the 2x buffer are technically below MLW (390 sf on two private properties and 1,020 sf within the municipal easement), the plane of MLW is further downstream outside of the project area. Therefore, most of this project, if not all, is not considered as “state-owned.”

Thank you for your consideration and review of this project. Please let me know if you have any additional questions.

Sincerely,


Rebecca S. Francese,
Sr. Environmental Scientist
February, 2023

Attachments –



CITY OF VIRGINIA BEACH
ADDITIONAL INFORMATION REQUEST
2/27/23

OXFORD CANAL – SEPARATED IMPACTS

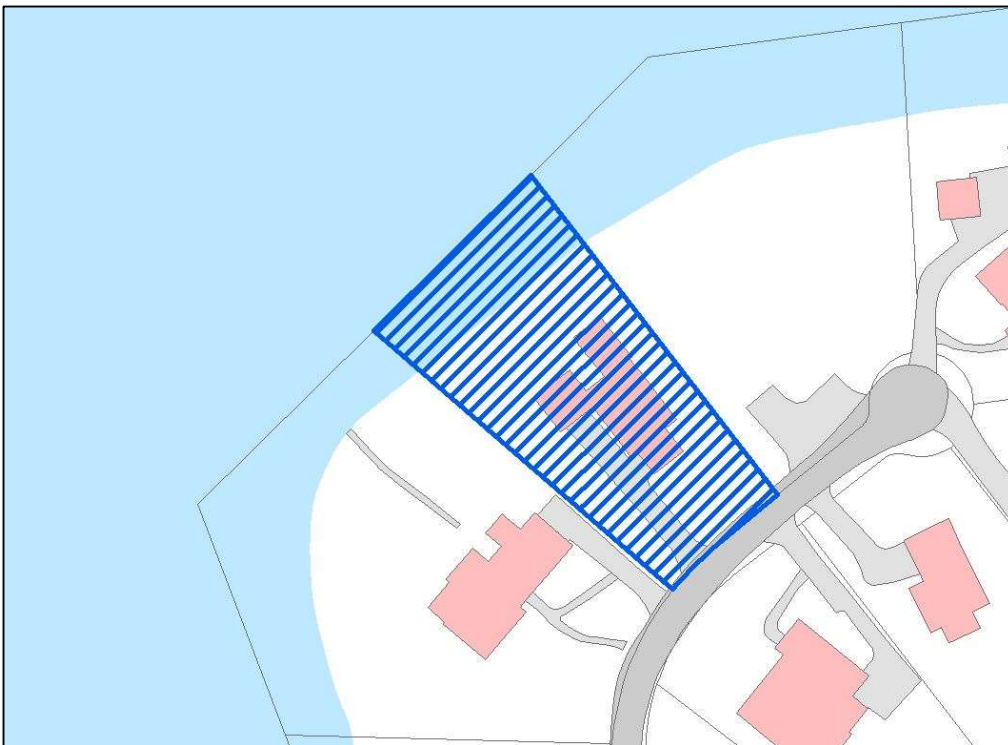
DREDGING			
	EASEMENT	PRIVATE	TOTAL
SB (sf)	1,020	390	1,410
NV (sf)	1,825	11,370	13,195
VG (sf)	0	80	80
OUTFALL STABILIZATION			
	EASEMENT	PRIVATE	TOTAL
SB (sf)	550	0	550
NV (sf)	245	45	290
VG (sf)	0	0	0

2. 2023-WTRA-00050
Daniel A. & Crystal Maxwell
[Applicants & Owners]

680 Thalia Point Road
GPIN 1488-01-4433
City Council District: District 8, formerly Lynnhaven

Waterway – Western Branch Lynnhaven River
Subdivision – Thalia Waterfront

Request: To construct a rip rap revetment and return walls involving wetlands.



Disclosure Statement



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name Daniel Maxwell

Does the applicant have a representative? **Yes** **No**

- If **yes**, list the name of the representative.

Calvert Marine

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? **Yes** **No**

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

- If **yes**, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Disclosure Statement



Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? **Yes** **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes **No**

- If **yes**, identify the financial institutions.

our current mortgage holder is Cenlar

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes **No**

- If **yes**, identify the real estate broker/realtor.
-

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

5. Is there any other **pending or proposed purchaser** of the subject property? **Yes** **No**

- If **yes**, identify the purchaser and purchaser's service providers.
-

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the construction contractor.

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the engineer/surveyor/agent.

Calvert Marine

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the name of the attorney or firm providing legal services.

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, **I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.**

Daniel Maxwell

Applicant Signature

Daniel Maxwell Owner

Print Name and Title

2/21/23

Date

Is the applicant also the owner of the subject property? Yes No

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature
			Print Name

- ❖ 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 # 23-0420

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.

<u>Check all that apply</u>				
Pre-Construction Notification (PCN) <input type="checkbox"/>	NWP # _____ (For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)		Regional Permit 17 (RP-17) <input type="checkbox"/>	
County or City in which the project is located: VIRGINIA BEACH				
Waterway at project site: LYNNHAVEN RIVER				
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:

Daniel Maxwell
680 Thalia Point Road
VIRGINIA BEACH, VA 23452

Home () _____
Work () _____
Fax () _____
Cell () _____
e-mail danny_max@msn.com

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

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):



Calvert Marine
3132 Riveredge Drive
Portsmouth, VA 23703

Contact Information:

Home () _____
Work (757) 777-6960
Fax () _____
Cell () _____
e-mail Rich@CalvertMarine.net

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 existing bulkhead is older and deteriorating / settling. It is continuous with the western neighbor and has a return wall on both side of the property. The eastern property is vacant and showing heavy erosion. The existing bulkhead facing the river shall be removed, as required, to install a new rip rap revetment (115.3 LF) in front of the existing bulkhead. The western return wall shall be removed and replaced in the same alignment. No clearing or grading. The work shall be completed by land using a single access route. There is an impact of 190 SF of Non-Vegetated Wetlands and 490 SF of Subaqueous bottom by the new rip rap. All damaged and or denuded vegetation on this Site shall be replaced in kind. All sheet piles and piles shall be installed with a vibratory hammer of suitable capacity.

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 () _____

email _____

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:

Telephone number

The Virginian Pilot
150 Brambleton Avenue
Norfolk, VA 23510

(757) 622-1455 _____

7. Give the following project location information:

Street Address (911 address if available) 680 Thalia Point Road, Virginia Beach, VA 23452 _____

Lot/Block/Parcel# Thalia Island Lot 10 _____

Subdivision Thalia _____

City / County Virginia Beach _____ ZIP Code 23452 _____

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
_____ / - _____ (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.*

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."

Primary purpose is to protect the property from bulkhead failure and subsequent loss of property

Secondary purpose is to protect the property from the adjacent vacant lot's continued erosion.

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.*

Work to be completed by land. No clearing or grading.
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.): \$ 29K
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 250
13. Completion date of the proposed work: APR - 2023
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.

1. Shirley B. Slaughter RT
676 Thalia Point Road
Virginia Beach, VA 23452

2. Alfred Clarke
Vacant Lot - GPIN 1488-01-5530
Thalia Point Road

Mailing Address:
1617 Arrowhead Point
Virginia Beach, VA 23455

APO Forms sent out on 2/27/23 via USPS

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.

Daniel Maxwell

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)



Digitally signed by Daniel Maxwell
Date: 2023.02.21 07:02:20 -05'00'

Applicant's Signature

(Use if more than one applicant)

2/21/23

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), Daniel Maxwell, hereby certify that I (we) have authorized CALVERT MARINE
(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)

02/18/23

(Date)



Digitally signed by Daniel Maxwell
Date: 2023.02.21 07:02:20 -05'00'

(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), Shirley B. Slaughter RT 676 Thalia Point Road 23452, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Daniel Maxwell 680 Thalia Point Road 23452.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 23 JAN 23
(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), Alfred Clarke Vacant Lot - GPIN 1488-01-5530 Thalia Point Road, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Daniel Maxwell 680 Thalia Point Road 23452.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 23 JAN 23
(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.

Mailing Address:
1617 Arrowhead Point
Virginia Beach, VA
23455



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:

The existing bulkhead facing the river shall be removed, as required, to install a new rip rap revetment (115.3 LF) in front of the existing bulkhead. The western return wall shall be removed and replaced in the same alignment. There will be 6 CY of sand fill behind this wall. No clearing or grading. The work shall be completed by land using a single access route. There is an impact of 193 SF of Non-Vegetated Wetlands and 495 SF of Subaqueous bottom by the new rip rap / return walls. All damaged and or denuded vegetation on this Site shall be replaced in kind. All sheet piles and piles shall be installed with a vibratory hammer of suitable capacity.

77 CY of new rip rap / 51 CY of the 77 is below MHW

2. What is the maximum encroachment channelward of mean high water? 6 feet.
Channelward of mean low water? 6 feet.
Channelward of the back edge of the dune or beach? feet.

3. Please calculate the square footage of encroachment over:

- Vegetated wetlands 0 square feet
- Non-vegetated wetlands 193 square feet
- Subaqueous bottom 495 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.

REV: 03/23/2023

**Daniel Maxwell
680 Thalia Point Road
Virginia Beach, VA 23452**

PROJECT NARRATIVE FOR ALTERNATE SHORELINE

The property has an existing timber bulkhead 4.0 to 4.5' tall. The existing bulkhead has a return wall on the eastern side of the property. The existing bulkhead is old and starting to settle and deteriorate. The property faces north and has a half mile fetch. There is a continuous bulkhead on the western side of the property.

After review of the property, rip rap was found to be the best solution to remedy the current bulkhead issue. The existing bulkhead shall be removed and a new rip rap revetment shall be installed atop new filter cloth. A new revetment is the preferred stabilization over a replacement bulkhead where possible. The existing timber return wall shall be replaced with a new vinyl bulkhead located in the same alignment to avoid impacts. The return wall was chosen due to Site conditions. The adjacent property is vacant and the existing bulkhead has failed. The heavy erosion is continuing into their yard. The replacement return wall is necessary to prevent the loss of the Owner's property due to the APO lack of maintenance. The conditions are unfavorable for a Living Shoreline based on the following site-specific conditions listed below:

1. The adjacent property is vacant and experiencing heavy erosion.
2. A living shoreline would be difficult to transition to the adjacent properties.
3. The existing deck is 26.2 feet from the existing bulkhead. The grading required for a Living Shoreline would require this distance eliminating the small back yard
4. The western side of the property has several large trees that would shade the plantings in a Living Shoreline.

The following comments were noted for a project by VIMS in 2019 regarding the orientation of Living Shorelines and is applicable in this scenario. Although the project was approved by the City of Virginia Beach, it was ultimately reviewed and rescinded

"The area proposed for wetlands planting is not optimal for the establishment of a healthy and sustainable marsh. This section of shoreline faces north with large trees immediately west of this area that provide shading likely to significantly inhibit plant growth."

