

Wetlands Board Agenda

October 16, 2023



VIRGINIA BEACH WETLANDS BOARD

PUBLIC HEARING PROCEDURES & AGENDA

A Public Hearing of the Virginia Beach Wetlands Board will be held on **Monday, October 16, 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 virginiabeach.gov/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@vb.gov 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@vb.gov 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 PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.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 **October 16, 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 virginiabeach.gov/wetlands. For information call (757) 385-4621.

TENTATIVE 2024 WETLANDS BOARD PUBLIC HEARING DATES

Wednesday **January 17**
 Thursday **February 22**
 Monday **March 18**
 Monday **April 15**
 Monday **May 20**
 Monday **June 17**

Monday **July 15**
 Monday **August 19**
 Monday **September 16**
 Monday **October 21**
 Monday **November 18**
 Monday **December 16**

OLD BUSINESS - COASTAL PRIMARY SAND DUNE/BEACH

1. 2023-WTRA-00137

3548 Sandfiddler LLC
[Applicant & Owner]

3548 Sandfiddler Road
GPIN 2432-75-0908
City Council District: District 2

Waterway – Atlantic Ocean
Subdivision – South Sandbridge

Request: To construct a bulkhead, return walls, and excavate sand involving Coastal Primary Sand Dune/Beach.



NEW BUSINESS – WETLANDS

2. 2023-WTRA-00170

City of Virginia Beach, Dept. of Public Works, et al. (Harbor Point SSD Dredge)

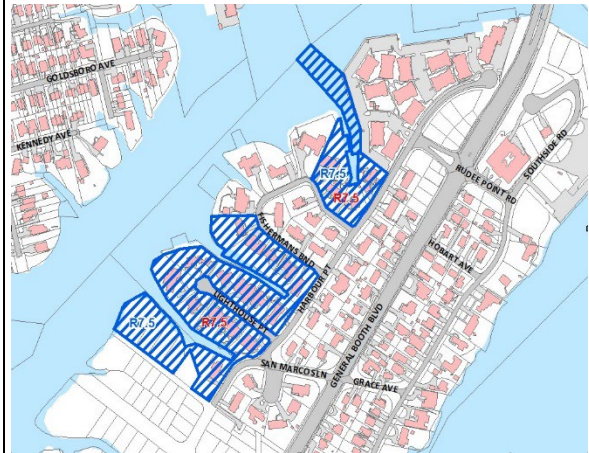
[Applicant & Owner]

GPINs 2427102915, 2427103808, 2427103882, 2427104768, 2427105721, 2427104518, 2427103633, 2427102659, 2427101764, 2427100831, 2427009743, 2427100622, 2427101517, 2427101592, 2427102496, 2427101312, 2427100450, 2427009430, 2427008468, 2427008530, 2427007557, 2427118230, 2427117065, 2427116194, 2427116253, 24271184877370, 24271184876540, 24271184876440, 24271184877050, 24271184876900, 24271184877950, 24271184876530, 24271184877520, 24271184876750, 24271184876910, 24271184876890, 24271184876560, 24271184876860, 24271184876880, 24271184876570, 24271184877110, 24271184877350, 24271184876493, 24271184876770, 24271184877300, 24271184876730

City Council District: District 5

Waterway – Lake Rudee
Subdivision – Harbour Point

Request: To maintenance dredge involving wetlands.



NEW BUSINESS – WETLANDS (CONTINUED)

3. 2023-WTRA-00188

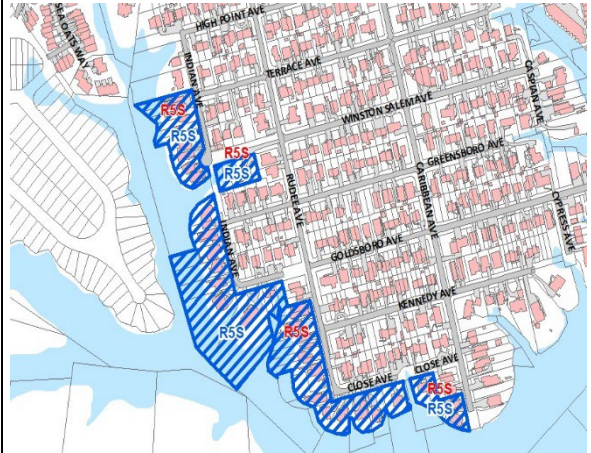
City of Virginia Beach, Dept. of Public Works, et al. (Shadowlawn SSD Dredge)
 [Applicants & Owners]

GPINs 2427001851, 2427001827, 2427000902, 2417908898, 2417907896, 2417907822, 2417906729, 2417905873, 2417905858, 2417904943, 2417905938, 2417914055, 2417914099, 2417914131, 2417914185, 2417914281, 2417913248, 2417912112, 2417910260, 2417910341, 2417910327, 2417910403, 2417910499, 2417910549, 2417912746, 2417910714, 2417819787, 2417819872, 2417819866, 2417819921, 2417819914

City Council District: District 5

Waterway – Lake Rudee
 Subdivision – Shadow Lawn Heights

Request: To maintenance dredge involving wetlands.



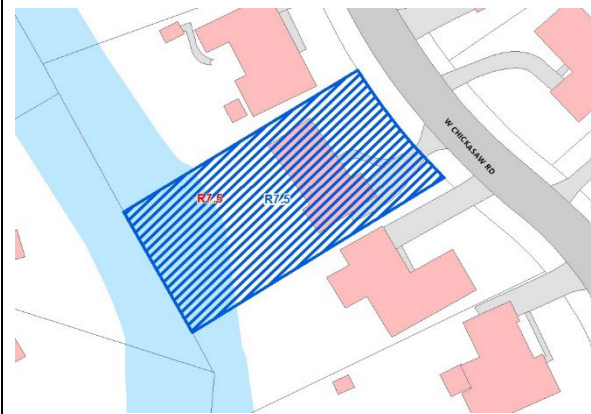
4. 2023-WTRA-00182

George Pregel [Applicant & Owner]

349 W Chickasaw Road
 GPIN 1457-70-8776
 City Council District: District 1

Waterway – Canal to E. Branch Elizabeth River
 Subdivision – Arrowhead

Request: To construct rip rap revetments, return walls and plant vegetation involving wetlands.



5. 2023-WTRA-00190

Frank R. & Judy L. Marsh
 [Applicants & Owners]

357 Whiting Lane
 GPIN 2433-30-3962
 City Council District: District 2

Waterway – North Bay
 Subdivision – Back Bay Meadows

Request: To construct a bulkhead, return walls, and boat ramp involving wetlands.



NEW BUSINESS – WETLANDS (CONTINUED)

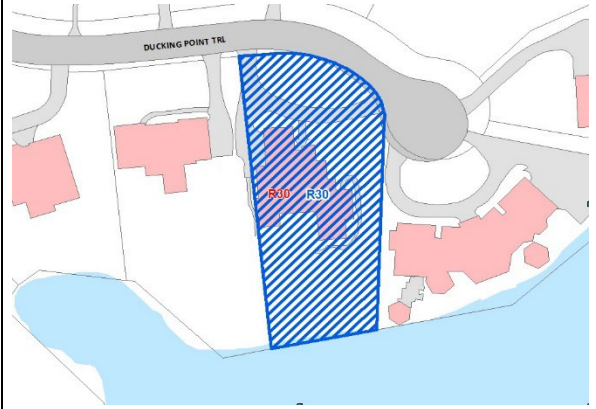
6. 2023-WTRA-00203

Frederick Perkins [Applicant & Owner]

1048 Ducking Point Trail
GPIN 1488-03-3777
City Council District: District 8

Waterway – Western Branch Lynnhaven River
Subdivision – Saw Pen Point

Request: To construct a rip rap revetment involving wetlands.



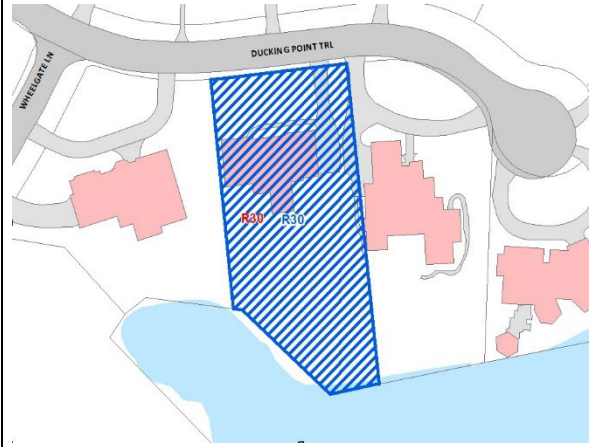
7. 2023-WTRA-00204

John A. Lewis & Jenny J. Lee
[Applicants & Owners]

1044 Ducking Point Trail
GPIN 1488-03-2753
City Council District: District 8

Waterway – Western Branch Lynnhaven River
Subdivision – Saw Pen Point

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



1. 2023-WTRA-00137
3548 Sandfiddler LLC
[Applicant & Owner]

3548 Sandfiddler Road
GPIN 2432-75-0908
City Council District: District 2

Waterway – Atlantic Ocean
Subdivision – South Sandbridge

Request: To construct a bulkhead, return walls, and excavate sand involving a Coastal Primary Sand Dune/Beach.



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 3548 Sandfiddler LLC

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)

Michael J. Landy and Susan Landy

- 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.
None
-

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.
None
-

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.

Agent - Robert Simon, Waterfront Consulting, Inc. Engineer - Sean E. Green, P.E. of Stone Green Consulting, LLC

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.**

DocuSigned by:  DocuSigned by: 

Applicant Signature

3548 Sandfiddler LLC by Michael J. and Susan Landy

Print Name and Title

6/1/2023 6/1/2023

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 # 23-1280

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"/>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>				
County or City in which the project is located: Virginia Beach				
Waterway at project site: Atlantic Ocean				
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:
 3548 Sandfiddler LLC Home () _____
 3824 Ridgetop Lane Work () _____
 Plano, TX 75074 Fax () _____
 Cell (214) 708-9834
 e-mail sheplandy@hotmail.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 grade approximately 9,600 SF of sand beach, spread approximately 7,215 SF of beach nourishment, and construct approximately 77 LF of vinyl bulkhead with (2) 60 LF return walls as shown in the permit drawings.

The bulkhead will use (31) Class B timber piles that will all be augered and driven in via an excavator on land.

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 (757) 622-1455
 150 W. Brambleton Avenue
 Norfolk, VA 23510

- 7. Give the following project location information:
 Street Address (911 address if available) 3548 Sandfiddler Road
 Lot/Block/Parcel# Lot 25, Section 2, Tract D, Sandbridge Beach
 Subdivision Sandbridge
 City / County Virginia Beach ZIP Code 23456
 Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
 36.70373 / -75.92788 (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: Storm Protection

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.*
There will be no wetlands impacts associated with this project.
11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? Yes No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
12. Approximate cost of the entire project (materials, labor, etc.): \$ 200,000.00
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 0
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.

Donna A. Mooney
Kyser Living Trust

3544 Sandfiddler Road
3254 Orchard Glen Court

Virginia Beach, VA 23456
Herndon, VA 20171

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.

3548 Sandfiddler LLC

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:
Susan Landy

Applicant's Signature

(Use if more than one applicant)

6/1/2023

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), 3548 Sandfiddler LLC, 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.

Robert E. Simon, V.P.

(Agent’s Signature)

(Use if more than one agent)

6/1/2023

(Date)

DocuSigned by:

Susan Landy

70E02880B73473

(Applicant’s Signature)

(Use if more than one applicant)

6/1/2023

(Date)

3. Applicant’s having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), 3548 Sandfiddler LLC, 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 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 project is to grade approximately 9,600 SF of sand beach, spread approximately 7,215 SF of beach nourishment, and construct approximately 77 LF of vinyl bulkhead with (2) 60 LF return walls as shown in the permit drawings.

There will be no aquatic impact and no fill placed below the plane of MHW.

2. What is the maximum encroachment channelward of mean high water? 0 feet.
 Channelward of mean low water? 0 feet.
 Channelward of the back edge of the dune or beach? 0 feet.

3. Please calculate the square footage of encroachment over:
 - Vegetated wetlands 0 square feet
 - Non-vegetated wetlands 0 square feet
 - Subaqueous bottom 0 square feet
 - Dune and/or beach 7,215 square feet

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

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

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

Part 3 – Appendices (continued)

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

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

Bulkhead - Vinyl Sheet Piles, Marine Grade timber piles and walers, H.D. galvanized hardware, Upland Fill

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

Core (inner layer) material 75-150 pounds per stone Class size 1 & A1
 Armor (outer layer) material 75-150 pounds per stone Class size 1 & A1

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

- Volume of material

0	cubic yards channelward of mean low water
250	cubic yards landward of mean low water
0	cubic yards channelward of mean high water
250	cubic yards landward of mean high water

- Area to be covered

0	square feet channelward of mean low water
7,215	square feet landward of mean low water
0	square feet channelward of mean high water
7,215	square feet landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay): 95% sand, 5% organics
- Method of transportation and placement: Skidsteer and machine grading
- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at <http://www.vims.edu/about/search/index.php?q=planting+guidelines>:

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

REVISED 10-09-03

PROJECT LOCATION: 3548 Sandfiddler Road

APPLICANT'S NAME: 3548 Sandfiddler LLC

APPLICANT'S ADDRESS: 3824 Ridgetop Lane

Plano, TX 75074

ENGINEER OF RECORD: Sean E. Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR

CERTIFYING PROJECT

CONSTRUCTION: Bulkhead

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.


SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION _____ DATE _____

Sean E. Green, P.E.
TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:

SIGNATURE OF APPLICANT _____ DATE 6/1/2023

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
DONNA A. MOONEY
3544 SANDFIDDLER ROAD
GPIN: 2432-66-9077

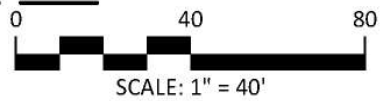
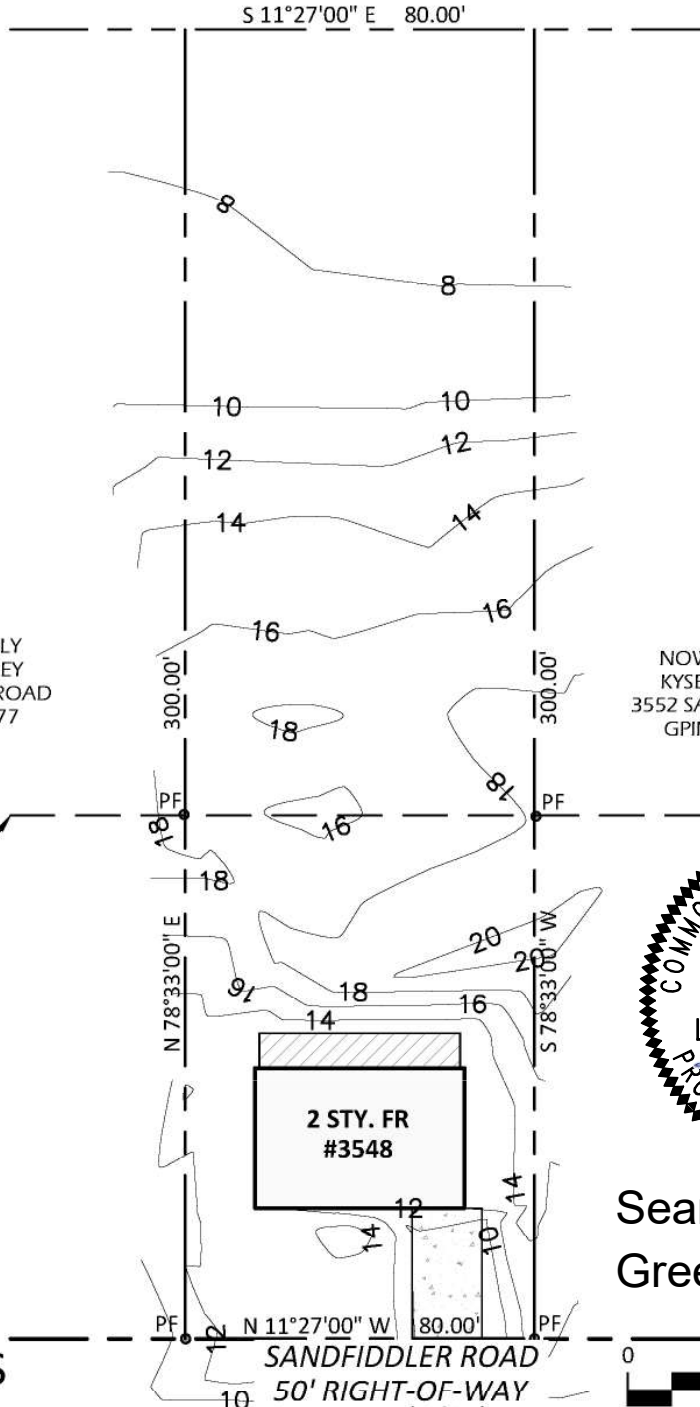
APO #2
NOW OR FORMERLY
KYSER LIVING TRUST
3552 SANDFIDDLER ROAD
GPIN: 2432-75-0993

PUBLIC BEACH
EASEMENT PER
M.B. 305, PG. 57



Sean E. Green
Digitally signed by:
Sean E. Green
Date: 2023.06.13
21:34:02 -05'00'

EXISTING
CONDITIONS



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PURPOSE: STORM PROTECTION
DATUM: NAVD 88
APOS:
1. DONNA A. MOONEY
2. KYSER LIVING TRUST



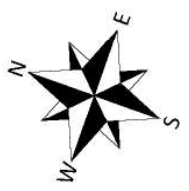
WATERFRONT
CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: BULKHEAD
IN: ATLANTIC OCEAN
AT: 3548 SANDFIDDLER ROAD
VIRGINIA BEACH, VA 23456
APPLICATION BY:
3548 SANDFIDDLER LLC

SHEET: 1 OF 6
DATE: MAY 31, 2023



M.B. 67 PG. 50

ACCESSWAY = 24,000 SF
AREA IS APPROXIMATE

NOTE: NO SAND WILL BE
REMOVED FROM THE
PUBLIC BEACH EASEMENT

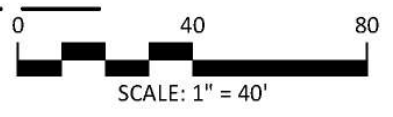
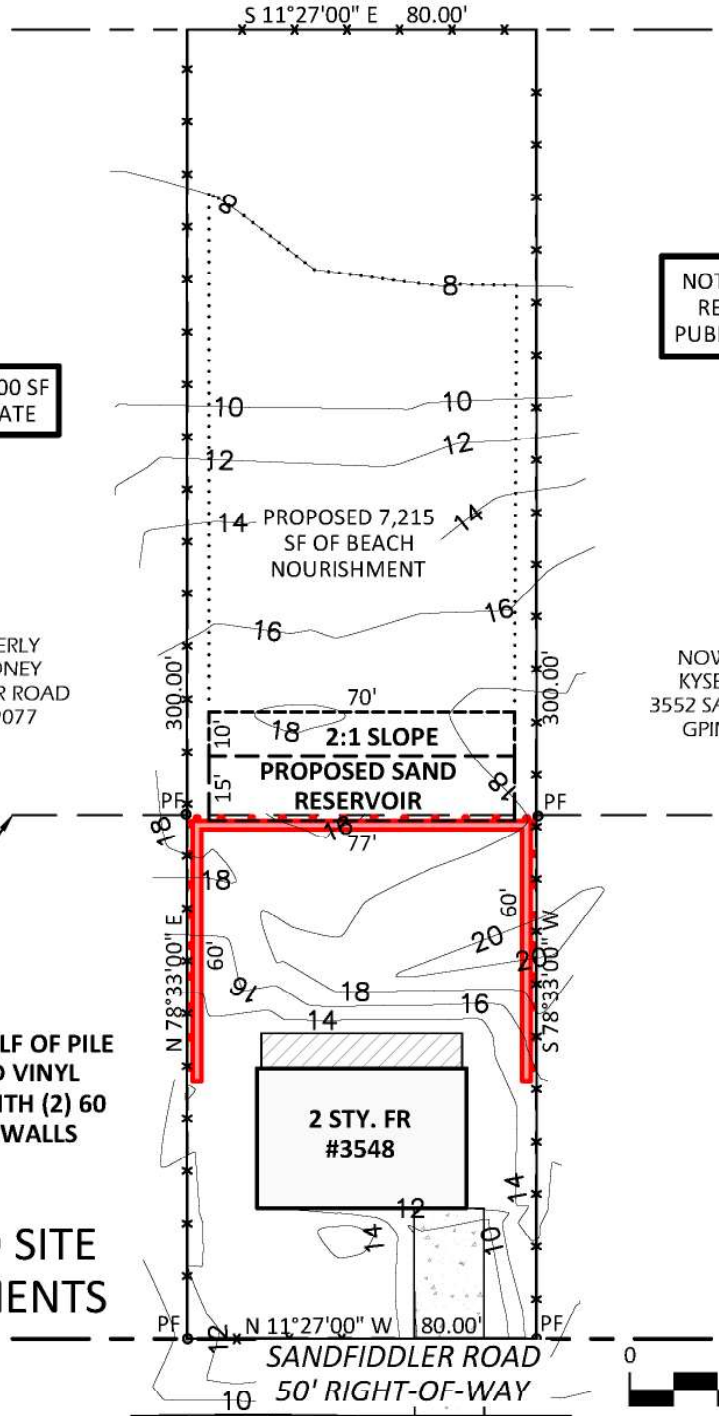
APO #1
NOW OR FORMERLY
DONNA A. MOONEY
3544 SANDFIDDLER ROAD
GPIN: 2432-66-9077

APO #2
NOW OR FORMERLY
KYSER LIVING TRUST
3552 SANDFIDDLER ROAD
GPIN: 2432-75-0993

PUBLIC BEACH
EASEMENT PER
M.B. 305, PG. 57

PROPOSED 77 LF OF PILE
SUPPORTED VINYL
BULKHEAD WITH (2) 60
LF RETURN WALLS

PROPOSED SITE
IMPROVEMENTS



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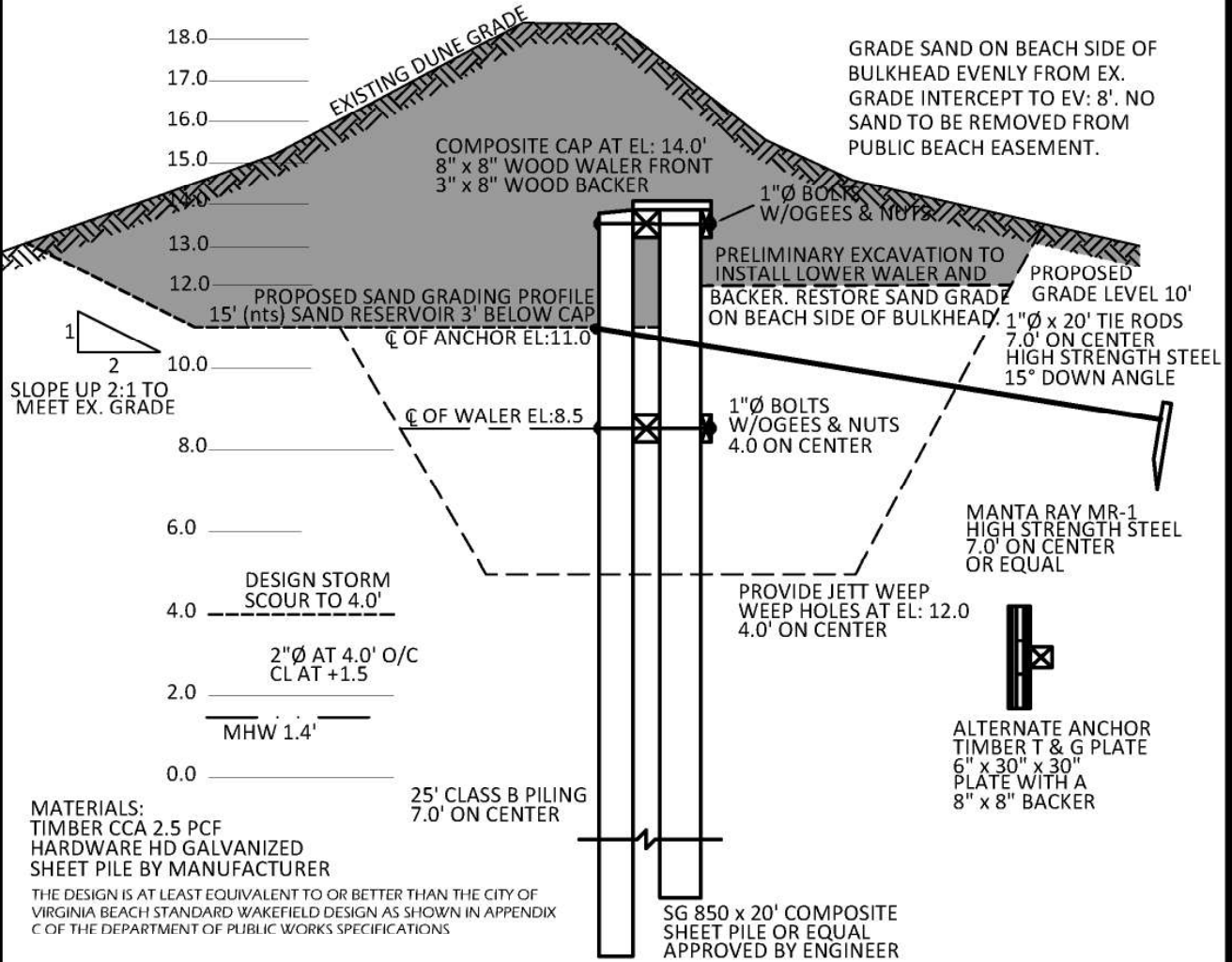
PURPOSE: STORM PROTECTION
DATUM: NAVD 88
APOS:
1. DONNA A. MOONEY
2. KYSER LIVING TRUST

WCI WATERFRONT
CONSULTING, INC.
2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302
ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: BULKHEAD
IN: ATLANTIC OCEAN
AT: 3548 SANDFIDDLER ROAD
VIRGINIA BEACH, VA 23456
APPLICATION BY:
3548 SANDFIDDLER LLC

SHEET: 2 OF 6
DATE: MAY 31, 2023

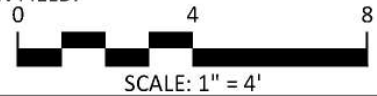
PROPOSED BULKHEAD CROSS SECTION



MATERIALS:
 TIMBER CCA 2.5 PCF
 HARDWARE HD GALVANIZED
 SHEET PILE BY MANUFACTURER

THE DESIGN IS AT LEAST EQUIVALENT TO OR BETTER THAN THE CITY OF VIRGINIA BEACH STANDARD WAKEFIELD DESIGN AS SHOWN IN APPENDIX C OF THE DEPARTMENT OF PUBLIC WORKS SPECIFICATIONS

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: STORM PROTECTION
 DATUM: NAVD 88
 APOS:
 1. DONNA A. MOONEY
 2. KYSER LIVING TRUST



WATERFRONT CONSULTING, INC.