**ENGINEERS/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE
PROJECTS**

REVISED 10-09-03

PROJECT LOCATION: 680 Thalia Point Road

APPLICANT'S NAME: Daniel Maxwell

APPLICANT'S ADDRESS: 680 Thalia Point Road

Virginia Beach, VA 23452

ENGINEER OF RECORD: Gary Franks Jr. P.E.

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER /SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.

2/22/23
SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION DATE

Gary Franks Jr. P. E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

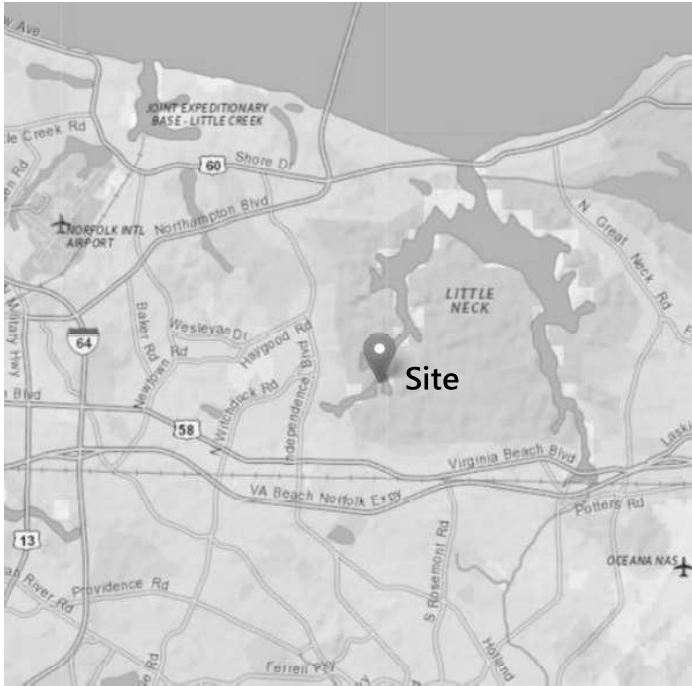
 Digitally signed by Daniel Maxwell
Date: 2023.02.21 07:02:20 -05'00'
SIGNATURE OF APPLICANTS DATE

SIGNATURE OF COASTAL ZONE ADMINISTRATOR DATE

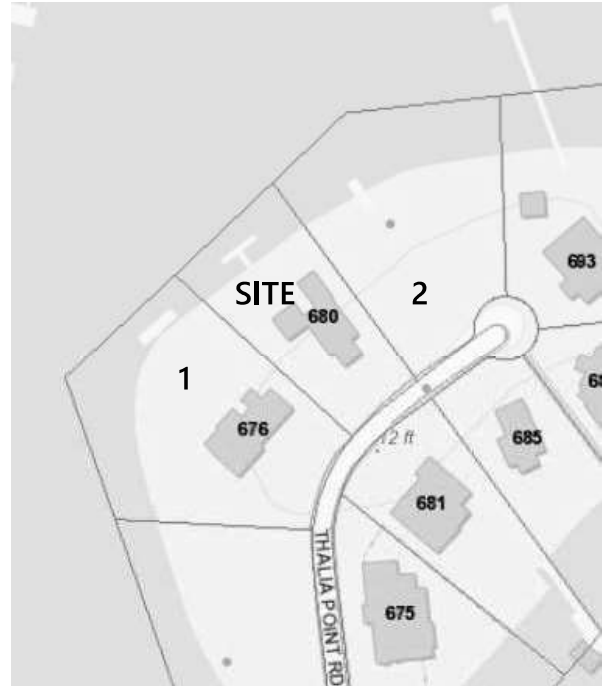
ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____
(TO BE COMPLETED BY STAFF)

Received by VMRC February 23, 2023 /blh



STREET MAP



PROPERTY MAP

NEW RIP RAP RETENTION AND BULKHEAD

**680 THALIA POINT ROAD
VIRGINIA BEACH, VA 23452**

- ◆ ALL WORK TO BE LAND USING A DESIGNATED ACCESS ROUTE
- ◆ THE COMPLETE PROVISIONS FOR A STORMWATER MANAGEMENT PLAN AS REQUIRED BY THE STORMWATER MANAGEMENT ORDINANCE ARE NOT SHOWN ON THIS PLAN. THE PERMITTEE HAS CHOSEN TO UTILIZE THE "AGREEMENT IN LIEU OF A STORMWATER MANAGEMENT PLAN". THE LOCATION, TYPES AND SIZES OF PROPOSED PERMANENT STORMWATER MANAGEMENT CONTROLS ARE SHOWN ON THIS PLAN FOR INSPECTION PURPOSES ONLY.



NO SCALE ⚙ **DATUM: MLW = 0.00' MHW = +1.9'**

REV:03/23/2023

CALVERT



MARINE

Marine and
Environmental
Permits



VICINITY MAP

ADJACENT PROPERTY OWNERS:

1. Shirley B. Slaughter RT
2. Alfred Clarke

*Proposed: RIP RAP RETENTION AND
BULKHEAD*

in: **LYNNHAVEN RIVER**

at: **680 Thalia Point Road**

County of: **Virginia Beach**

Applicant: **Daniel Maxwell**

Sheet: **1** of **6** Date: **23 JAN 2023**

LYNNHAVEN RIVER

MLW to MLW ACROSS
THE CANAL IS 310' +/-

CITY OF VIRGINIA BEACH CHANNEL (60 FT)
EXISTING EZ DOCK, 5' x 10'
TO REMAIN

EDGE OF CHANNEL

EXISTING FLOATING DOCK
TO REMAIN
8' x 16' & 10' x 20'

Bulkhead & Pier Line (MB45, PG 2)

EXISTING LIFTS
TO REMAIN

25' Channel Offset

MHW @ WALL

EXISTING BULKHEAD
TO BE REMOVED AS
REQUIRED

EXISTING PIER
TO REMAIN
4.3' HT. OF B.H.
ABOVE
GRADE / MUD

EXISTING OH
ELEC. LINES



680

R=144.0'
L=29.28' S 58°03'00" W
48.63'

THALIA POINT ROAD

SCALE: 1" = 30'-0" DATUM: MLW = 0.00' MHW = +1.9'

REV:03/23/2023

CALVERT



MARINE
Marine and
Environmental
Permits



EXISTING PLAN

ADJACENT PROPERTY OWNERS:

1. Shirley B. Slaughter RT
2. Alfred Clarke

Proposed: **RIP RAP REVENTMENT AND
BULKHEAD**

in: **LYNNHAVEN RIVER**

at: **680 Thaila Point Road**

County of: **Virginia Beach**

Applicant: **Daniel Maxwell**

Sheet: **2** of **6** Date: **23 JAN 2023**

LYNNHAVEN RIVER

MLW to MLW ACROSS
THE CANAL IS 310' +/-

CITY OF VIRGINIA BEACH CHANNEL (60 FT)

EXISTING LIFTS
TO REMAIN

EXISTING FLOATING DOCK
TO REMAIN (2)

EDGE OF CHANNEL

Bulkhead & Pier Line (MB45, PG 2)

**NEW RIP RAP
REVENTMENT**

115.3'
480 SF SUBAQUEOUS
190 SF NON-VEG. WL

EXISTING BULKHEAD
TO BE REPLACED W/
**NEW RETURN
WALL (28' L.)**

25' Channel Offset

MHW @ WALL

MLW

20.84'

MHW MLW

**NEW RETURN
WALL (6' L.)**

EXISTING PIER
TO REMAIN

A - D = 89.45'
B - C = 45.75'
EX BULKHEAD

EXISTING OH
ELEC. LINES

THE NEW RETURN WALLS
SHALL IMPACT 5 SF OF
SUBAQUEOUS BOTTOM &
3 SF OF NON-VEG. WETLANDS



N 43°36'00" W

218.0'

ACCESS ROUT

680

244.47'

S 31°57'00" E



SCALE: 1" = 40'-0" ⚙ DATUM: MLW = 0.00' MHW = +1.9'

REV:03/23/2023

CALVERT



MARINE
Marine and
Environmental
Permits



NEW WORK PLAN

ADJACENT PROPERTY OWNERS:

1. Shirley B. Slaughter RT
2. Alfred Clarke

Proposed: **RIP RAP REVENTMENT AND
BULKHEAD**

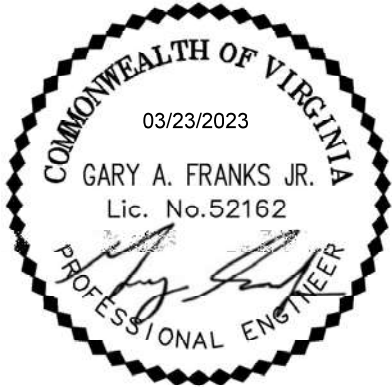
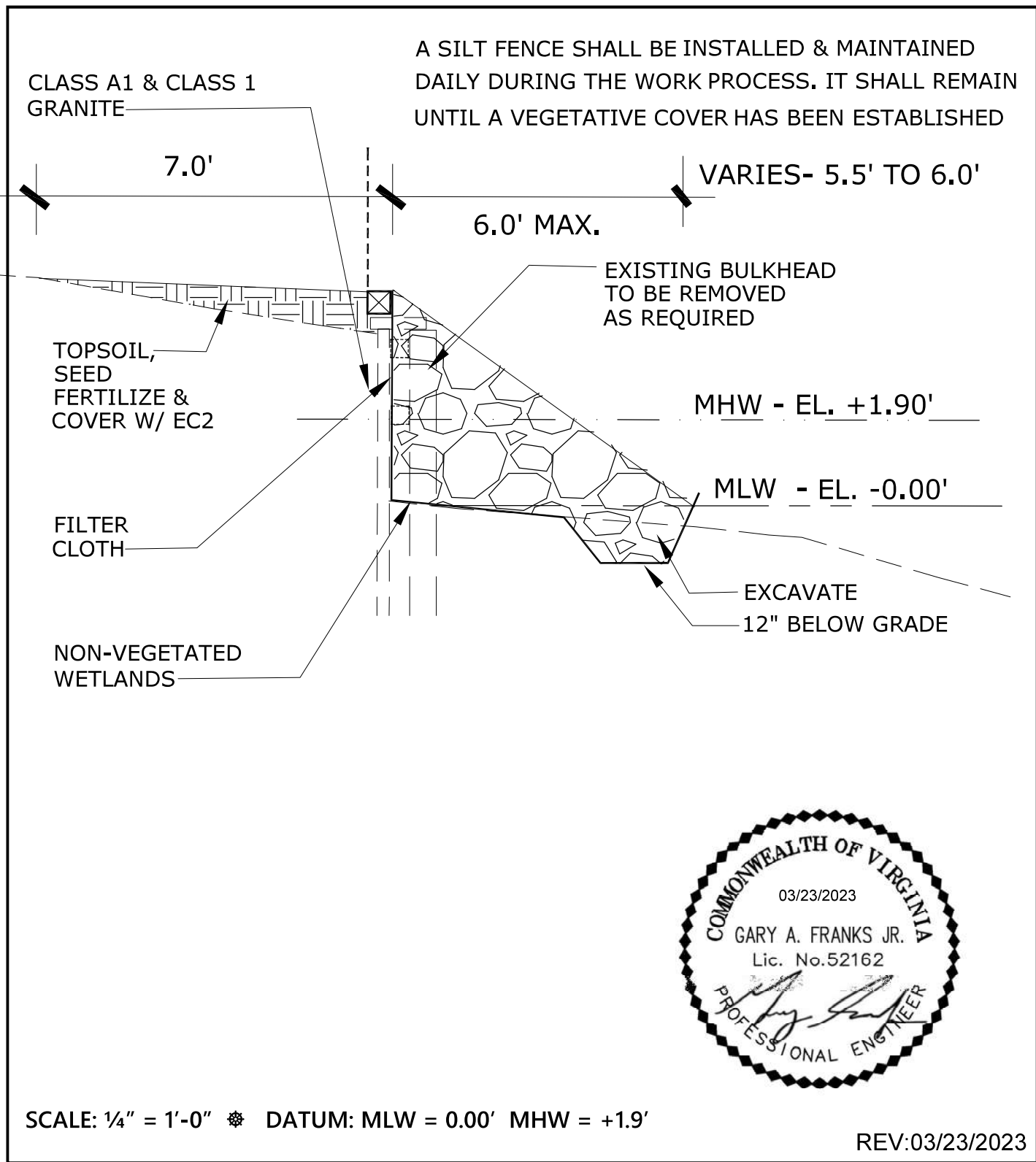
in: **LYNNHAVEN RIVER**

at: **680 Thaila Point Road**

County of: **Virginia Beach**



Applicant: **Daniel Maxwell**

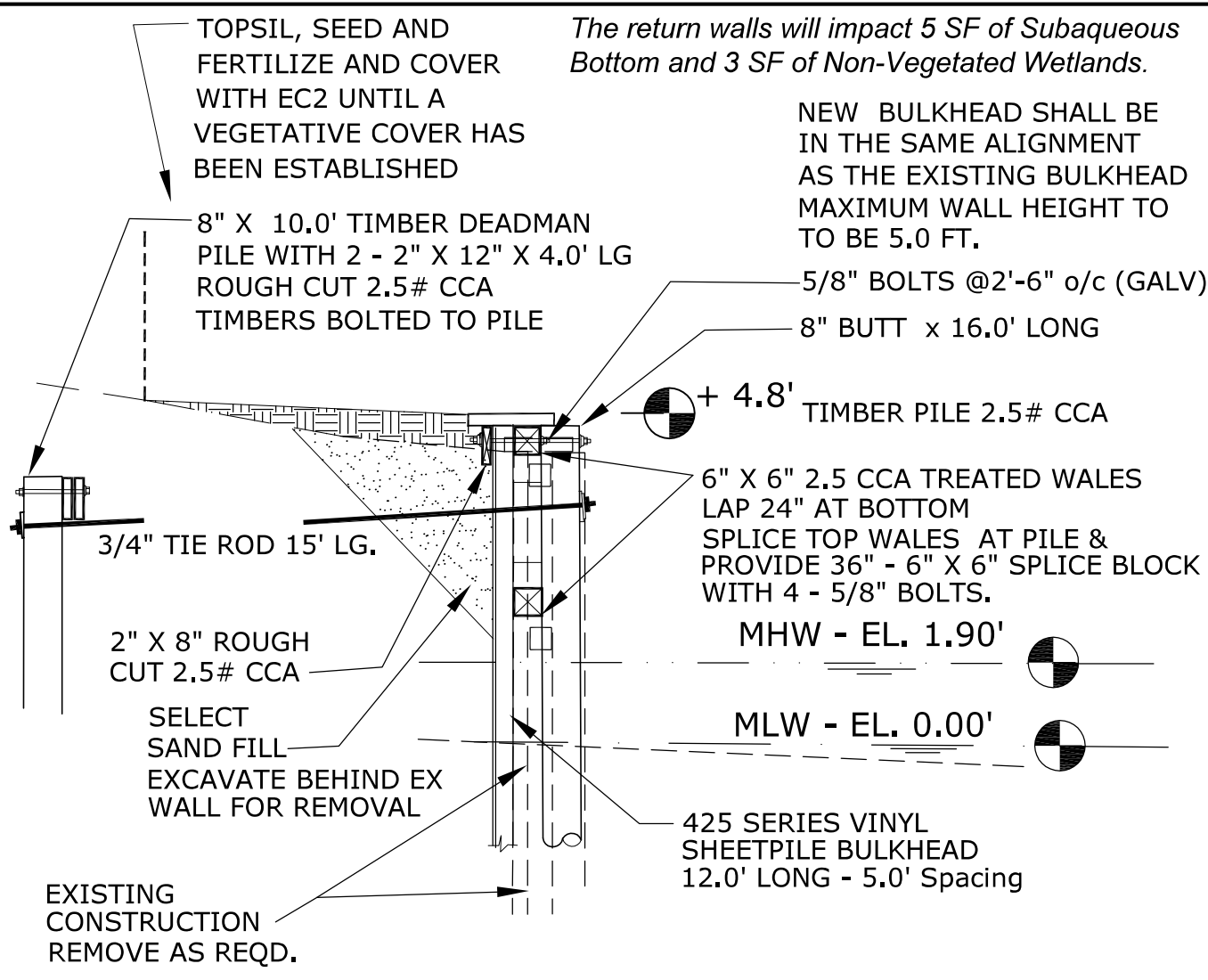
Sheet: **3** of **6** Date: **23 JAN 2023**



SCALE: 1/4" = 1'-0" * DATUM: MLW = 0.00' MHW = +1.9'

REV:03/23/2023

<p>CALVERT</p>  <p>MARINE Marine and Environmental Permits</p>		<p>RIP RAP SECTION</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> 1. Shirley B. Slaughter RT 2. Alfred Clarke 	<p>Proposed: RIP RAP REVENTMENT AND BULKHEAD in: LYNNHAVEN RIVER at: 680 Thaila Point Road County of: Virginia Beach Applicant: Daniel Maxwell Sheet: 4 of 6 Date: 23 JAN 2023</p>
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Any denuded or destroyed vegetation shall be replaced in kind



SCALE: 1/4" = 1'-0" * DATUM: MLW = 0.00' MHW = +1.9'

REV:03/23/2023



SECTIONS

- ADJACENT PROPERTY OWNERS:
1. Shirley B. Slaughter RT
 2. Alfred Clarke

Proposed: **RIP RAP REVENTMENT AND BULKHEAD**
 in: **LYNNHAVEN RIVER**
 at: **680 Thaila Point Road**
 County of: **Virginia Beach**
 Applicant: **Daniel Maxwell**
 Sheet: **5** of **7** Date: **23 JAN 2023**

1. THE PROPERTY OWNERS ARE IDENTIFIED ON THE PROPERTY MAP, SHEET 1.
2. CONTRACTOR SHALL LOCATE ALL PROPERTY LINES PRIOR TO THE START OF CONSTRUCTION. SEE SHEET 2 OF 4. NO WORK SHOWN ON THIS PERMIT SHALL ENCROACH UPON ANY OTHER PROPERTY OWNERS UNLESS AS SHOWN.
3. ALL LUMBER SHALL BE SOUTHERN YELLOW PINE.
4. ALL TIMBER PILES SHALL BE 2.5# CCA TREATED. PILE DIAMETER SHALL BE 8" UNLESS OTHERWISE NOTED.
5. ALL BOARDWALK DECKING SHALL BE 2" X 6" TREATED. ATTACH WITH S. S. SCREWS
6. ALL OTHER TIMBER FRAMING SHALL BE TREATED IN ACCORDANCE WITH THE RECOMMENDATIONS AND PROCEDURES OF THE AMERICAN WOOD PRESERVER'S ASSOCIATION.
7. ALL HARDWARE SHALL BE HOT DIPPED GALVANIZED IN ACCORDANCE WITH ASTM, A153.
8. ALL TIMBER PILES AND VINYL SHEET PILES SHALL BE EMBEDDED 50% OF THEIR LENGTH BELOW GRADE OR THE MUD LINE.
9. CONTRACTOR AND OWNER TO VERIFY ALL UTILITY LINES LOCATED IN THE WORK AREA. MISS UTILITY SHALL MARK ALL LINES PRIOR TO THE START OF WORK.
10. ALL SILT FENCES SHALL BE WIRE REINFORCED, EMBEDDED 4" BELOW GRADE & SHALL BE 36" TALL.
11. ALL GRANITE SHALL BE CLASS 1 AND A1 PLACED ON NEW FILTER CLOTH. THE MINIMUM THICKNESS OF RIP RAP SHALL BE 2 TIMES THE MAXIMUM STONE DIAMETER BUT NOT LESS THAN 18".
12. NO GEOTECHNICAL OR STRUCTURAL BORINGS HAVE TAKEN PLACE AT THIS SITE. THE CONTRACTOR/OWNER SHALL VERIFY ALL SOIL & BOTTOM CONDITIONS. CONTRACTOR SHALL NOTIFY OWNER IF ANY UNSUITABLE SOILS ARE ENCOUNTERED.
13. ALL DEBRIS GENERATED FROM THE DEMOLITION PROCESS SHALL BE HAULED OFF SITE AND LEGALLY DISPOSED.
14. SAND BACKFILL SHALL BE SELECT SAND AND SHALL BE PLACED IN MAXIMUM 12" UNIFORM LIFTS.