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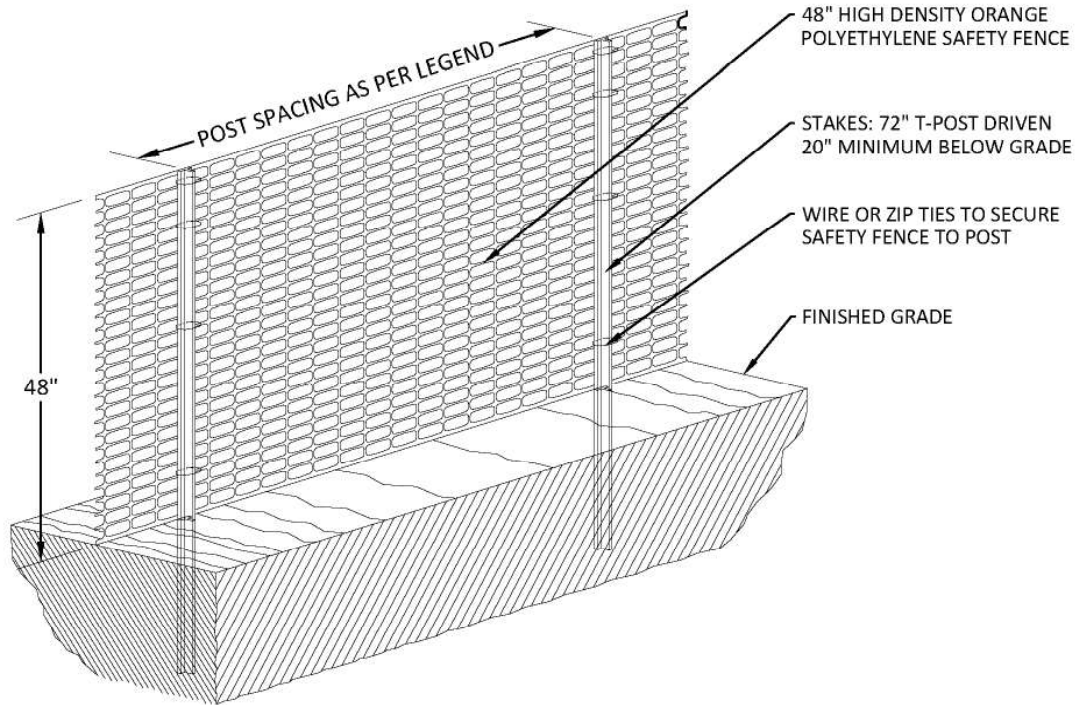
ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117

PROPOSED: BULKHEAD
 IN: ATLANTIC OCEAN
 AT: 3548 SANDFIDDLER ROAD
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

SHEET: 3 OF 6
 DATE: MAY 31, 2023

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: STORM PROTECTION
 DATUM: NAVD 88
 APOS:
 1. DONNA A. MOONEY
 2. KYSER LIVING TRUST



**WATERFRONT
 CONSULTING, INC.**

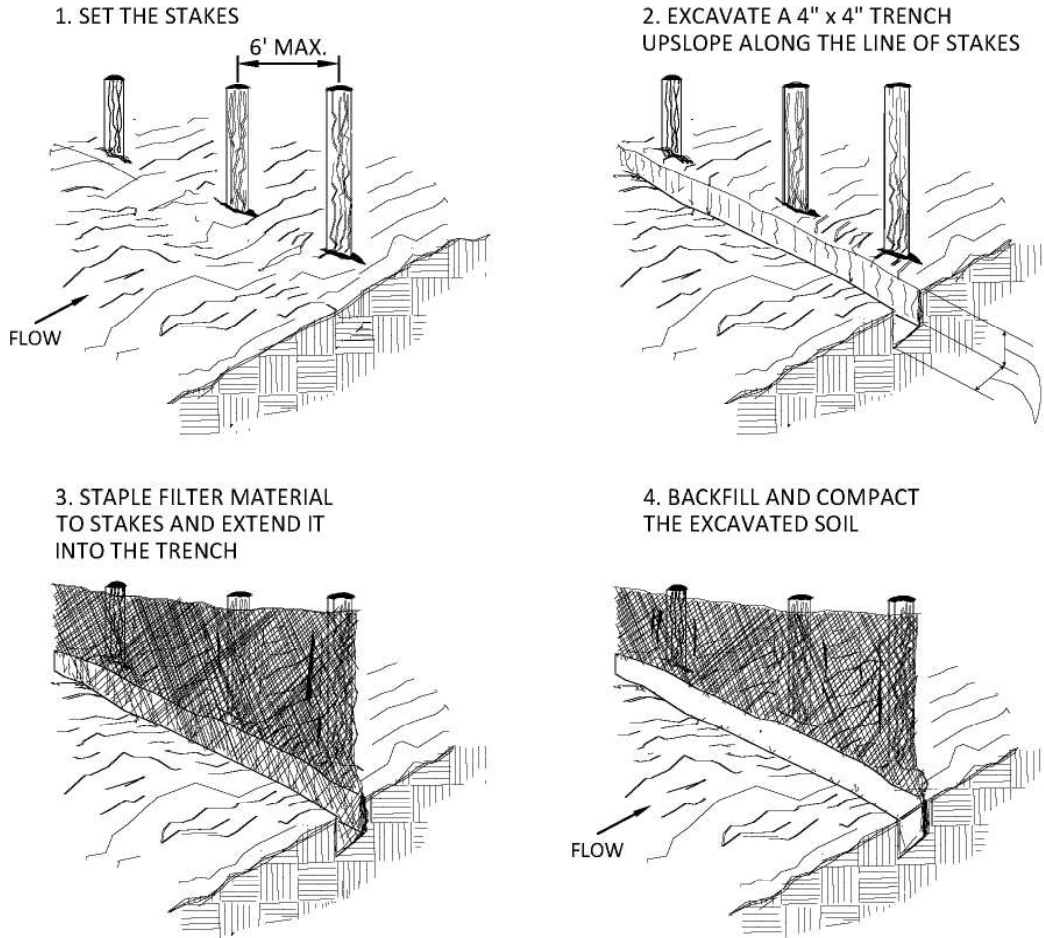
2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: BULKHEAD
 IN: ATLANTIC OCEAN
 AT: 3548 SANDFIDDLER ROAD
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

SHEET: 4 OF 6
 DATE: MAY 31, 2023

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



SHEET FLOW INSTALLATION (PERSPECTIVE VIEW)

SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant PLATE 3.05-2

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PURPOSE: STORM PROTECTION
 DATUM: NAVD 88
 APOS:
 1. DONNA A. MOONEY
 2. KYSER LIVING TRUST



**WATERFRONT
CONSULTING, INC.**

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117

PROPOSED: BULKHEAD
 IN: ATLANTIC OCEAN
 AT: 3548 SANDFIDDLER ROAD
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

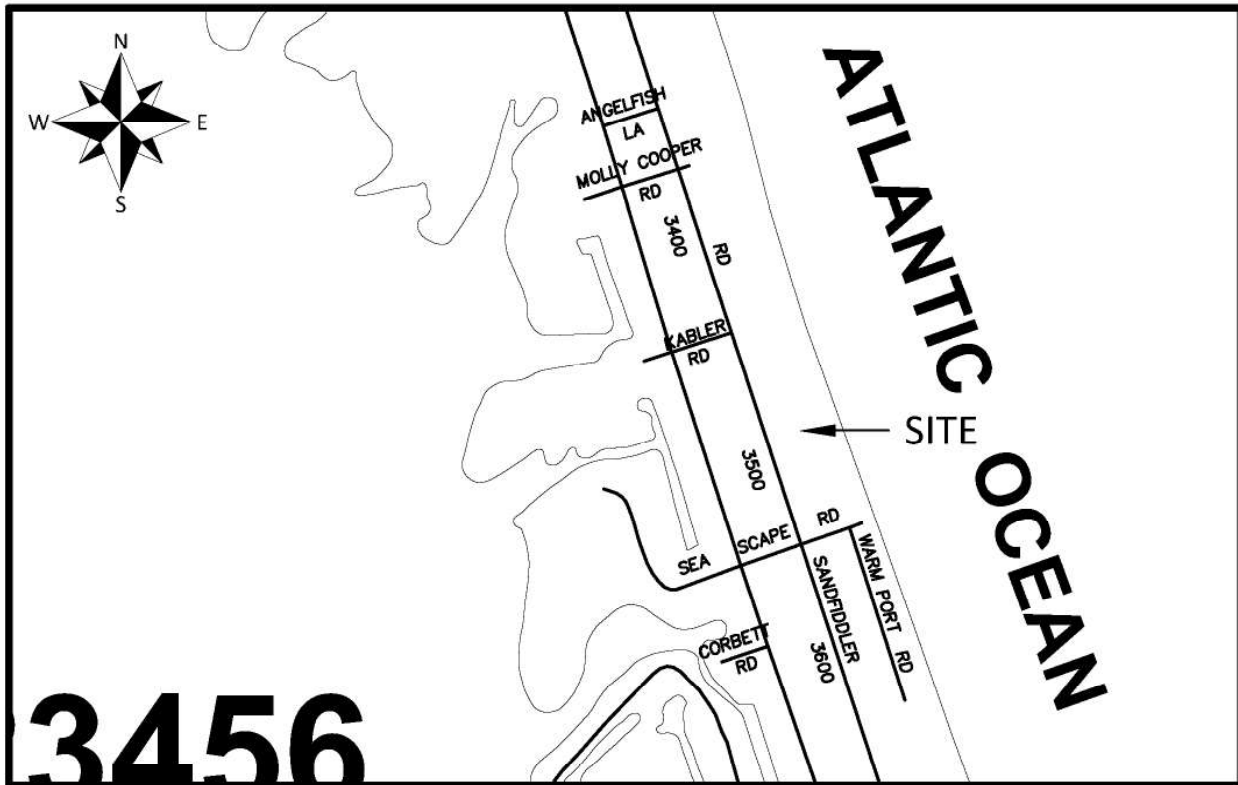
SHEET: 5 OF 6
 DATE: MAY 31, 2023

SITE INFORMATION

LEGAL DESCRIPTION: **LOT 25, SECTION 2, TRACT D, SANDBRIDGE BEACH**
 REFERENCE: **MAP BOOK 67, PAGE 50**, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
 GPIN: **2432-75-0908**
 ZONING: **R-20 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: STORM PROTECTION
 DATUM: NAVD 88
 APOS:
 1. DONNA A. MOONEY
 2. KYSER LIVING TRUST



WATERFRONT CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: BULKHEAD
 IN: ATLANTIC OCEAN
 AT: 3548 SANDFIDDLER ROAD
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

SHEET: 6 OF 6
 DATE: MAY 31, 2023

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

Building permit #: _____ DSC Plan # : _____

Location: 3548 Sandfiddler Road GPIN: 2432-75-0908

Watershed: Albemarle HUC: 03010205

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:

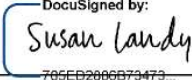
Select all that apply	Stormwater Management Control	Estimated installation date	Responsible party
	Post-development Stormwater Management controls provided by a Larger Common Plan of Development or Sale	NA	Common Plan Construction Activity Operator
	Rooftop Disconnection		Construction Activity Operator
	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: 3548 Sandfiddler LLC

Signature of Permittee: _____ Print Name: _____

Date: _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Donna A. Mooney
3544 Sandfiddler Road
Virginia Beach, VA 23456

RE: Proposed Bulkhead
Located at: 3548 Sandfiddler Road, Virginia Beach, VA 23456

Dear Donna A. Mooney

This letter is to notify you that your neighbor(s), 3548 Sandfiddler LLC 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: 3548 Sandfiddler LLC , Applicant

Office: (757) 425-8244
2589 Quality Court, Ste. 323

Mobile: (757) 619-7302

bob@waterfrontconsulting.net
Virginia Beach, VA 23454

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Donna A. Mooney, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of 3548 Sandfiddler LLC.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated May 31, 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.



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Kyser Living Trust
3254 Orchard Glen Court
Herndon, VA 20171

RE: Proposed Bulkhead
Located at: 3548 Sandfiddler Road, Virginia Beach, VA 23456

Dear Kyser Living Trust

This letter is to notify you that your neighbor(s), 3548 Sandfiddler LLC 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.

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Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: 3548 Sandfiddler LLC , Applicant

Office: (757) 425-8244
2589 Quality Court, Ste. 323

Mobile: (757) 619-7302

bob@waterfrontconsulting.net
Virginia Beach, VA 23454

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

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from/on the same cove as) the land of 3548 Sandfiddler LLC.
(Print applicant's name(s))

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(Date)

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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

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2. 2023-WTRA-00170

City of Virginia Beach, Dept. of Public Works, et al. (Harbor Point SSD Dredge)
[Applicant & Owner]

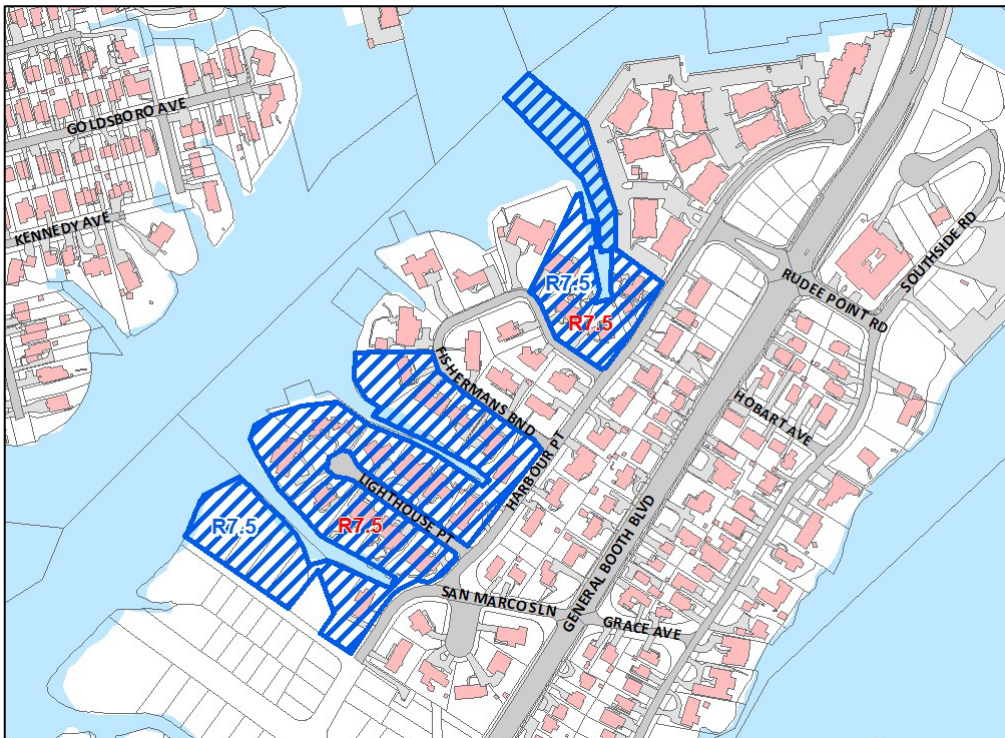
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City Council District: District 5

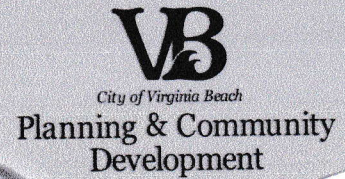
Waterway – Lake Rudee

Subdivision – Harbour Point

Request: To maintenance dredge involving wetlands.