NO SCALE ⚙ DATUM: MLW = 0.00' MHW = +1.9'

REV:03/23/2023

CALVERT



MARINE
Marine and
Environmental
Permits



NOTES

- ADJACENT PROPERTY OWNERS:
1. Shirley B. Slaughter RT
 2. Alfred Clarke

Proposed: **RIP RAP REVENTMENT AND BULKHEAD**

in: **LYNNHAVEN RIVER**

at: **680 Thaila Point Road**

County of: **Virginia Beach**

Applicant: **Daniel Maxwell**

Sheet: **7** of **7** Date: **23 JAN 2023**

3. 2023-WTRA-00058

David A. Schrenk

[Applicant & Owner]

2709 Canal Road

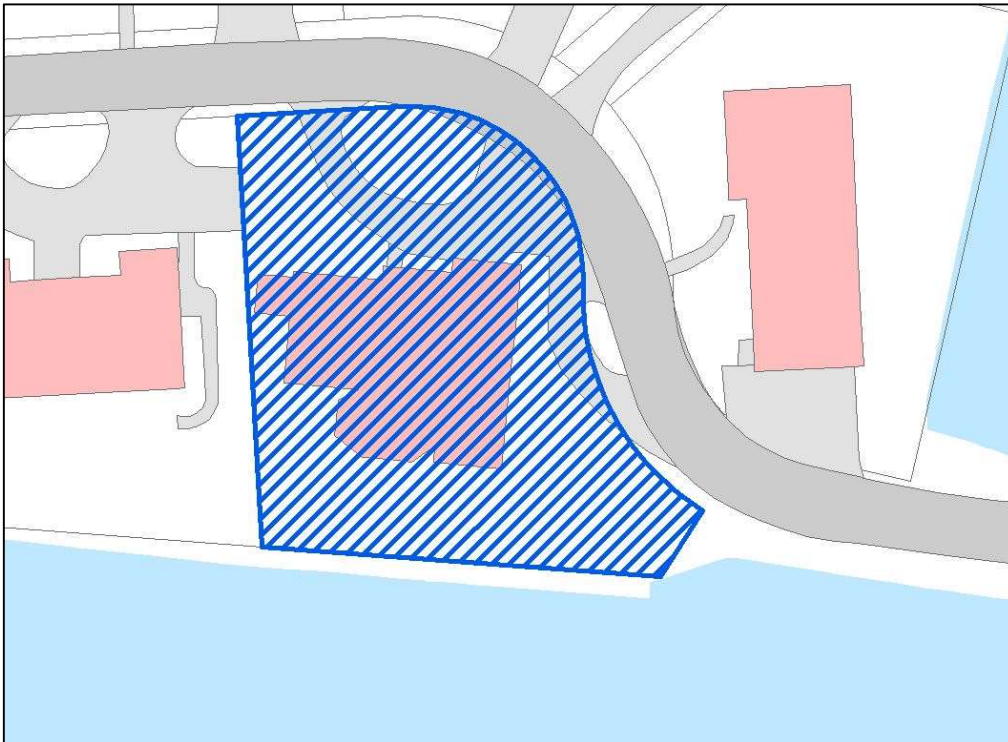
GPIN 1499-57-7374

City Council District: District 8, formerly Lynnhaven

Waterway – Broad Bay

Subdivision – Broad Bay Colony

Request: To construct a bulkhead and return wall involving wetlands.



Disclosure Statement



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name David A. Schrenk

Does the applicant have a representative? **Yes** **No**

- If **yes**, list the name of the representative.

Robert Simon - Waterfront Consulting, Inc.

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? **Yes** **No**

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

- If **yes**, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Disclosure Statement



Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? **Yes** **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes **No**

- If **yes**, identify the financial institutions.
-

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes **No**

- If **yes**, identify the real estate broker/realtor.

Cynthia Skurka & Simon Hounslow

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

5. Is there any other **pending or proposed purchaser** of the subject property? **Yes** **No**

- If **yes**, identify the purchaser and purchaser's service providers.

Charles J. LaFramboise, Jr.

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the construction contractor.

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the engineer/surveyor/agent.

Agent - Robert Simon, Waterfront Consulting, Inc. Engineer -

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the name of the attorney or firm providing legal services.

Shames & Byrum

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

DocuSigned by:
David Schenk
0B99633029B3486...

Applicant Signature
david schenk

Print Name and Title

2/28/2023

Date

Is the applicant also the owner of the subject property? Yes No

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

- ❖ 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 #

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.

<i>Check all that apply</i>				
Pre-Construction Notification (PCN) <input type="checkbox"/> NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>	Regional Permit 17 (RP-17) <input checked="" type="checkbox"/>			
County or City in which the project is located: <u>Virginia Beach</u>				
Waterway at project site: <u>Broad Bay</u>				
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
All	Approved/Bulkhead, Lift, Pier	2019-1882	11/13/19	
All	Approved/Lift	2003-1397	06/26/03	

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:
 David A. Schrenk Home () _____
 2709 Canal Road Work () _____
 Virginia Beach, VA 23451 Fax () _____
 Cell (757) 406-9494
 e-mail schrenk.david@gmail.com
 State Corporation Commission Name and ID Number (if applicable) _____

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:
 Waterfront Consulting, Inc. Home () _____
 2589 Quality Court, Ste. 323 Work (757) 425-8244
 Virginia Beach, VA 23454 Fax (757) 425-8244
 Cell (757) 619-7302
 e-mail bob@waterfrontconsulting.net
 State Corporation Commission Name and ID Number (if applicable) 047-4381-1

*** 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 remove the existing boat lift and a portion of the existing bulkhead, construct approximately 108 LF of steel bulkhead with an 18 LF return, and install a floating pier with gangway and four pile boat lift as as shown in the permit drawings.

The boat lift will use (4) 10" timber piles and the float will use (4) 10" timber piles that will be driven via a vibratory hammer mounted to an excavator on a barge.

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 () _____

email _____

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:

Telephone number

Virginian Pilot
150 W. Brambleton Avenue
Norfolk, VA 23510

(757) 622-1455

7. Give the following project location information:

Street Address (911 address if available) 2709 Canal Road _____

Lot/Block/Parcel# Lot 1, Section 2, Broad Bay Point _____

Subdivision Bay Island _____

City / County Virginia Beach _____ ZIP Code 23451 _____

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
_____ 36.90270 / - 76.06182 _____ (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.*

The project is located on public roads.

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."

Primary Purpose: Bulkhead Maintenance

Secondary Purpose: Boating Access

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.*

The existing bulkhead has an exposed height out of the bottom of 15-17' and is in close proximity to a 200' perpetual easement and a ACOE federal project channel. There are also approved upland structures (house, driveway, etc.) that are to be built on the project site as well. Therefore, riprap and a living shoreline were no considered. There are two washout areas behind the existing bulkhead as well as some salt bush. There will be 123 SF of NVW impacts and 8 SF of VW impacts that will be compensated for with an in-lieu fee.

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.): \$ TBD
Approximate cost of that portion of the project that is channelward of mean low water:
\$ TBD

13. Completion date of the proposed work: Approximately 1 year from permit date - _____

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.

Jerome Miller

2404 Runners Way

Virginia Beach, VA 23454

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.

David A. Schrenk

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:

David Schrenk

009963302903486...

Applicant's Signature

(Use if more than one applicant)

2/28/2023

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), David A. Schrenk, hereby certify that I (we) have authorized Waterfront Consulting, Inc.
(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)

DocuSigned by:
David Schrenk

(Applicant’s Signature)

(Use if more than one applicant)

2/28/2023

(Date)

3. Applicant’s having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), David A. Schrenk, 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), Jerome Miller, own land next to (across the water
(Print adjacent/nearby property owner’s name)

from/on the same cove as) the land of David A. Schrenk.
(Print applicant’s name(s))

I have reviewed the applicant’s project drawings dated February 27, 2023
(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.

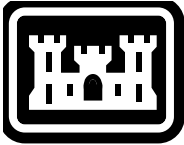
The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(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.



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

REGIONAL PERMIT 17 CHECKLIST

Please review the 18-RP-17 enclosure before completing this form and note 18-RP-17 can only be used for proposed **PRIVATE USE** structures that comply with the terms and conditions of 18-RP-17. Copies can be obtained online at <http://www.nao.usace.army.mil/Missions/Regulatory/RBregional/>.

- YES NO (1) Has the permittee reviewed the 18-RP-17 enclosure and verified that the proposed structure(s) is in compliance with all the terms, conditions, and limitations of 18-RP-17?
- YES NO (2) Does the proposed structure(s) 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 (3) Does the proposed structure(s) extend no more than 300 feet from MHW or OHW (including all channelward wetlands)?
- YES NO N/A (4) Does the proposed structure(s) attach to the upland at a point landward of MHW or OHW (including all channelward wetlands)?
- YES NO N/A (5) If the proposed structure(s) crosses wetland vegetation, is it 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 (6) Does the proposed structure(s) include no more than two (2) boatlifts and no more than two (2) boat slips?
- YES NO N/A (7) Is the open-sided roof structure designed to shelter a boat \leq 700 square feet and/or is the open sided roof structure or gazebo structure designed to shelter a pier \leq 400 square feet?
- YES NO N/A (8) Are all piles associated with the proposed structure(s) non-steel, less than or equal to 12" in diameter, and will less than or equal to 25 piles be installed channelward of MHW?
- YES NO N/A (9) Is all work occurring behind cofferdams, turbidity curtains, or other methods to control turbidity being utilized when operationally feasible and federally listed threatened or endangered species may be present?
- YES NO N/A (10) If the proposed structure(s) is 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 is less 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 is less than 384 feet between the most channelward pile and MLW on the opposite shoreline?
- YES NO (11) 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?
- YES NO (12) Has the permittee ensured the construction and/or installation of the proposed structure(s) will not affect federally listed threatened or endangered species or designated critical habitat?
- YES NO (13) Will the proposed structure be located outside of Broad Creek in Middlesex County, Fisherman's Cove in Norfolk, or the Salt Ponds in Hampton?
- YES NO (14) Will the proposed structure(s) be located outside of the waterways containing a Federal Navigation Project listed in Permit Specific Condition 12 of 18-RP-17 and/or will all portions of the proposed structure(s) be located more than 85 feet from the Federal Navigation Project?

- YES NO (15) Will the proposed structure(s) be located outside a USACE Navigation and Flood Risk Management project area?
- YES NO (16) Will the proposed structure(s) be located outside of any Designated Trout Waters?
- YES NO N/A (17) If the proposed structure(s) includes flotation units, will the units be made of materials that will not become waterlogged or sink if punctured?
- YES NO N/A (18) If the proposed structure(s) includes flotation units, will the floating sections be braced so they will not rest on the bottom during periods of low water?
- YES NO (19) Is the proposed structure(s) made of suitable materials and practical design so as to reasonably ensure a safe and sound structure?
- YES NO (20) Will the proposed structure(s) be located on the property in accordance with the local zoning requirements?
- YES NO N/A (21) If the proposed structure(s) includes a device used for shellfish gardening, will the device be attached directly to a pier and limited to a total of 160 square feet?
- YES NO N/A (22) If the proposed structure(s) includes a device used for shellfish gardening, does the permittee recognize this RP does not negate their responsibility to obtain an oyster gardening permit (General Permit #3) from Virginia Marina Resources Commission (VMRC)'s Habitat Management Division? Please refer to Appendix D of the Tidewater JPA for more details on VMRC's aquaculture requirements.
- YES NO (23) Does the permittee recognize this RP does not authorize any dredging or filling of waters the United States (including wetlands) and does not imply that future dredging proposals will be approved by the Corps?
- YES NO (24) Does the permittee understand that by accepting 18-RP-17, the permittee accepts all of the terms and conditions of the permit, including the limits of Federal liability contained in the 18-RP-17 enclosure? Does the permittee acknowledge that the structures permitted under 18-RP-17 may be exposed to waves caused by passing vessels and that the permittee is solely responsible for the integrity of the structures permitted under 18-RP-17 and the exposure of such structures and vessels moored to such structures to damage from waves? Does the permittee accept that the United States is not liable in any way for such damage and that it shall not seek to involve the United States in any actions or claims regarding such damage?

IF YOU HAVE ANSWERED "NO" TO ANY OF THE QUESTIONS ABOVE, REGIONAL PERMIT 17 (18-RP-17) DOES NOT APPLY AND YOU ARE REQUIRED TO OBTAIN WRITTEN AUTHORIZATION FROM THE CORPS PRIOR TO PERFORMING THE WORK.

IF YOU HAVE ANSWERED "YES" (OR "N/A", WHERE APPLICABLE) TO ALL OF THE QUESTIONS ABOVE, YOU ARE IN COMPLIANCE WITH REGIONAL PERMIT 17 (18-RP-17). PLEASE SIGN BELOW, ATTACH, AND SUBMIT THIS CHECKLIST WITH YOUR COMPLETED JOINT PERMIT APPLICATION (JPA). THIS SIGNED CERTIFICATE 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.

I CERTIFY THAT I HAVE READ AND UNDERSTAND ALL CONDITIONS OF THE REGIONAL PERMIT 17 (18-RP-17), DATED SEPTEMBER 2018, ISSUED BY THE US ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT REGULATORY BRANCH (CENAO-WRR), NORFOLK, VIRGINIA.

Signature of Property Owner(s) or Agent

Date _____

Proposed work to be located at:
 2709 Canal Road

Virginia Beach, VA 23451

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.

The project is to remove the existing boat lift and install a floating pier with a gangway and four pile boat lift.

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? 23 feet.

Channelward of Mean High Water? 23 feet.

Channelward of Mean Low Water? 23 feet.

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

Tidal non-vegetated wetlands 0 square feet.

Tidal vegetated wetlands 0 square feet.

Submerged lands 918 square feet.

What is the total size of any and all L- or T-head platforms? 918 sq. ft.

For boathouses, what is the overall size of the roof structure? N/A 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.**

- 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:

The project is to remove a portion of the existing bulkhead and construct approximately 108 LF of steel bulkhead with an 18 LF return. There will be 0.005 acres of aquatic impact and approximately 100 CYs of fill placed below the plane of MHW.

- What is the maximum encroachment channelward of mean high water? 2 feet.
Channelward of mean low water? 2 feet.
Channelward of the back edge of the dune or beach? N/A feet.
- Please calculate the square footage of encroachment over:

• Vegetated wetlands	<u>0</u>	square feet
• Non-vegetated wetlands	<u>24</u>	square feet
• Subaqueous bottom	<u>216</u>	square feet
• Dune and/or beach	<u>N/A</u>	square feet
- 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.

**ENGINEER/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS**

REVISED 10-09-03

PROJECT LOCATION: 2709 Canal Road

APPLICANT'S NAME: David A. Schrenk

APPLICANT'S ADDRESS: 2709 Canal Road

Virginia Beach, VA 23451

ENGINEER OF RECORD: Gregory O. Milstead, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR
CERTIFYING PROJECT

CONSTRUCTION: Bulkhead, Floating Pier, Gangway, & Boat Lift

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.

3/29/2023

SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DATE

Gregory O. Milstead, P.E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:

2/28/2023

SIGNATURE OF APPLICANT

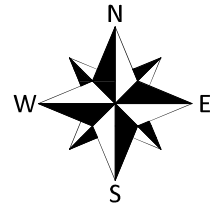
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SIGNATURE OF COASTAL ZONE ADMINISTRATOR

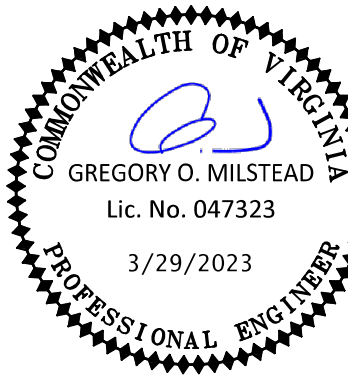
DATE

ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____



APO #1
 NOW OR FORMERLY
 JEROME MILLER
 2715 CANAL ROAD
 GPIN: 1499-57-6384



25' CANAL ROAD
 RIGHT-OF-WAY

R=47.00'
 L=78.34'

R=72.00'
 L=75.21'

N 01°37'56" W
 119.41'

PF N 88°22'04" E 46.00'

EX. BKHD
 OF MILLER

EX. BOAT LIFT

EX. BKHD

EX. RIPRAP

S 34°22'04" W
 21.60'

PPF

MHW

MLW

NORTH EDGE OF 200'
 PERPETUAL EASMENT
 PER M.B. 65, PG. 40

NORTH EDGE OF 90'
 FEDERAL PROJECT CHANNEL



EXISTING
 CONDITIONS



SCALE: 1" = 30'

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PURPOSE: BULKHEAD MAINTENANCE
 DATUM: MLW = 0.00'
 APOS:
 1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:

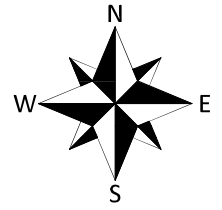


P.O BOX 6663
 VIRGINIA BEACH
 VIRGINIA 23456
 (757) 575-3715

PROPOSED: BULKHEAD, BOAT LIFT, &
 FLOATING PIER
 IN: BROAD BAY
 AT: 2709 CANAL ROAD
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 DAVID A. SCHRENK
 SHEET: 1 OF 10
 DATE: FEBRUARY 27, 2023

REV: 03/27/23

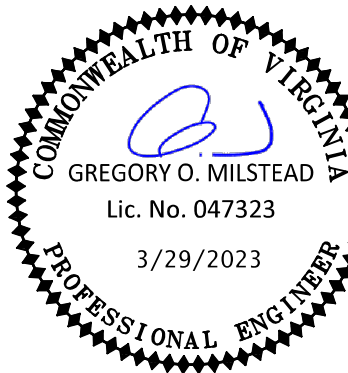
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 2589 QUALITY COURT #323, VIRGINIA BEACH, VA 23454
 PHONE: (757) 619-7302



M.B. 46 PG. 24

APO #1
NOW OR FORMERLY
JEROME MILLER
2715 CANAL ROAD
GPIN: 1499-57-6384

ACCESSWAY = 3,038 SF
AREA IS APPROXIMATE



R=47.00'
L=78.34'

25' CANAL ROAD
RIGHT-OF-WAY

R=72.00'
L=75.21'

123 SF OF NVW
IMPACTS AND
8 SF OF VW
IMPACTS

SITE ACCESS
3.9

S 34°22'04" W
21.60'

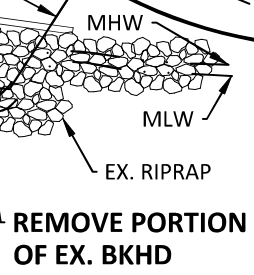
N 83°58'21" W

110.42'

EX. BKHD
OF MILLER

REMOVE
EX. BOAT LIFT

EX. BKHD

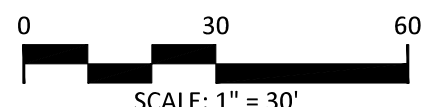


NORTH EDGE OF 200'
PERPETUAL EASMENT
PER M.B. 65, PG. 40

NORTH EDGE OF 90'
FEDERAL PROJECT CHANNEL



SITE ACCESS & DEMOLITION



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PURPOSE: BULKHEAD MAINTENANCE
DATUM: MLW = 0.00'
APOS:
1. JEROME MILLER

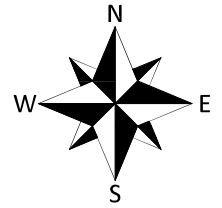
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PROPOSED: BULKHEAD, BOAT LIFT, & FLOATING PIER
IN: BROAD BAY
AT: 2709 CANAL ROAD
VIRGINIA BEACH, VA 23451
APPLICATION BY:
DAVID A. SCHRENK
SHEET: 2 OF 10
DATE: FEBRUARY 27, 2023

REV: 03/27/23

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PHONE: (757) 619-7302



APO #1
NOW OR FORMERLY
JEROME MILLER
2715 CANAL ROAD
GPIN: 1499-57-6384



APPROVED SITE DEVELOPMENT

PROPOSED 108 LF OF STEEL BULKHEAD BUILT 2 LF IN FRONT OF THE EXISTING BULKHEAD & 18 LF OF STEEL RETURN IN THE SAME FOOTPRINT OF THE EXISTING BULKHEAD

AREA TO BE FILLED WITH APPROVED BUILDING PAD

EX. BKHD OF MILLER

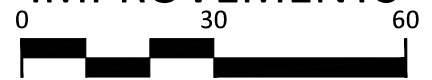
NORTH EDGE OF 200' PERPETUAL EASEMENT PER M.B. 65, PG. 40

NORTH EDGE OF 90' FEDERAL PROJECT CHANNEL



PROPOSED FLOATING PIER WITH A 4'x14' GANGWAY AND FOUR PILE BOAT LIFT

PROPOSED SITE IMPROVEMENTS



SCALE: 1" = 30'

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PURPOSE: BULKHEAD MAINTENANCE
DATUM: MLW = 0.00'
APOS:
1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:



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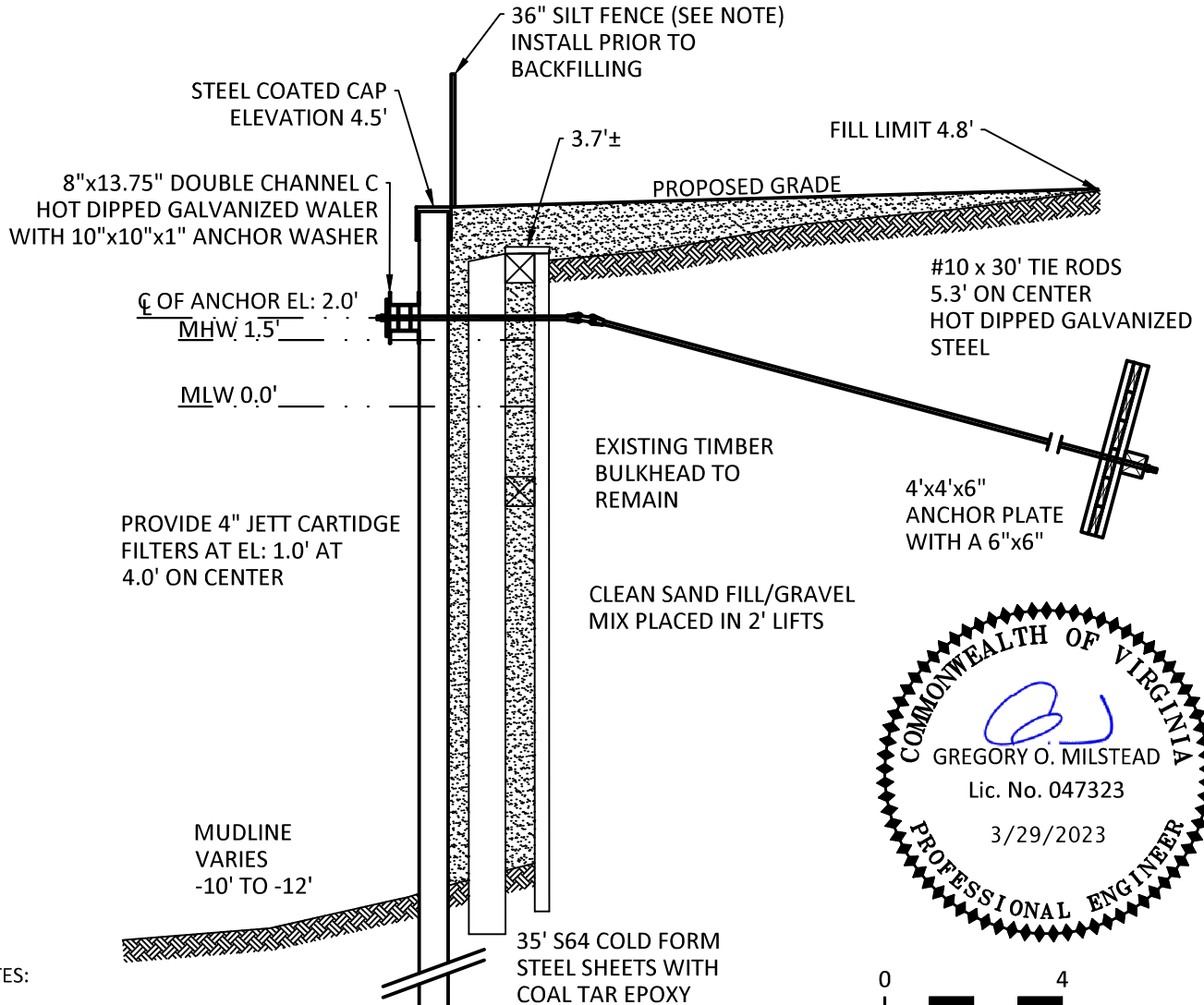
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PHONE: (757) 619-7302

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IN: BROAD BAY
AT: 2709 CANAL ROAD
VIRGINIA BEACH, VA 23451
APPLICATION BY:
DAVID A. SCHRENK
SHEET: 3 OF 10
DATE: FEBRUARY 27, 2023

REV: 03/27/23

PROPOSED BULKHEAD CROSS SECTION POINTS B1-B2, B3-B4, B5-B6



NOTES:

1. ALL TIMBER MATERIAL FOR USE IN A MARINE ENVIRONMENT.
2. ALL HARDWARE TO BE IN ACCORDANCE WITH ASTM A-153.
3. NEW BULKHEAD SHALL BE PLACED AT ALIGNMENT SHOWN.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE ANCHOR SYSTEM AND MATERIAL SIZES. DIMENSIONS SHOWN ARE TO BE CONSIDERED MINIMUM MATERIAL SIZES ONLY BASED ON MANUFACTURER PRODUCT SPECIFICATIONS FOR BULKHEAD TYPE AND EXPOSED HEIGHT WITH FIRM SOILS IN PLACE. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS FOR EITHER SHEET PILE OR DEADMAN FIELD.

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PURPOSE: BULKHEAD MAINTENANCE
DATUM: MLW = 0.00'
APOS:
 1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:



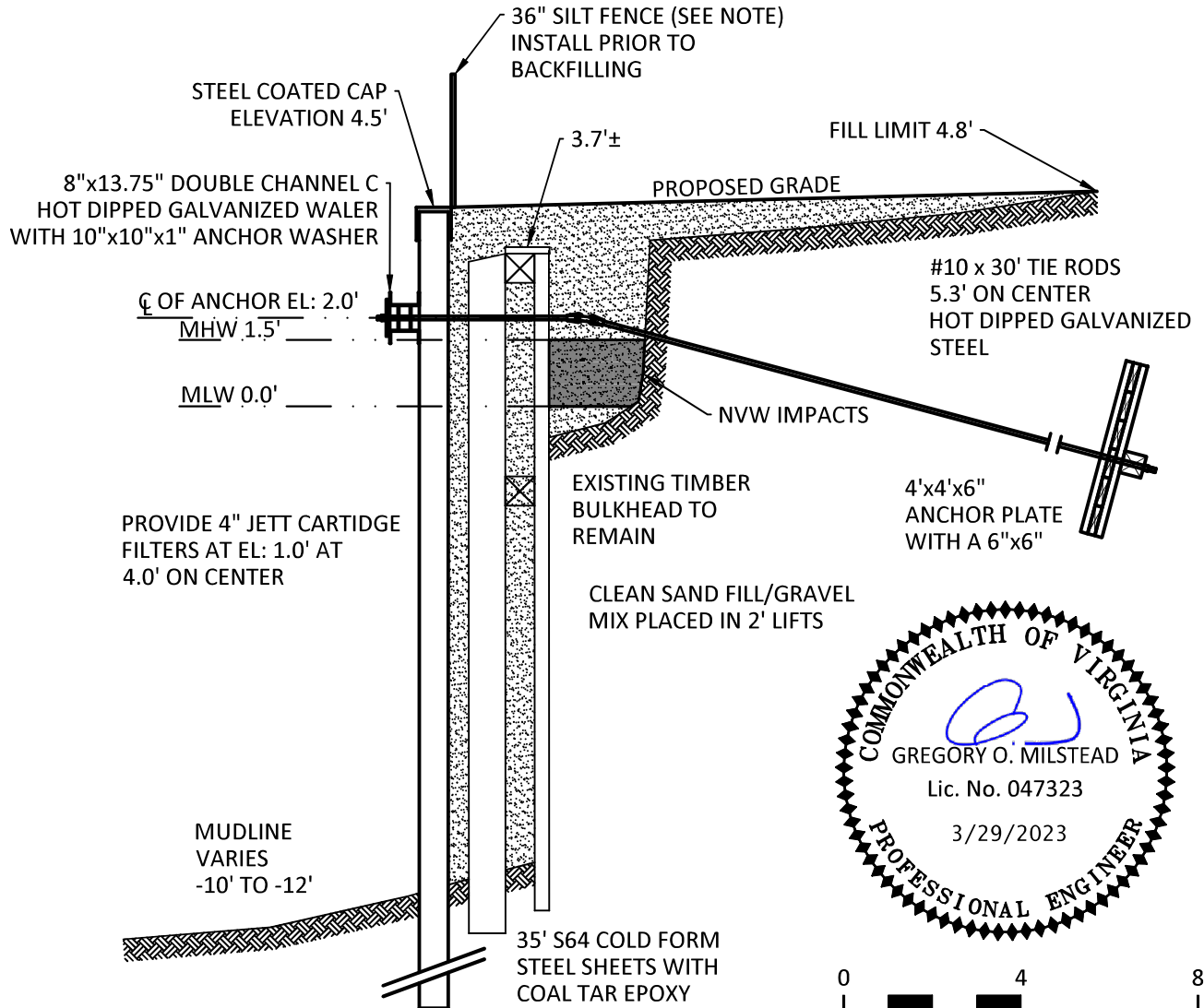
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IN: BROAD BAY
AT: 2709 CANAL ROAD
 VIRGINIA BEACH, VA 23451
APPLICATION BY:
 DAVID A. SCHRENK
SHEET: 4 OF 10
DATE: FEBRUARY 27, 2023

REV: 03/27/23

PROPOSED BULKHEAD CROSS SECTION POINTS B2-B3, B4-B5



NOTES:

1. ALL TIMBER MATERIAL FOR USE IN A MARINE ENVIRONMENT.
2. ALL HARDWARE TO BE IN ACCORDANCE WITH ASTM A-153.
3. NEW BULKHEAD SHALL BE PLACED AT ALIGNMENT SHOWN.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE ANCHOR SYSTEM AND MATERIAL SIZES. DIMENSIONS SHOWN ARE TO BE CONSIDERED MINIMUM MATERIAL SIZES ONLY BASED ON MANUFACTURER PRODUCT SPECIFICATIONS FOR BULKHEAD TYPE AND EXPOSED HEIGHT WITH FIRM SOILS IN PLACE. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS FOR EITHER SHEET PILE OR DEADMAN FIELD.

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PURPOSE: BULKHEAD MAINTENANCE
 DATUM: MLW = 0.00'
 APOS:
 1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:



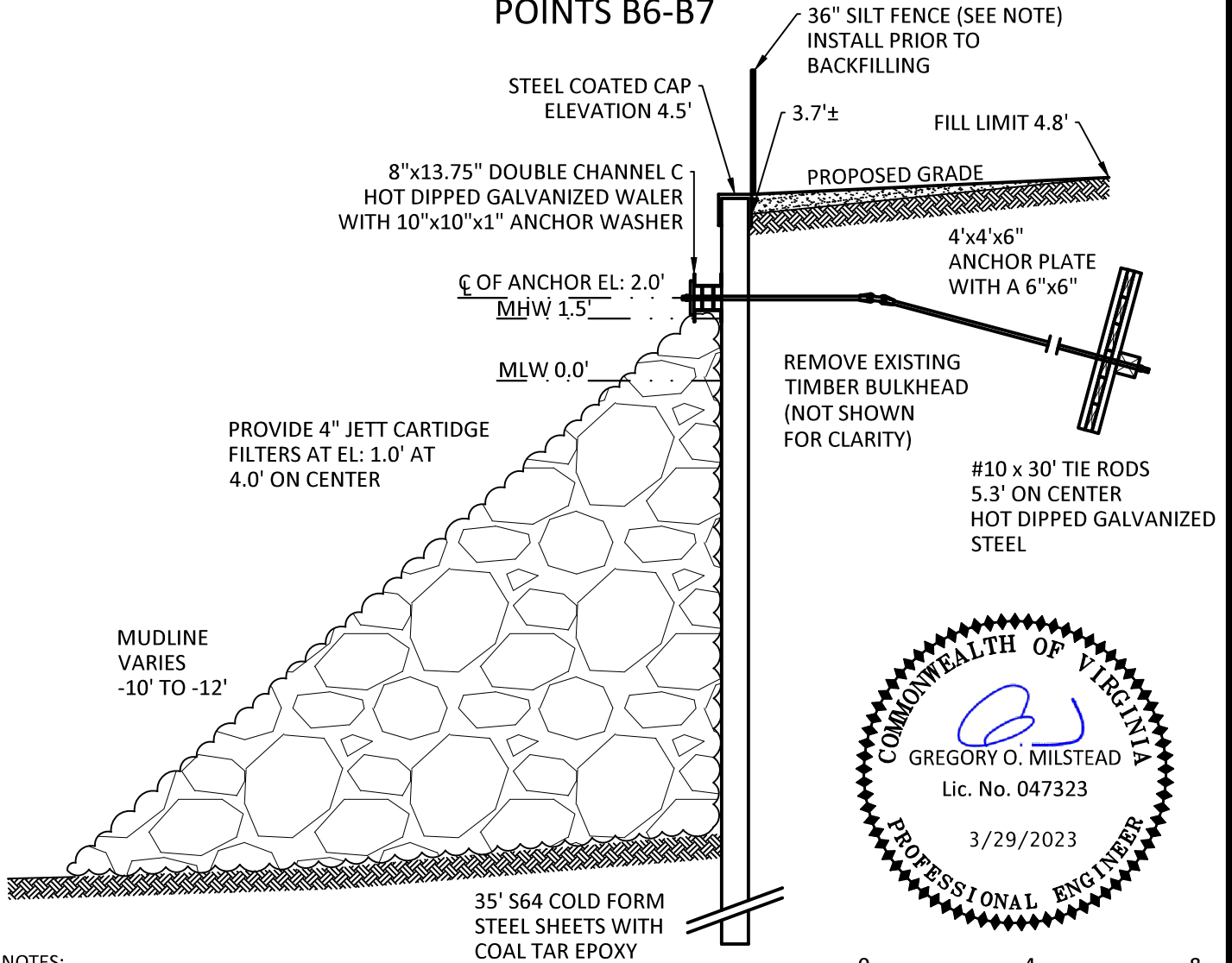
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PROPOSED: BULKHEAD, BOAT LIFT, & FLOATING PIER
 IN: BROAD BAY
 AT: 2709 CANAL ROAD
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 DAVID A. SCHRENK
 SHEET: 5 OF 10
 DATE: FEBRUARY 27, 2023

REV: 03/27/23

PROPOSED BULKHEAD CROSS SECTION POINTS B6-B7



NOTES:

1. ALL TIMBER MATERIAL FOR USE IN A MARINE ENVIRONMENT.
2. ALL HARDWARE TO BE IN ACCORDANCE WITH ASTM A-153.
3. NEW BULKHEAD SHALL BE PLACED AT ALIGNMENT SHOWN.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE ANCHOR SYSTEM AND MATERIAL SIZES. DIMENSIONS SHOWN ARE TO BE CONSIDERED MINIMUM MATERIAL SIZES ONLY BASED ON MANUFACTURER PRODUCT SPECIFICATIONS FOR BULKHEAD TYPE AND EXPOSED HEIGHT WITH FIRM SOILS IN PLACE. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS FOR EITHER SHEET PILE OR DEADMAN FIELD.

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PURPOSE: BULKHEAD MAINTENANCE
DATUM: MLW = 0.00'
APOS:
1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:



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VIRGINIA BEACH
VIRGINIA 23456
(757) 575-3715

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PHONE: (757) 619-7302

PROPOSED: BULKHEAD, BOAT LIFT, & FLOATING PIER
IN: BROAD BAY
AT: 2709 CANAL ROAD
VIRGINIA BEACH, VA 23451
APPLICATION BY:
DAVID A. SCHRENK
SHEET: 6 OF 10
DATE: FEBRUARY 27, 2023

REV: 03/27/23



NLAA COMPLIANCE

ITEM	8" PILE	10" PILE	12" PILE		
BOAT LIFT		4			
FLOAT		4			

ALL NOTED PILES ARE CHANNELWARD OF MEAN HIGH WATER AND ARE TO BE TIMBER, DRIVEN WITH EXCAVATOR MOUNTED VIBRATORY HAMMER



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PURPOSE: BULKHEAD MAINTENANCE
 DATUM: MLW = 0.00'
 APOS:
 1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:



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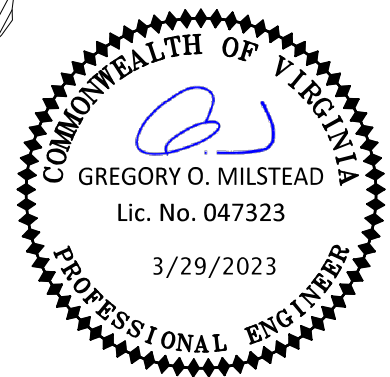
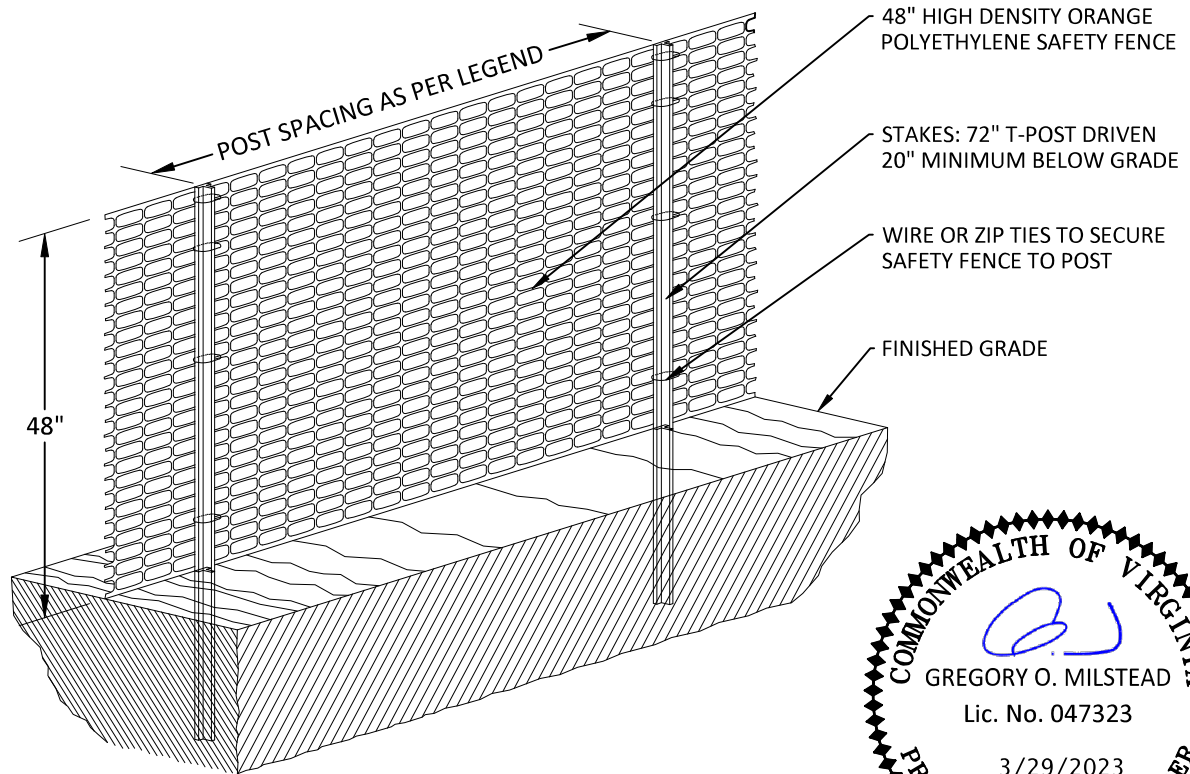
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PROPOSED: BULKHEAD, BOAT LIFT, &
 FLOATING PIER
 IN: BROAD BAY
 AT: 2709 CANAL ROAD
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 DAVID A. SCHRENK
 SHEET: X OF 10
 DATE: FEBRUARY 27, 2023

REV: 03/27/23

48" ORANGE SAFETY FENCE, 72" T-POSTS SENSITIVE AREA / TREE PROTECTION

LEGEND	
SAF12	48" ORANGE FENCE, 12 FEET ON CENTER
SAF11	48" ORANGE FENCE, 11 FEET ON CENTER
SAF10	48" ORANGE FENCE, 10 FEET ON CENTER
SAF9	48" ORANGE FENCE, 9 FEET ON CENTER
SAF8	48" ORANGE FENCE, 8 FEET ON CENTER
SAF7	48" ORANGE FENCE, 7 FEET ON CENTER
SAF6	48" ORANGE FENCE, 6 FEET ON CENTER



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PURPOSE: BULKHEAD MAINTENANCE
 DATUM: MLW = 0.00'
 APOS:
 1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:



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 VIRGINIA 23456
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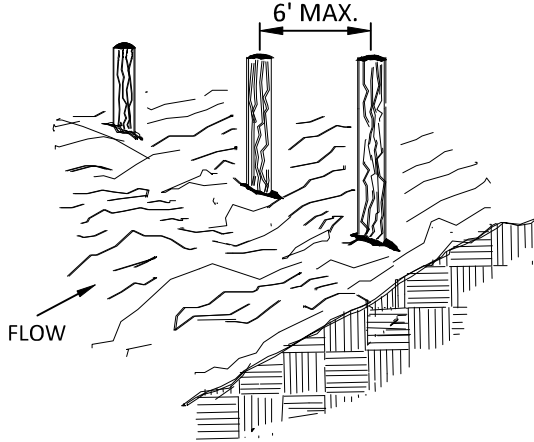
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 IN: BROAD BAY
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 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 DAVID A. SCHRENK
 SHEET: 8 OF 10
 DATE: FEBRUARY 27, 2023