Disclosure Statement Harbour Point SSD Dredging Project



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 JEFF SCHWOEPPE

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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

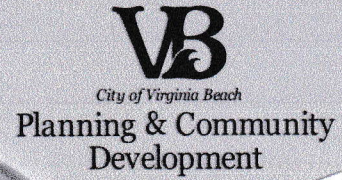
- If yes, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

- 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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

JEFF SCHWEPPE

Print Name and Title

04 AUG 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	

Disclosure Statement

Harbour Point SSD Dredging Project



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 Diana Schwoepe REVOCABLE TRUST

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

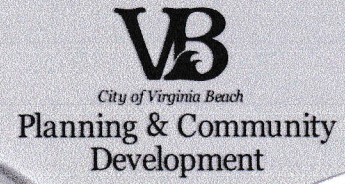
DIANA SCHWOEPE

- If yes, list the businesses that have a parent-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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-sub subsidiary 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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Diana Schworpe
Applicant Signature

DIANA SCHWORPE
Print Name and Title

8/4/23
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	

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Michael T. Darden

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

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Trent Darden

Applicant Signature

Michael T. Darden

Print Name and Title

8/9/2023

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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Cynthia Sabol

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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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 providing the service.

Valon Mortgage

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Cynthia Sabol

Applicant Signature

Cynthia Sabol ERP & CFO

Print Name and Title

8/7/23

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	

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Irving and Mavis Smith

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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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 providing the service.

Amerihome Mortgage

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

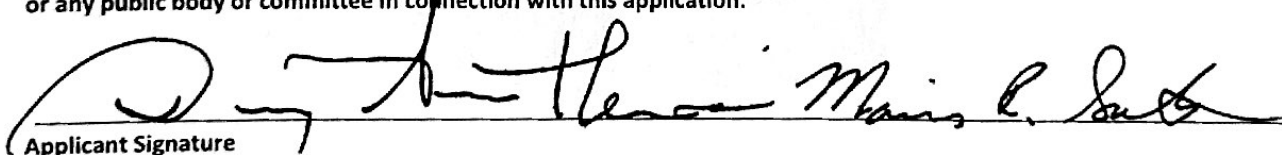
7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No
- If **yes**, identify the firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.


Applicant Signature

Print Name and Title

Irving and Mavis Smith

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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name ROBERT F. PHILLIPS JR. CAITIE M. PHILLIPS

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.
Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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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 providing the service.

Shellpoint Mortgage Servicing

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 company and individual providing the service.

Momentum Real - Laurie Phillips, Realtor/owner of property 512 Lighthouse Pt Estate, LLC

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.



Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

 Applicant Signature Robert Phillips Jr. Print Name and Title 8/2/23 Date	 Laurie M Phillips Print Name and Title 8/2/23 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	

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name _____

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

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and individual providing the service.
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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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

Brad and Amy Beach

Print Name and Title

Brad and Amy Beach

Date 8/23/23

- 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	

Disclosure Statement Harbour Point SSD Dredging Project



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 JOHN AND BARBARA DAVEY

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 providing the service.

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 company and individual providing the service.

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

John M Davey

Applicant Signature

JOHN M DAVEY

Print Name and Title

AUGUST 8, 2023

Date

Barbara L Davey

BARBARA L. DAVEY

- 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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name JOHN AND BARBARA DAVEY

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 providing the service.

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 company and individual providing the service.

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

John M Davey

Applicant Signature

JOHN M DAVEY

Print Name and Title

AUGUST 8, 2023

Date

Barbara L Davey

BARBARA L. DAVEY

- 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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name James L. Murchison

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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-sub subsidiary 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.

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

James L Marchesani

Applicant Signature

JAMES L MARCHESANI

Print Name and Title

7-31-23

Date

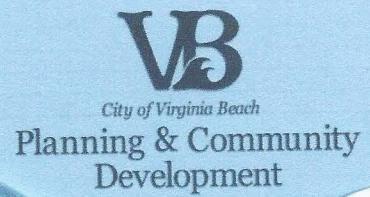
- Is the applicant also the owner of the subject property? Yes No

- 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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Joe Micucci

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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-subsidary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsidary 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-subsidary 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.

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 providing the service.

CHASE

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Applicant Signature 

Print Name and Title

Joseph Micucci

Date 8/1/2023

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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Jason J Hamill Revocable Trust

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

Jason J Hamill Revocable Trust - I am the grantor and the beneficiary of the Trust

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

N/A

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 providing the service.

TD Bank

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.


Applicant Signature

Jason J Hamill Revocable Trust - Jason J Hamill

Print Name and Title

8-1-2023

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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name WILLIAM T. WALKER, JR.

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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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 providing the service.

Compulink Corporation, 14002 E. 21ST Street, Suite 300, Tulsa, OK, 74134-1421

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 company and individual providing the service.

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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Applicant Signature

William T. Walker, Jr.

Print Name and Title

August 19, 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	

Disclosure Statement

Harbour Point SSD Dredging Project



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 W.W. Realty Associates, LLC

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

Frank T. Williams - member

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

See Attached

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.

ENTITY

BATTEN WILLIAMS FARM LLC

CARLSON & WILLIAMS HOMES, LLC

CHESAPEAKE GRAIN COMPANY, INC.

CURRITUCK GRAIN INCORPORATED
MOYOCK & SHAWBORO

CURRITUCK F & W LAND CO., LLC

DEAL PROPERTY, LLC

F. T. W. & SONS FARMS, L.P.

FRANK T. WILLIAMS FARMS

FRANK T. WILLIAMS FARMS, INC.

GRAIN DEPOT, INC.

JOHNSTOWN FARM LLC

K & W FARMS, L.L.C.

MOYOCK FARMS ASSOCIATES, INC.

OCEAN AIRCRAFT, LTD

PUNGO FERRY LANDING INC.

SAWYER FARM INC.

W. W. REALTY ASSOCIATES, LLC

WILLIAMS DEVELOPMENT COMPANY, LLC

WILLIAMS FARMS OF NORTH CAROLINA INC

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

WW REALTY ASSOCIATES LLC FRANK J WILLIAMS MANAGING MEMBER
504 FISHERMENS BEACH

Applicant Signature

FRANK J WILLIAMS MANAGING MEMBER * Frank T Williams

Print Name and Title

AUGUST 16, 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	

Disclosure Statement

Harbour Point SSD Dredging Project



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 Enrique Tomeu

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Applicant Signature

Enrique Tomeu

Print Name and Title

July 31, 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	

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Anchor Rentals, LLC

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

Robert Winbauer

Jessica Winbauer

- If yes, list the businesses that have a parent-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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-sub subsidiary 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



City of Virginia Beach

Planning & Community
Development

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Jessica Winbauer

Applicant Signature

Jessica Winbauer, owner

Print Name and Title

8/28/23

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	

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Gregory V. Gaston

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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



City of Virginia Beach

Planning & Community
Development

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 providing the service.

United Wholesale Mortgage (Ewing, NJ)

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 company and individual providing the service.
-

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 and 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 and 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



City of Virginia Beach

Planning & Community
Development

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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

Gregory V. Gaston

Print Name and Title

8/15/2023

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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name KEVIN K. BARNEY + KAREN G. BARNEY - Harbour Pt. Dock #3

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

KEVIN K. BARNEY + KAREN G. BARNEY Living Trust

- 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.

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

K. K. Barney + Karen G. Barney
Applicant Signature

KEVIN K. BARNEY + KAREN G. BARNEY - OWNERS
Print Name and Title

7/28/23
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	

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Todd Rowan

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Todd Rowan

Applicant Signature

Todd Rowan

Print Name and Title

August 15, 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	

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name JEAN P WRIGHT, TRUST

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

RICHARD W. WRIGHT, TRUSTEE

- 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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

Print Name and Title

Richard Wright (Owner)

Date 8-15-23

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	

Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name EDWIN TONY WILSON

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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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 (For Boat Slip #6)

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

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

Yes No (For Boat slip #6)

- If **yes**, identify the company and individual providing the service.
-

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 (For Boat Slip #6)

- If **yes**, identify the firm and 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 and 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



City of Virginia Beach
Planning & Community
Development

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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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Applicant Signature

EDWIN T. Wilson / SLIP OWNER
Print Name and Title

8/16/2023
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	
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Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Frank T. Williams

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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X Frank T Williams

411-201 HARBOUR POINT COORDS

Applicant Signature

Print Name and Title

FRANK WILLIAMS OWNER

Date AUGUST 16, 2023

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.

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<input type="checkbox"/>	No changes as of	Date	Signature	
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Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name Helen M Hicks

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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

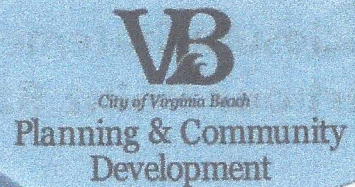
- If yes, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

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

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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 providing the service.
-

Penny Mac

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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Helen M. Hicks

Applicant Signature

Helen M. Hicks, owner

Print Name and Title

8/14/2023

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.

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

Disclosure Statement

Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name _____ Larry D. Lusk _____

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

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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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 providing the service.

Truist

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 company and individual providing the service.
-

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 and individual providing the service.

Patricia Carawan, CPA (Williamsburg)

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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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Larry D. Lusk

Applicant Signature

LARRY D. LUSK

Print Name and Title

Date

8/15/2023

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.

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<input type="checkbox"/>	No changes as of	Date	Signature	
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Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name JOHN and LISA OLVER

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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Disclosure Statement



Known Interest by Public Official or Employee

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- 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 providing the service.
-

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 company and individual providing the service.
-

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 and individual providing the service.
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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

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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.
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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
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Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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John Oliver Lisa Oliver
 Applicant Signature

JOHN OLIVER Lisa Oliver
 Print Name and Title

8/14/2023
 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.

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Disclosure Statement Harbour Point SSD Dredging Project



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Applicant Disclosure

Applicant Name DOROTHY C. DALAND

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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

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- 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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Dorothy C. Daland
 Applicant Signature

DOROTHY C. DALAND
 Print Name and Title

8/22/2023
 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	

Harbour Point SSD

Virginia Beach, Virginia

WSSI #32790.01

Individual Permit Application

July 21, 2023

Prepared by:



1008 Old Virginia Beach Road, Suite 200

Virginia Beach, VA 23451

Tel: 757-963-2008

www.wetlands.com

1008 Old Virginia Beach Road • Suite 200 • Virginia Beach, VA 23451 • Phone 757.963.2008 • www.wetlands.com

Received by VMRC July 25, 2023 /blh



July 25, 2023

Autumn Crawford
U. S. Army Corps of Engineers
803 Front Street
Norfolk, Virginia 23510

VIA VMRC Permit Inbox

Heaven Manning
Planning & Community Development
City of Virginia Beach LWB
2875 Sabre Street, Suite 500
Virginia Beach, Virginia 23452

Re: Joint Permit Application for LWB Individual Permit and
USACE Permit Modification
Harbour Point SSD Dredging Project (± 1.4 acres), Maintenance Dredging Round 1
Virginia Beach, Virginia
WSSI #32790.01

Dear Ms. Crawford and Ms. Manning:

This application is being provided at the request of the Harbour Point Special Service District (SSD) homeowners and the City of Virginia Beach for encroachment on subaqueous bottom, TNVW, and vegetated wetlands as part of the first round of maintenance dredging in Virginia Beach, Virginia. The permanent impact to 51,256 square feet (1.17 acres) of subaqueous bottom, 3,220 square feet (0.07 acres) of TNVW, and 120 square feet (0.003 ac) of tidal vegetated wetland is proposed as part of this project. The project obtained authorization for the initial round of dredging from the USACE (NAO-2015-2184) on April 27, 2016 with a modification approved on January 23, 2017 and from the LWB March 21, 2016 (2015-WTRA-00037). The LWB permit was extended twice and most recently expired in March 2018 and the USACE permit will expire on April 27, 2026. VMRC confirmed that the project is located in a non-jurisdictional waterway and therefore a permit from the VMRC is not required. The City is moving forward with the first round of maintenance dredging (Year 9 of 16) and therefore we are requesting reauthorization of the expired LWB permit and a permit modification from the USACE to include minor project changes.

The following information will allow you to process this request:

Applicant

City of Virginia Beach Dept of Public Works
484 Viking Drive, Suite 201
Virginia Beach, VA 23452
Attn: Rommel Tamayo
Phone: (757) 385-4131
Email: RTamayo@vbgov.com

Agent

Wetland Studies and Solutions, Inc.
1008 Old Virginia Beach Road, Suite 200
Virginia Beach, VA 23451
Attn: Karen Dodson
Phone: (703) 217-7691
Email: kdodson@wetlands.com

1008 Old Virginia Beach • Suite 200 • Virginia Beach, VA 23451 • Phone 757-963-2008 • www.wetlands.com



Received by VMRC July 25, 2023 /blh

Project Location

The proposed project is located in the Harbour Point neighborhood west of Harbour Point and east of Lake Rudee in Virginia Beach, Virginia. A vicinity map of the location and boundary of the proposed project area is enclosed within Exhibit 2. The centroid location of the proposed project is located approximately at latitude 36.827964 N, and longitude - 75.977089 W.

Wetland Delineation

The MLW line has been determined by survey and is shown in the permit drawings (Appendix B). According to the National Wetlands Inventory (NWI) mapping, the subject Waters of the U. S. (WOUS) are estuarine, subtidal, unconsolidated bottom, (E1UBL) as defined by the U.S. Fish and Wildlife Service (USFWS) *Classification of Wetlands and Deep-water Habitats of the United States (Cowardin 1979)*. Non-vegetated intertidal wetlands (TNVW) and vegetated tidal wetlands are also present in the project area. The subject WOUS are surrounded by residential development to the east and undeveloped land to the south.

Project Description

At the request of the Harbour Point waterfront homeowners, the City of Virginia Beach has developed a partnership between the City and waterfront homeowners to create a Special Service District (SSD) to carry out a neighborhood dredging project to allow residents to recapture their access to navigable channels in Lake Rudee and to attenuate siltation.

The Harbour Point SSD was initially dredged in 2017. This application is for the first round of maintenance dredging associated with the original project. The dredging footprints of this application are consistent with those previously permitted with six exceptions. The properties identified as HP22, HP26, HP27, HP28, HP29, and HP41 are new to this application. Property owner information is included in Exhibit 3.

The proposed Harbour Point SSD Dredging Project is composed of two distinct types of channels: the neighborhood SSD channel providing access to Lake Rudee; and the individual access basin channels which provide access to individual properties. No dredging is proposed in the City SSD Channel as part of this application. In addition to the current dredging, the Harbour Point SSD Dredging Project proposes an additional maintenance dredging event in seven years during Year 16 of the overall dredging cycle.

The Harbour Point SSD program includes 46 waterfront property owners. Three SSD spur channels are proposed to be dredged. The proposed dimensions of the SSD channels, which remain unchanged from the initial permit, are described in Table 1 below.

Table 1: Proposed dimensions of the SSD Dredging Project channels

Channel	Length (ft)	Depth (ft)*	Bottom Width (ft)
SSD Channel 1	600	-4.0	20
SSD Channel 2	600	-4.0	20
SSD Channel 3	556	-4.0	20

*does not include 0.5 ft for allowable overdredging

The proposed 4,365 linear feet of Neighborhood SSD channels will have a dredge depth of four feet (+0.5' allowable overdredge) below MLW with a maximum bottom width of 20 feet.

The proposed designs for dredging the individual access basins vary depending on existing water depth, distance to connect to the neighborhood channel, and the size and geometry of the turning basin to accommodate individual homeowner boat sizes, and boat lifts. Typical sections are provided on Sheet HP6 (Exhibit 3). A total of 25 individual access basins will be dredged as a part of this project. All piers depicted on the permit drawings are existing.

Avoidance, Minimization, and Unavoidable Impacts

The applicant has designed the dredging to avoid and minimize impacts to tidal vegetated and non-vegetated wetlands within the project area. The dredge footprint is within the boundary of the previously permitted dredge areas except for the addition of properties HP22, HP26, HP27, HP 28, HP29, and HP41. The proposed design depicts the minimum area of impacts to vegetated, TNVW and subaqueous bottom necessary to provide safe navigability to the homeowners within the Harbour Point SSD.

SSD Channels

The overall widths of the SSDs channel reduce as they move toward the upstream ends. This reduction in dredging width eliminates impacts to vegetated wetlands and reduces tidal non-vegetated wetlands as the natural channel narrows and wetlands increase towards the upstream ends.

Individual Access Basins

The project engineer, Langley & McDonald, worked with each homeowner to design twenty-five individual access basins which limited encroachment to wetlands. Permits for any homeowner's proposed pier structures and boatlifts are not being requested as part of this application and must be secured separately by the homeowners.

Changes from the current USACE permit consist of the addition of six properties: HP22, HP26, HP27, HP28, HP29. These changes propose additional total impacts to 2,427 square feet of subaqueous bottom and 364 square feet of TNVW.

No dredging is currently proposed for HP41 but is included in case the slip fills in prior to dredging commencing. All appropriate authorizations will be obtained should dredging become required in this area.

Proposed Dredge Material Management Plan

The channel dredging will be accomplished by utilizing a hydraulic dredge, with the dredge material being piped and deposited within the Lake Rudee dredge disposal area. This dredge disposal area was created for the purpose of depositing dredging material from projects within the Lake Rudee drainage area. The floating portion of the pipeline will be placed to avoid impacts to vegetated wetlands. The submerged pipeline will be secured to the bottom with solid concrete blocks. A minimum clearance over the pipeline will be seven feet to allow for continued navigability of the area. A baffle screen and turbidity curtain will be used at the discharge point to protect water quality.

Compensatory Mitigation

There is no proposed encroachment to vegetated wetlands outside of the existing USACE permit limits. All impacts to non-vegetated wetlands are located within the limits of current USACE permit except for 364 square feet (0.008 ac) of TNVW impacts associated with the addition of properties of HP22, HP26, HP27. These impacts are proposed to be mitigated at a 1:1 ratio with the purchase of 0.008 tidal wetland credits from the Virginia Aquatic Resources Trust Fund or an approved mitigation bank. A table listing the impact areas and proposed mitigation for these added properties is included in Exhibit 4a

Non-vegetated wetland impacts located on private property under the LWB jurisdiction total 371 square feet and are detailed in Exhibit 4b. These impacts are proposed to be mitigated at a 0.5:1 ratio totaling 0.004 tidal wetland credits. The total credits proposed to be purchased for the USACE impacts (discussed above) are in excess of this amount, therefore no additional mitigation is proposed to be purchased for this impact beyond the 0.008 credits noted above.

Other Related Issues

Endangered and Threatened Species

WSSI conducted a search of the Virginia Department of Wildlife Resources (DWR) Fish and Wildlife Information Service (FWIS) database on June 22, 2023 to determine if DWR has records of any endangered or threatened species (ETS) within a 2-mile radius of the referenced project area. The results of the database search indicate the federally and state endangered Kemp's ridley sea turtle (*Lepidochelys kempii*), the federally and state endangered roseate turn (*Sterna dougallii dougallii*), the federally and state threatened loggerhead sea turtle (*Caretta caretta*), the federally threatened and state endangered West Indian manatee (*Trichechus manatus*), the federally proposed endangered and state endangered tri-color bat (*Perimyotis subflavus*), and the state threatened peregrine falcon

(*Falco peregrinus*) have all been documented within a two-mile radius of the project area. A copy of this is provided within Exhibit 5A.

In addition, WSSI reviewed the U.S. Fish and Wildlife Service (FWS) Information Planning and Consultation (IPaC) system report on June 22, 2023 for potential federally-listed ETS within the project area. The FWS IPaC system indicates that candidate species the monarch butterfly (*Danaus plexippus*) could potentially occur within the project vicinity. A copy of the FWS IPaC database search is also enclosed within Exhibit 5B.

The Kemp's ridley sea turtle, loggerhead sea turtle, and West Indian Manatee have been documented within the vicinity of the project. Most of these documentations are located within the open water of the Atlantic Ocean. Some of these species have been documented within Lake Rudee which is an area subject to high recreational boat traffic. While suitable habitat for these species is present within the project area, adverse effects to these species are not anticipated as they are mobile and easily able to relocate to another portion of the waterway should they be present in the project vicinity during dredging.

The roseate turn occupies sandy beaches and dunes, none of which are located within the project area. Therefore, no suitable habitat is present and no effects to this species are anticipated.

The tri-color bat utilizes trees for roosting and breeding. As there are no trees within the project area, no suitable habitat is present therefore no adverse effects to this species are anticipated.

Suitable habitat for the monarch butterfly is not present within this project area. The project takes place entirely in the water therefore no effects to this species are anticipated.

Thus, to the best of our knowledge, the proposed project complies with both the federal and state Endangered Species Acts, and no state or federally listed species are expected to be adversely impacted by the proposed project.

Historic Properties

Exhibit 6 depicts the Virginia Department of Historic Resources (DHR) Architectural Resources and Archeological Sites Map. This map indicates that there are no archaeological or architectural resources located within the project footprint therefore no adverse effects to these types of resources are anticipated.

Conclusion

Proposed impacts associated with the Harbour Point SSD project consist of dredging impacts to 51,256 square feet (1.17 acres) of subaqueous bottom, 3,220 square feet (0.07 acres) of TNVW, and 120 square feet (0.003 ac) of tidal vegetated wetlands. To our knowledge, no state- or federally-listed species are anticipated to be adversely impacted by the proposed project and no historic

Autumn Crawford & Heaven Manning
July 25, 2023
WSSI #28737.02
Page 6

properties listed, or eligible for listing, on the NRHP will be adversely impacted. The purchase on 0.008 credits is proposed to compensate for unavoidable impacts.

On behalf of the Applicant, the City of Virginia Beach, we request authorization for the proposed impacts. Please contact me at kdodson@wetlands.com; (703) 217-7691 or Curtis Hickman at chickman@wetlands.com (757) 386-4112 if you have any questions or require additional information to complete your review of this request for authorization. Thank you in advance for your attention to this matter.

Sincerely,

WETLAND STUDIES AND SOLUTIONS, INC.



Karen Dodson, PWD, CE
Senior Environmental Scientist



Curtis Hickman
Project Manager

Enclosures

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Harbour Point SSD

Virginia Beach, Virginia

Joint Permit Application

INDEX TO EXHIBITS

- 1 *Joint Permit Application Form*
- 2 *Vicinity Map*
- 3 *Plans as Applicable to Impacts to Waters of the U.S.*
- 4 *Impact Summary Tables & Mitigation*
- 5 *Endangered and Threatened Species (ETS) Information and Related Correspondence*
- 6 *Historic Resources Information*

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Exhibit 1
Joint Permit Application Form

FOR AGENCY USE ONLY

	Notes:
JPA# 23-1724	

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 1/2 x 11 inch sheets of paper.**

Check all that apply			
<input type="checkbox"/> Pre-Construction Notification (PCN)	<input type="checkbox"/> SPGP	<input type="checkbox"/> DEQ Reapplication Existing permit number: _____	<input type="checkbox"/> Receiving federal funds Agency providing funding: _____
<input type="checkbox"/> NWP # _____			
<input type="checkbox"/> RP # 05 <i>(For NWP's & RP 05 ONLY - No DEQ-VWP permit writer will be assigned)</i>			
<input type="checkbox"/> Regional Permit 17 Checklist (RP-17)			

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
LWB	Permit	2015-WTRA-00037	March 2016	
USACE	Individual Permit	NAO-2015-2184	4/27/16 & 1/23/2017 (mod)	

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) City of Virginia Beach Public Works, Rommel Tamayo				Agent (if applicable) Wetland Studies and Solutions Inc, Karen Dodson			
Mailing address 484 Viking Drive, Suite 201				Mailing address 1008 Old Virginia Beach Road, Suite 200			
City Virginia Beach		State VA	ZIP Code 23452	City Virginia Beach		State VA	ZIP Code 23451
Phone number w/area code 757-385-4131		Fax		Phone number w/area code		Fax	
Mobile		E-mail RTamayo@vbgov.com		Mobile 703-217-7691		E-mail kdodson@wetlands.com	
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: kdodson@wetlands.com

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)

Property owner(s) legal name, if different from applicant See attached Exhibit 3			Contractor, if known		
Mailing address			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)	City/County/ZIP Code Virginia Beach
Subdivision Harbour Point	Lot/Block/Parcel #
Name of water body(ies) within project boundaries and drainage area (acres or square miles). Lake Rudee	
Tributary(ies) to: <u>Atlantic Ocean</u> Basin: <u>Chesapeake Bay Coastal</u> Sub-basin: <u>Rudee Inlet</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.): _____	
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>36.827964</u> / <u>-75.977089</u> (Example: 37.33164/-77.68200)	
USGS topographic map name: <u>Virginia Beach</u>	
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): <u>02040304</u> If known, indicate the 10-digit and 12-digit USGS HUCs (see http://consapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm): <u>0204030405</u> <u>020403040501</u>	
Name of your project (Example: <i>Water Creek driveway crossing</i>) <u>Harbour Point SSD</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>~1.4</u>	

2. PROJECT LOCATION INFORMATION (Continued)

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

See attached narrative

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

Date of proposed commencement of work (MM/DD/YYYY)

Sept 2023

Date of proposed completion of work (MM/DD/YYYY)

June 2024

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

Has any work commenced or has any portion of the project for which you are seeking a permit been completed? Yes 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.

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

4. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ _____
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): \$ _____

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. Per Army Regulation (AR 25-51) outgoing correspondence must be addressed to a person or business.

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
See attached				

Name of newspaper having general circulation in the area of the project: Virginia Pilot
Address and phone number (including area code) of newspaper 5429 Greenwich Road, Virginia Beach, VA 23465 757-446-2848

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: _____

7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?
 ___ Yes ___ No x 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 X 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)	See attached				
Latitude / Longitude (in decimal degrees)					
Wetland/waters impact area (square feet / acres)					
Dune/beach impact area (square feet)					
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)					
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)					

8. WETLANDS/WATERS IMPACT INFORMATION (Continued)

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>					
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)					
Contributing drainage area in acres or square miles (<i>VMRC cannot complete review without this information</i>)					
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 https://law.lis.virginia.gov					
<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? Yes No

Legal name & title of Applicant Rommel Tamayo, City of Virginia Beach Public Works	Second applicant's legal name & title, if applicable
Applicant's signature Rommel B. Tamayo <small>Digitally signed by Rommel B. Tamayo DN: cn=Rommel B. Tamayo, o=Coastal Engineering, ou=Public Works, email=rtamayo@vbgov.com, c=US Date: 2023.07.25 14:02:28 -0400'</small>	Second applicant's signature
Date July 25, 2023	Date
Property owner's legal name, if different from Applicant See Attached	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), City of Virginia Beach, Rommel Tamayo (and) See Attached,
 APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant
 hereby certify that I (we) have authorized Wetland Studies and Solutions (and) c/o Karen Dodson
 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 Rommel B. Tamayo <small>Digitally signed by Rommel B. Tamayo DN: cn=Rommel B. Tamayo, o=Coastal Engineering, ou=Public Works, email=rtamayo@vbgov.com, c=US Date: 2023.07.25 14:04:15 -0400'</small>	Second applicant's signature, if applicable
Date July 25, 2023	Date
Agent's signature and title <i>Karen Dodson</i> Sr. Environmental Scientist	Second agent's signature and title, if applicable
Date 7/25/2023	Date

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	0	0			9	120		
Non-vegetated wetlands	67	634			212	2,586		
Subaqueous land	429	4,932			2,555	46,324		
Totals	469	5,566			2,776	49,030		

Is this a one-time dredging event? Yes No If "no", how many dredging cycles are anticipated: 2 (1 additional round of maintenance dredging)
 (3,300 initial cycle in cu. yds.) (3,000 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).