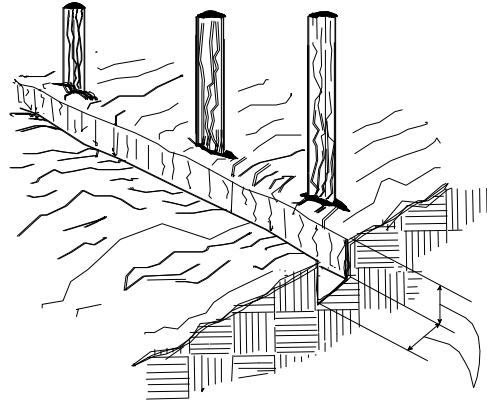
REV: 03/27/23

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

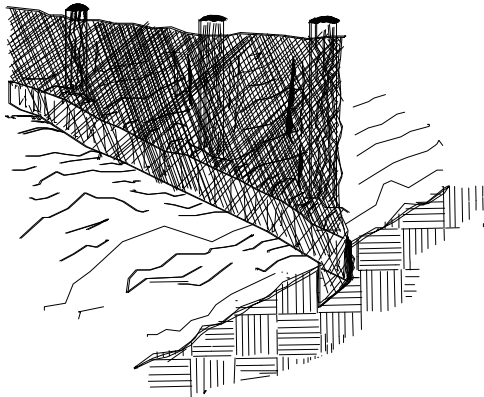
1. SET THE STAKES



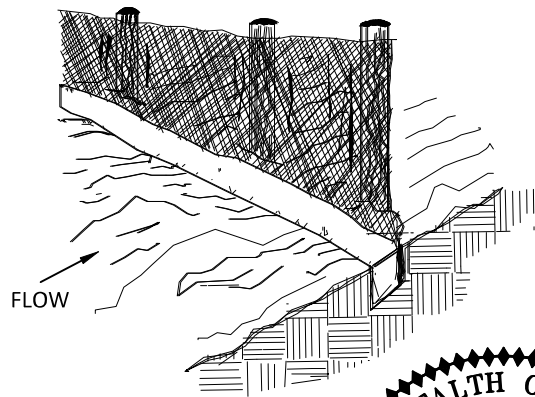
2. EXCAVATE A 4" x 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES



3. STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH

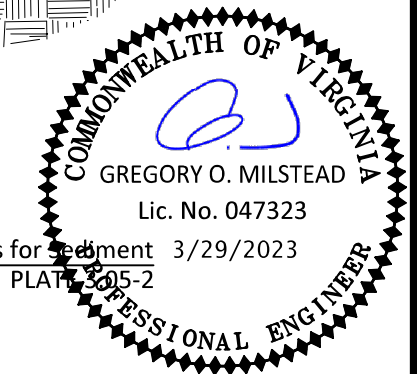


4. BACKFILL AND COMPACT THE EXCAVATED SOIL



SHEET FLOW INSTALLATION (PERSPECTIVE VIEW)

SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant



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 DATUM: MLW = 0.00'
 APOS:
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ENGINEERING SERVICES PROVIDED BY:



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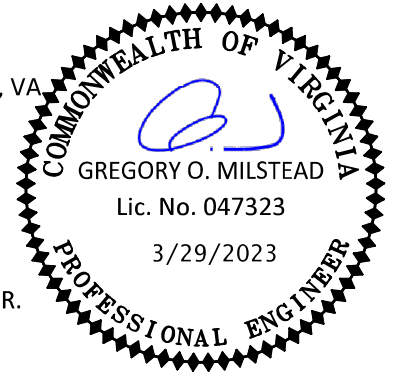
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 APPLICATION BY:
 DAVID A. SCHRENK
 SHEET: 9 OF 10
 DATE: FEBRUARY 27, 2023

REV: 03/27/23

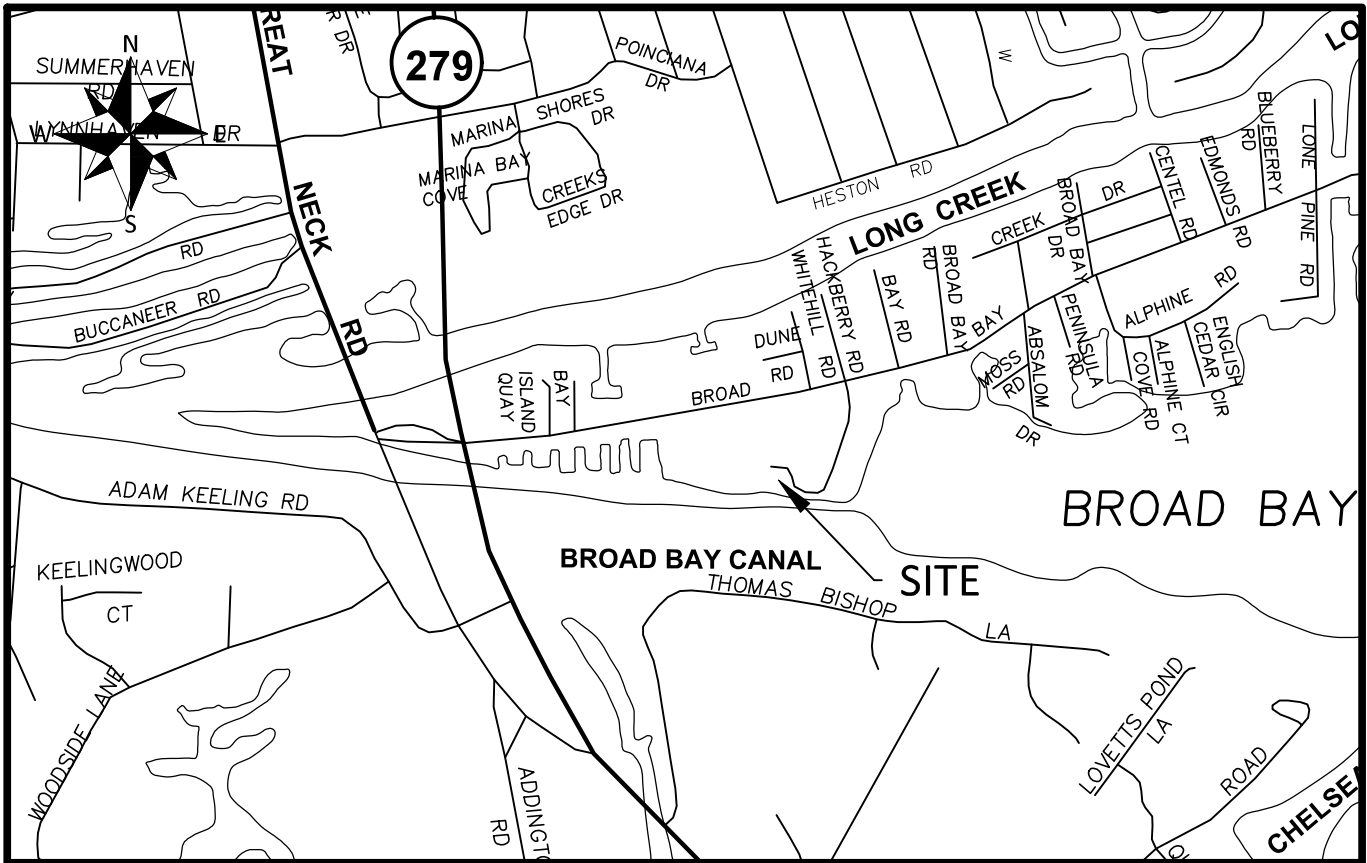
SITE INFORMATION

LEGAL DESCRIPTION: LOT 1, SECTION 2, BROAD BAY POINT
 REFERENCE: MAP BOOK 46, PAGE 24, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
 GPIN: 1499-57-7374
 ZONING: R-10 RESIDENTIAL



SEQUENCE OF EVENTS

1. OBTAIN ALL NECESSARY PERMITS.
2. SCHEDULE ON-SITE PRE-CONSTRUCTION MEETING WITH COASTAL ZONE INSPECTOR.
3. MOBILIZE EQUIPMENT TO SITE, MARK ACCESS WAY WITH SAFETY FENCE.
4. CONSTRUCT IMPROVEMENTS.
5. DEMOBILIZE EQUIPMENT FROM SITE WHILE ADDING TOP SOIL AND SEED TO ALL AREAS DENUDED / DAMAGED BY CONSTRUCTION OPERATIONS.



VICINITY MAP

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PURPOSE: BULKHEAD MAINTENANCE
 DATUM: MLW = 0.00'
 APOS:
 1. JEROME MILLER

ENGINEERING SERVICES PROVIDED BY:



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 SHEET: 10 OF 10
 DATE: FEBRUARY 27, 2023

REV: 03/27/23

AGREEMENT IN LIEU OF A STORMWATER MANAGEMENT PLAN FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT

Building permit #: _____ DSC Plan # : _____

Location: at 2709 Canal Road, Virginia Beach, VA GPIN: 1499-57-7374

Watershed: Lynnhaven-Poquoson HUC: 02080108

In lieu of providing a detailed Stormwater Management Plan, designed and sealed by a licensed professional, the undersigned agrees to comply with all applicable provisions of Appendix D, Stormwater Management Ordinance of the City Code of the City of Virginia Beach and the Virginia Stormwater Management Regulations. The undersigned also agrees to comply with all additional requirements deemed necessary by the Department of Planning, based upon established stormwater management practices to provide adequate treatment and control of stormwater runoff resulting from this development.

The undersigned intends to use the following Stormwater Management Controls, and install them pursuant to the DEQ BMP Clearinghouse website:

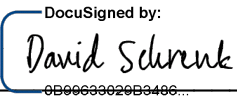
Select all that apply	Stormwater Management Control	Estimated installation date	Responsible party
	Post-development Stormwater Management controls provided by a Larger Common Plan of Development or Sale	NA	Common Plan Construction Activity Operator
	Rooftop Disconnection		Construction Activity Operator
	Sheetflow to Vegetated Filter (1 or 2)		Construction Activity Operator
	Grass Channel		Construction Activity Operator
	Rainwater harvesting		Construction Activity Operator
	Permeable Paving (1 or 2)		Construction Activity Operator

Select all that apply	Stormwater Management Controls	Estimated Installation Date	Responsible Party
	Infiltration (1 or 2)		Construction Activity Operator
	Bioretention (1 or 2)		Construction Activity Operator
X	Others (describe) Restore impacted buffer to preconstruction condition or enhance per plan.		Construction Activity Operator

The undersigned further understand that such control measures must not be removed or altered, and must be properly maintained in order to operate as they were constructed. In addition, they must be inspected by the owner of the property, or their agent, annually.

The undersigned understand that failure to comply with the requirements of Appendix D, Stormwater Management, and the construction and maintenance of the stormwater controls listed above may result in enforcement proceedings under Section 1-32 of the Stormwater Management Ordinance.

The undersigned owner hereby grants the City of Virginia Beach the right to enter the subject property periodically for inspections to ensure compliance with the Stormwater Management Ordinance.

Signature of Owner:  Print Name: David A. Schrenk

Signature of Permittee: _____ Print Name: _____

Date: _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Jerome Miller
2404 Runners Way
Virginia Beach, VA 23454

**RE: Proposed Bulkhead, Floating Pier, Gangway, & Boat Lift
Located at 2709 Canal Road, Virginia Beach, VA 23451**

Dear Jerome Miller

This letter is to notify you that your neighbor(s), David A. Schrenk have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

If you object to the project, you may still return the Adjacent Property Owners Acknowledgement form to Waterfront Consulting, Inc. or by USPS to:

Virginia Marine Resources Commission
Habitat Management Division
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

We thank you in advance for your timely response and please feel free to call me with any questions. If we do not receive a response within 15 days from receiving this letter, it will be assumed that you have no objection to the project.

Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: David A. Schrenk , Applicant