Approximately 20% Sand and 80% Fines

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.

See attached narrative

Will the dredged material be used for any commercial purpose or beneficial use? Yes No

If yes, please explain:

N/A

If this is a maintenance dredging project, what was the date that the dredging was last performed? 2017

Permit number of original permit: NAO-2015-2184 (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: _____ Date permit issued: _____

Contributing drainage area: _____ square miles	Average stream flow at site (flow rate under normal rainfall conditions): <u>N/A</u> _____ 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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

APPENDIX C

Chesapeake Bay Preservation Act Information

Please answer the following questions to determine if your project is subject to the requirements of the Bay Act Regulations:

1. Is your project located within Tidewater Virginia? Yes ___ No (See map on page 31) - If the answer is "no", the Bay Act requirements do not apply; if "yes", then please continue to question #2.
2. Please indicate if the project proposes to impact any of the following Resource Protection Area (RPA) features:
 - ___ Tidal wetlands,
 - ___ Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow,
 - ___ Tidal shores,
 - Other lands considered by the local government to meet the provisions of subsection A of 9VAC25-830-80 and to be necessary to protect the quality of state waters (contact the local government for specific information),
 - A buffer area not less than 100 feet in width located adjacent to and landward of the components listed above, and along both sides of any water body with perennial flow.

If the answer to question #1 was "yes" and any of the features listed under question #2 will be impacted, compliance with the Chesapeake Bay Preservation Area Designation and Management Regulations is required. **The Chesapeake Bay Preservation Area Designation and Management Regulations** are enforced through locally adopted ordinances based on the Chesapeake Bay Preservation Act (CBPA) program. Compliance with state and local CBPA requirements mandates the submission of a **Water Quality Impact Assessment (WQIA)** for the review and approval of the local government. Contact the appropriate local government office to determine if a WQIA is required for the proposed activity(ies).

The individual localities, not the DEQ, USACE, or the Local Wetlands Boards, are responsible for enforcing the CBPA requirements and, therefore, local permits for land disturbance are not issued through this JPA process. **Approval of this wetlands permit does not constitute compliance with the CBPA regulations nor does it guarantee that the local government will grant approval for encroachments into the RPA that may result from this project.**

Notes for all projects in RPAs

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

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

Notes for shoreline erosion control projects in RPAs

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

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

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

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

PROJECT LOCATION: Harbour Point Community

APPLICANT'S NAME: City of Virginia Beach

APPLICANT'S ADDRESS: 484 Viking Drive, #201

Virginia Beach, VA 23452

OWNER'S NAME
(IF DIFFERENT FROM APPLICANT): _____

- WITHIN THIRTY (30) DAYS AFTER 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.
- CERTIFICATION SHALL ALSO BE MADE THAT ANY SIGNS REQUIRED TO BE POSTED HAVE BEEN REMOVED.
- 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.

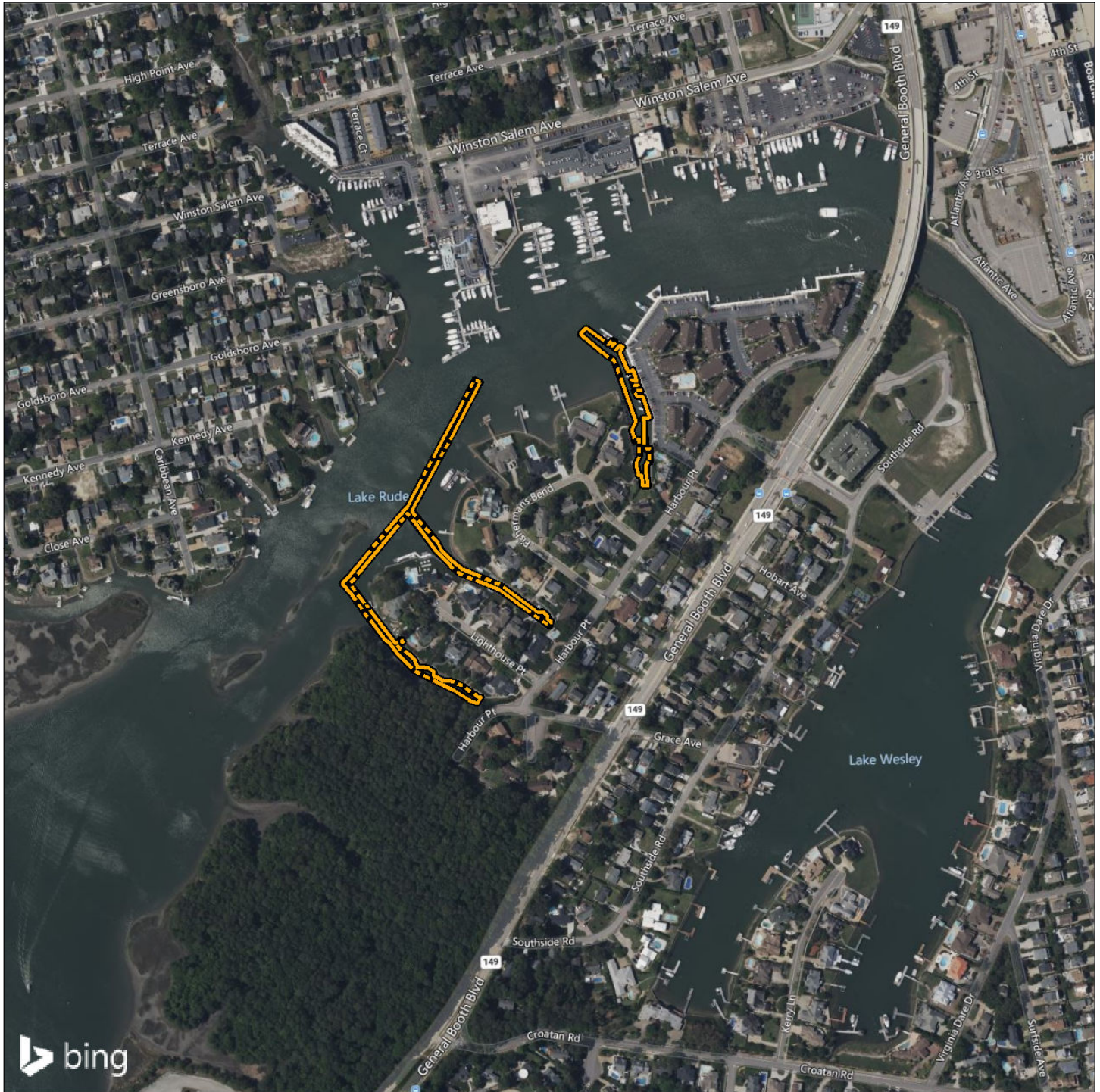
Tom B. Langley 8/29/23
SIGNATURE OF ENGINEER/SURVEYOR DATE
CERTIFYING CONSTRUCTION

Tom B. Langley, PE, LS
TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

SIGNATURE OF OWNER 9/5/23
DATE

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

Exhibit 2
Vicinity Map



 Project Area

Vicinity Map
Harbour Point SSD
WSSI #32790.01

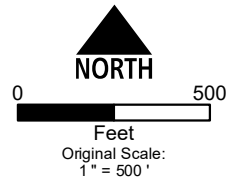


Exhibit 3
Project Plans



CITY OF VIRGINIA BEACH
 DEPARTMENT OF PUBLIC WORKS
 ENGINEERING

HARBOUR POINT SSD - CIP #8-504
 DREDGING PROJECTS
 BID NUMBER: PWCN-

INDEX OF SHEETS

1	COVER SHEET
HARBOUR POINT SSD DREDGING PROJECT	
HP1	2 SHEET INDEX AND CITY & SSD CHANNEL COORDINATES LAYOUT
HP2	3 CITY CHANNEL - LAYOUT PLAN STA. 100+00 TO STA. 108+40
HP3	4 CHANNEL C1 - LAYOUT PLAN STA. 10+00 TO STA. 16+15.56
HP4	5 CHANNEL C2 - LAYOUT PLAN STA. 20+00 TO STA. 26+20.78
HP5	6 CHANNEL C3 - LAYOUT PLAN STA. 30+00 TO STA. 36+02.43
SL6	7 DETAILS AND SECTIONS

Langley & McDonald, Inc

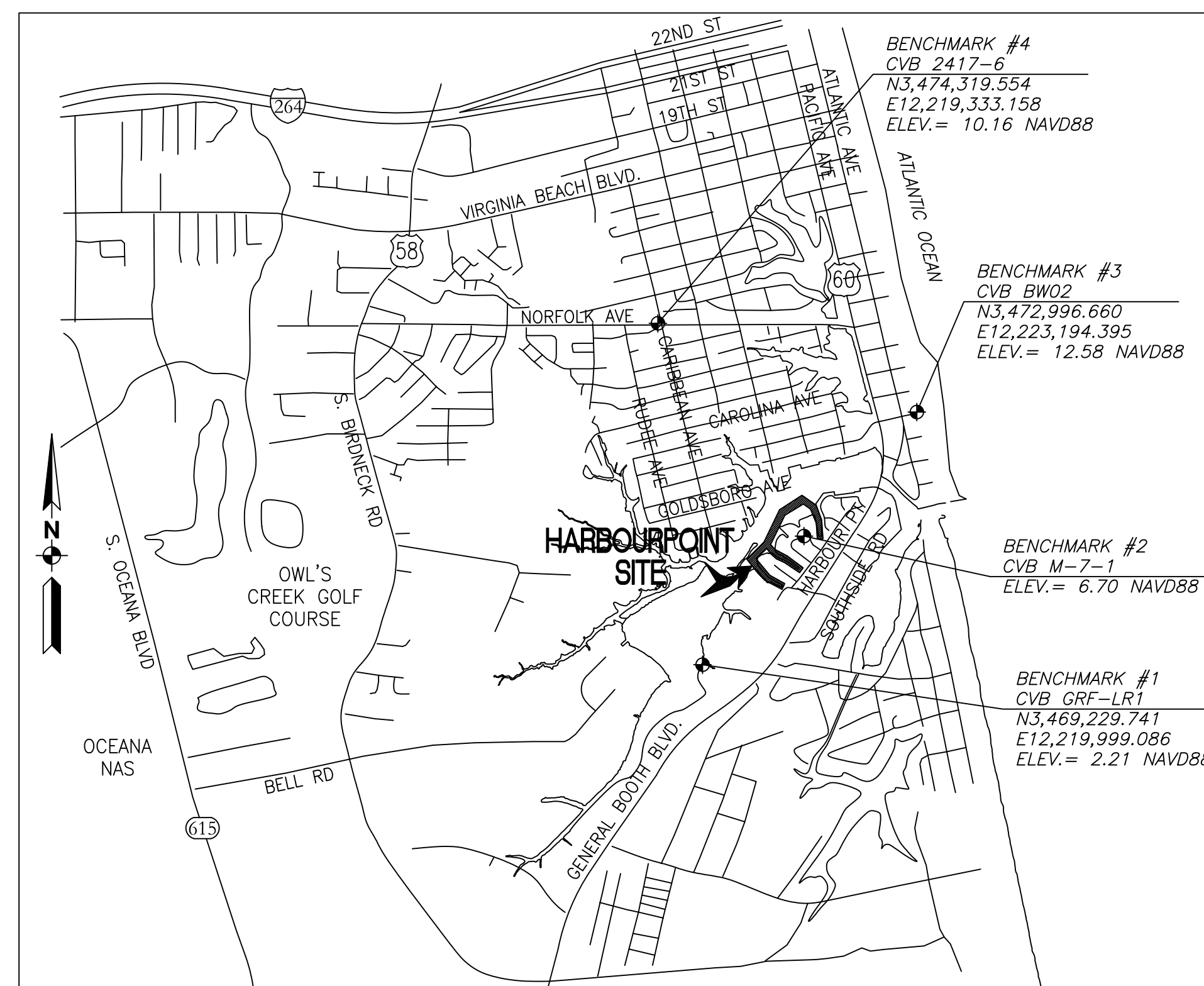
SURVEY NOTES

1. THIS SURVEY "HARBOUR POINT SSD DREDGING PROJECT CIP #8-504 PWCN-" WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF BATH ANNE G. CAMPBELL (VA LIS #003316) FROM AN ACTUAL GROUND SURVEY MADE UNDER MY DIRECT SUPERVISION; THAT THE ORIGINAL DATA WAS OBTAINED BETWEEN 04-16-23 AND 05-01-23 AND THAT THIS PLAN, MAP OR DIGITALLY PROVIDED GEOSPATIAL DATA, INCLUDING METADATA, MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
2. THE REFERENCE MERIDIAN IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983/1986. US SURVEY FEET. HORIZONTAL AND VERTICAL CONTROL ESTABLISHED VIA GPS "ONE-STEP" ON THE LEICA SMART-NET NETWORK USING CITY OF VIRGINIA BEACH CONTROL MONUMENTS PS118, 2417-6, BW02, M-7-1, GRF-LR1, AND 2416-1. VERTICAL DATUM WAS CONVERTED TO MLW WITH A DIFFERENCE OF (+2.14') USING THE DATUM CONVERSION INFORMATION PROVIDED ON CITY OF VIRGINIA BEACH PLANS FOR THE RUDEE LOOP AND HARBOUR WALK RENOVATIONS.
3. SOUNDINGS WERE OBTAINED WITH A SONARITE MILSPEC ECHO SOUNDER OPERATING AT 200 KHz. ADDITIONAL SUPPLEMENTAL DATA WAS COLLECTED WITH LEICA VIVA RTK GPS AND TOTAL STATIONS.
4. PROPERTY LINES INDICATED HEREON ARE BASED ON MINIMAL FOUND FIELD MONUMENTATION AS RELATED TO PLATS AND MAPS OF RECORD FOR PROPERTIES IN OR NEAR THE SURVEY AREA. IN SOME INSTANCES, CITY MAPPING HAS BEEN USED TO SUPPLEMENT MISSING OR AMBIGUOUS DATA.
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT FOR ALL PARCELS INDICATED HEREON.
6. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
7. THESE ELEVATIONS REPRESENT ONLY THE CONDITIONS AT THIS LOCATION AND ON THE DATE SHOWN AND DO NOT GUARANTEE THE CONDITION AT OTHER AREAS OR DATES SUBSEQUENT TO THIS SURVEY.

JULY 17, 2023

CITY SIGNATURE BLOCK




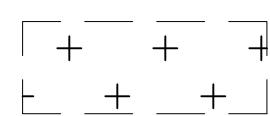

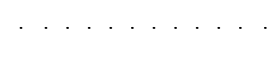
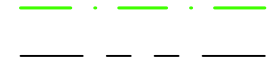



APPROVED _____	DATE _____
CITY ENGINEER	
APPROVED _____	DATE _____
DIRECTOR OF DEPARTMENT OF PUBLIC WORKS	
APPROVED _____	DATE _____
PUBLIC WORKS OPERATIONS ENGINEER	
APPROVED _____	DATE _____
REAL ESTATE	



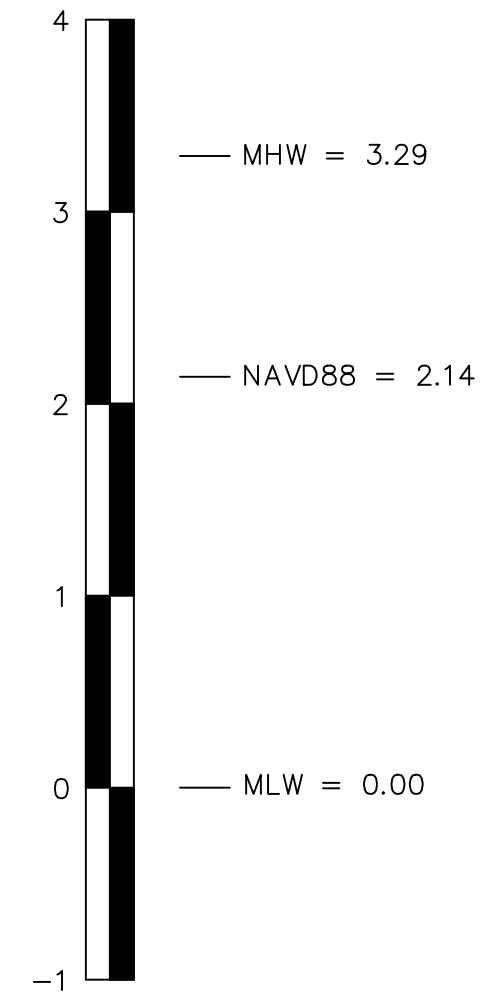
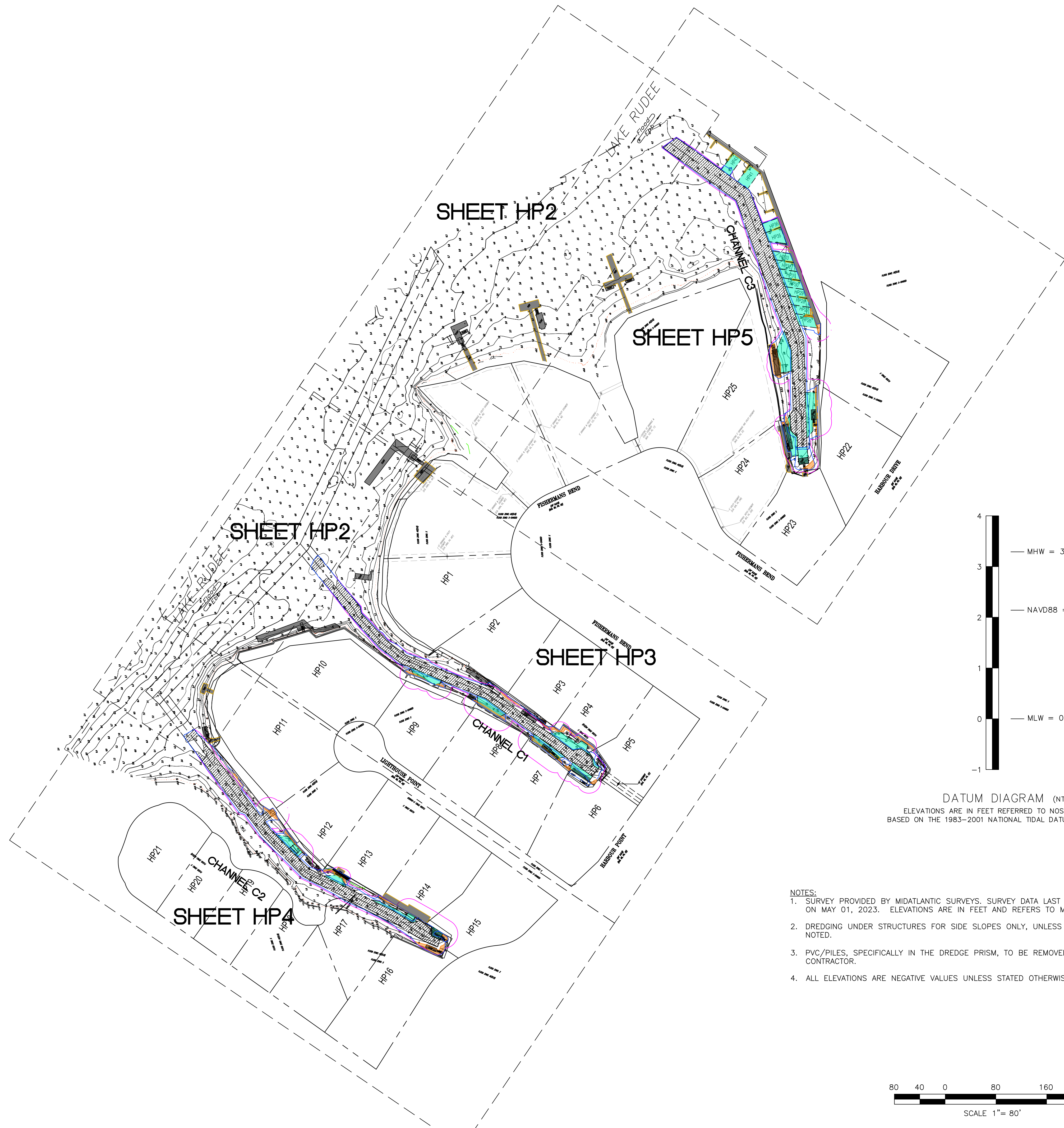
VICINITY MAP

SCALE: 1"=1800'

Langley & McDonald, Inc
 Engineering • Planning • Surveying
 309 Lynnhaven Parkway
 Virginia Beach, VA 23452
 PH: (757) 463-4306 FAX: (757) 463-3563

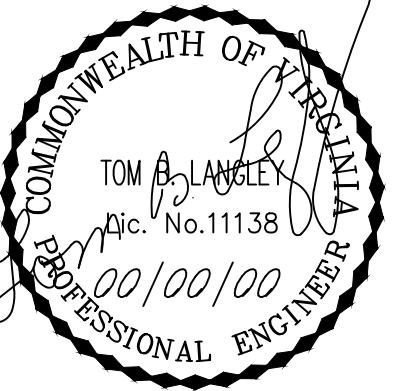
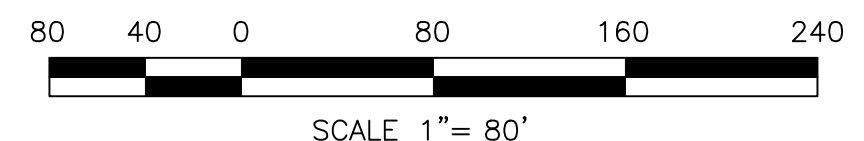
-  SSD CHANNEL AREA TO BE DREDGED TO -4.0 MLW (+0.5' OVERDREDGE)
-  RESIDENT ACCESS BASIN TO BE DREDGED TO DEPTH -4.0 MLW (+0.5' OVERDREDGE)
-  TIDAL NON-VEGETATED WETLANDS (T.N.V.W.) IMPACT AREAS
-  4X BUFFER ENCROACHMENT
-  PIER
-  MLW
-  EDGE OF MARSH
-  PROPERTY LINE
-  PROPOSED 2X BUFFER
-  PROPOSED 4X BUFFER

- ABBREVIATION**
- MHW MEAN HIGH WATER
 - MLW MEAN LOW WATER
 - MLLW MEAN LOWER LOW WATER
 - MTR MEAN TIDE RANGE
 - C.Y. CUBIC YARD
 - M.B. MAP BOOK
 - PG. PAGE
 - ELEV. ELEVATION
 - ROW RIGHT OF WAY
 - P5 PARTICIPANT PARCEL NUMBER
 - SSD SPECIAL SERVICE DISTRICT
 - STA STATION
 - P-I POINT OF INTERSECTION
 - E.P. END POINT
 - O.A. OVERALL
 - BH BULKHEAD
 - TB TOP OF BANK
 - WDS WETLANDS
 - LSA LANDSCAPE AREA
 - CONC CONCRETE
 - INV INVERT
 - CMP CORRUGATED METAL PIPE
 - TS TOE OF SLOPE



DATUM DIAGRAM (NTS)
ELEVATIONS ARE IN FEET REFERRED TO NOS MLW
BASED ON THE 1983-2001 NATIONAL TIDAL DATUM EPOCH

- NOTES:**
1. SURVEY PROVIDED BY MIDATLANTIC SURVEYS. SURVEY DATA LAST COLLECTED ON MAY 01, 2023. ELEVATIONS ARE IN FEET AND REFERS TO MLW=0
 2. DREDGING UNDER STRUCTURES FOR SIDE SLOPES ONLY, UNLESS OTHERWISE NOTED.
 3. PVC/PILES, SPECIFICALLY IN THE DREDGE PRISM, TO BE REMOVED BY CONTRACTOR.
 4. ALL ELEVATIONS ARE NEGATIVE VALUES UNLESS STATED OTHERWISE.



REVISION:	
DATE:	

VIRGINIA

HARBOUR POINT
SSD DREDGING PROJECT
SHEET INDEX AND CITY & SSD CHANNEL
COORDINATES LAYOUT
FOR
CITY OF VIRGINIA BEACH

VIRGINIA BEACH,

DESIGNED:	TBL
DRAWN:	BMH
CHECKED:	TBL
SCALE:	1"=80'
DATE:	07/17/23
FILE:	HARBOURPOINT-JPA
PROJ. #:	2011-019-26
SHEET NO.	

REVISION:
 DATE:

VIRGINIA

HARBOUR POINT
SSD DREDGING PROJECT
 CITY CHANNEL - LAYOUT PLAN
 STA. 100+00 TO STA. 108+40
 FOR CITY OF VIRGINIA BEACH

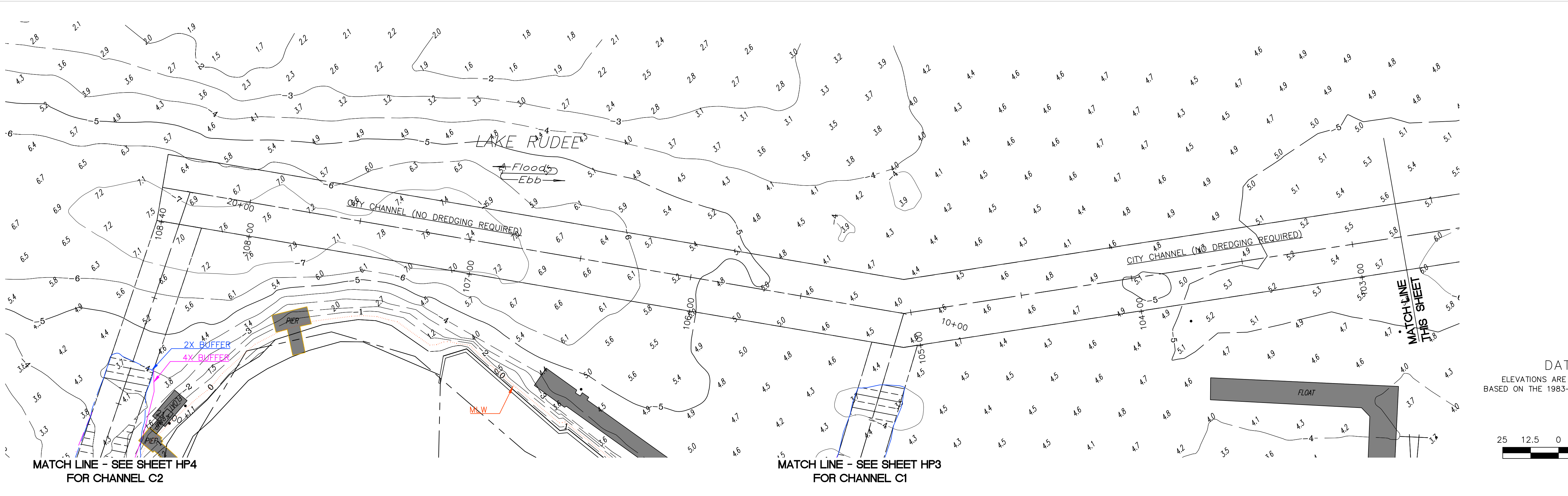
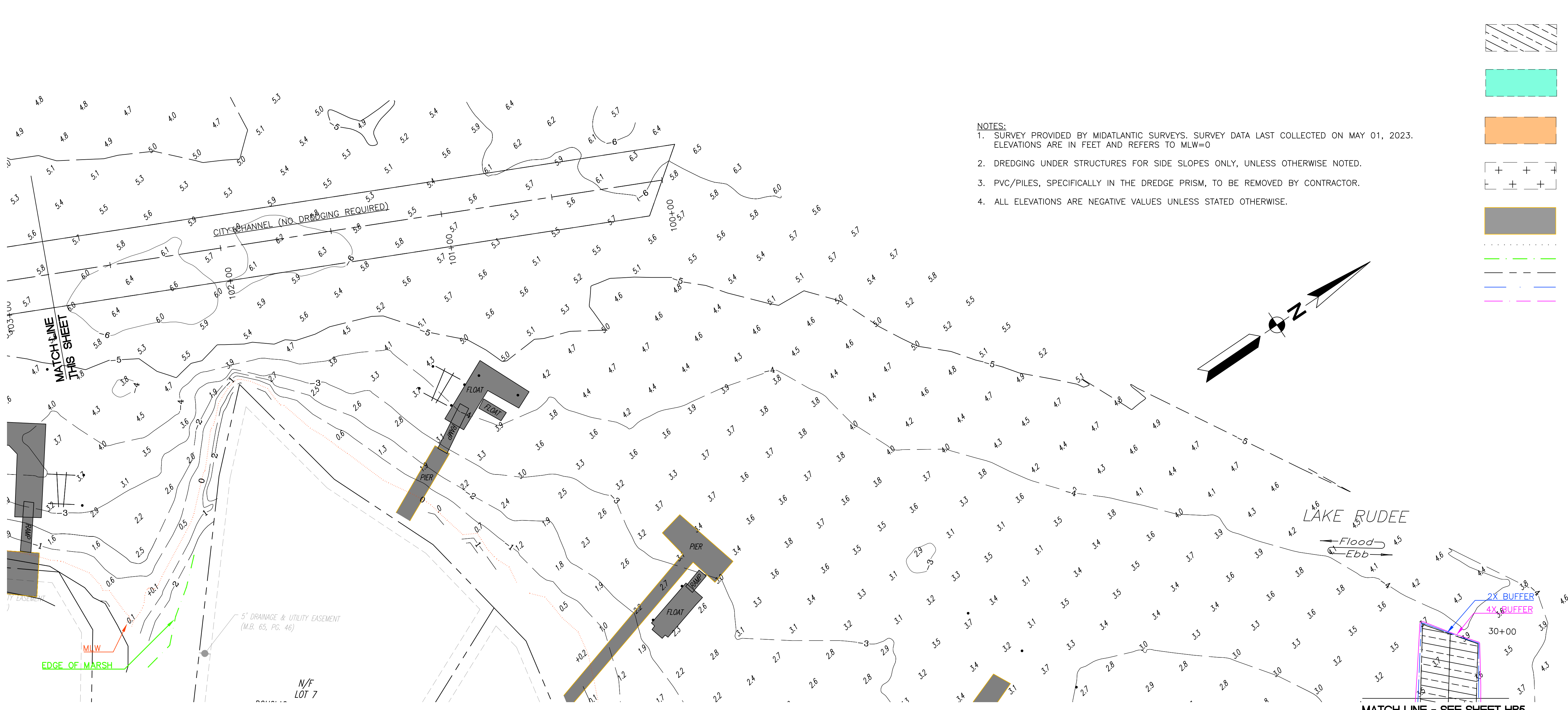
VIRGINIA BEACH,

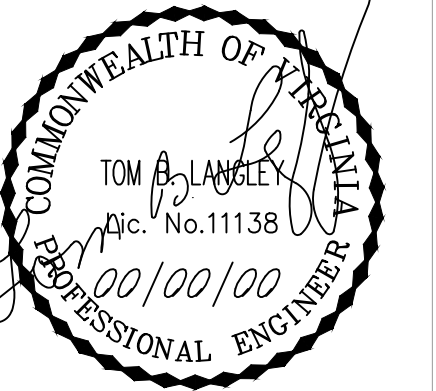
DESIGNED: TBL
 DRAWN: BMH
 CHECKED: TBL
 SCALE: 1"=25'
 DATE: 07/17/23
 FILE: HARBOURPOINT-JPA
 PROJ. #: 2011-019-26
 SHEET NO.

HP2
 3 OF 7 SHEETS

- SSD CHANNEL AREA TO BE DREDGED TO -4.0 MLW (+0.5' OVERDREDGE)
- RESIDENT ACCESS BASIN TO BE DREDGED TO DEPTH -4.0 MLW (+0.5' OVERDREDGE)
- TIDAL NON-VEGETATED WETLANDS (T.N.V.W.) IMPACT AREAS
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- PIER
- MLW
- EDGE OF MARSH
- PROPERTY LINE
- PROPOSED 2X BUFFER
- PROPOSED 4X BUFFER

- NOTES:**
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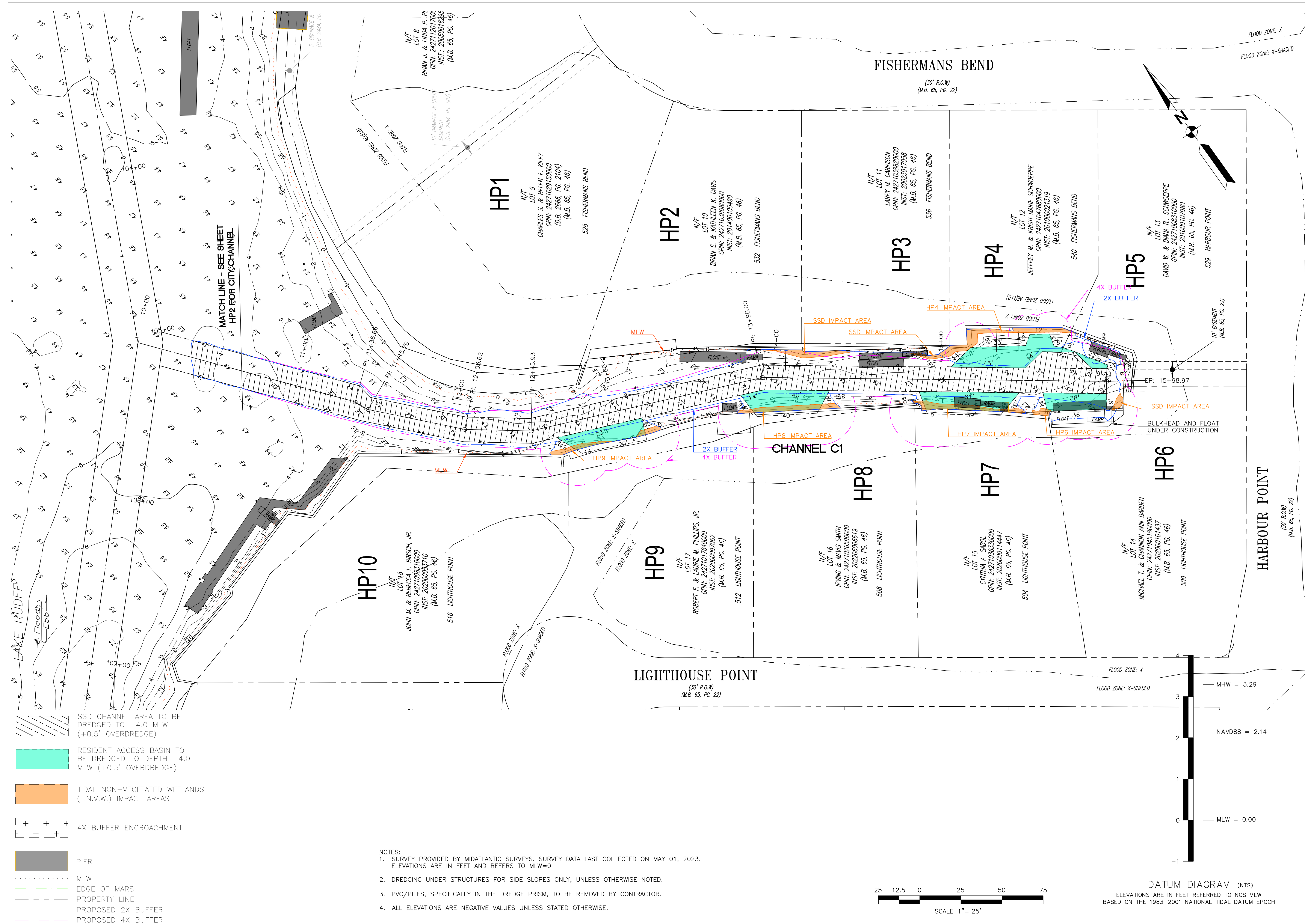


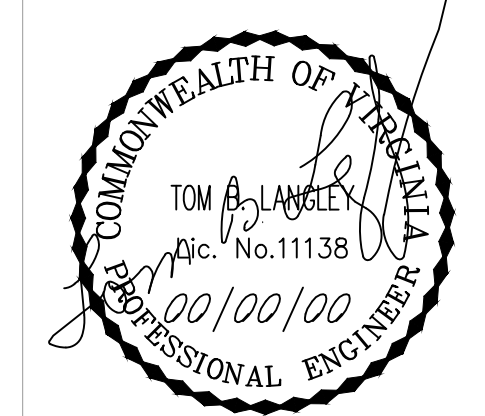
REVISION:	
DATE:	

DESIGNED: TBL
 DRAWN: BMH
 CHECKED: TBL
 SCALE: 1"=25'
 DATE: 07/17/23
 FILE: HARBOURPOINT-JPA
 PROJ. #: 2011-019-26
 SHEET NO.

HARBOUR POINT
SSD DREDGING PROJECT
 CHANNEL C1 - LAYOUT PLAN STA. 10+00 TO STA. 16+15.56
 FOR
 CITY OF VIRGINIA BEACH
 VIRGINIA

DESIGNED: TBL
 DRAWN: BMH
 CHECKED: TBL
 SCALE: 1"=25'
 DATE: 07/17/23
 FILE: HARBOURPOINT-JPA
 PROJ. #: 2011-019-26
 SHEET NO.

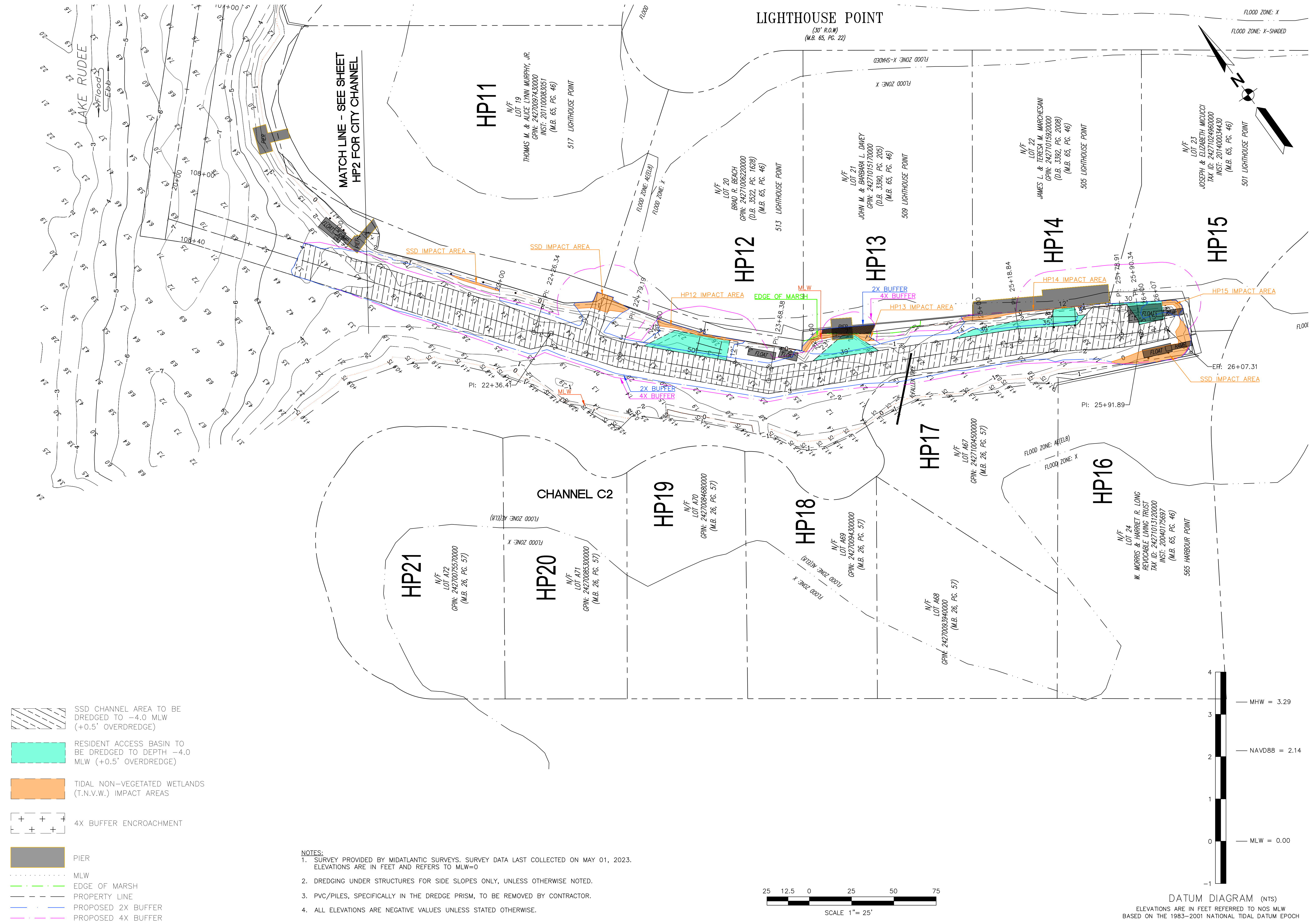


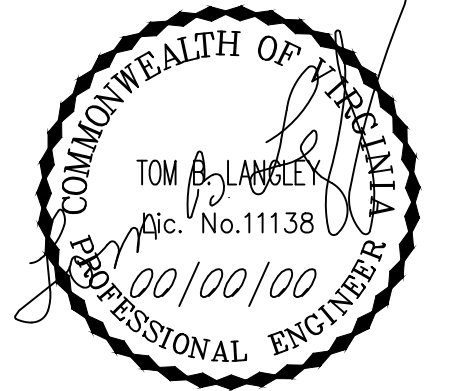


REVISION:	
DATE:	

HARBOUR POINT
SSD DREDGING PROJECT
 CHANNEL C2 - LAYOUT PLAN STA. 20+00 TO STA. 26+20.78
 FOR
 CITY OF VIRGINIA BEACH
 VIRGINIA

DESIGNED:	TBL
DRAWN:	BMH
CHECKED:	TBL
SCALE:	1"=25'
DATE:	07/17/23
FILE:	HARBOURPOINT-JPA
PROJ. #:	2011-019-26
SHEET NO.	

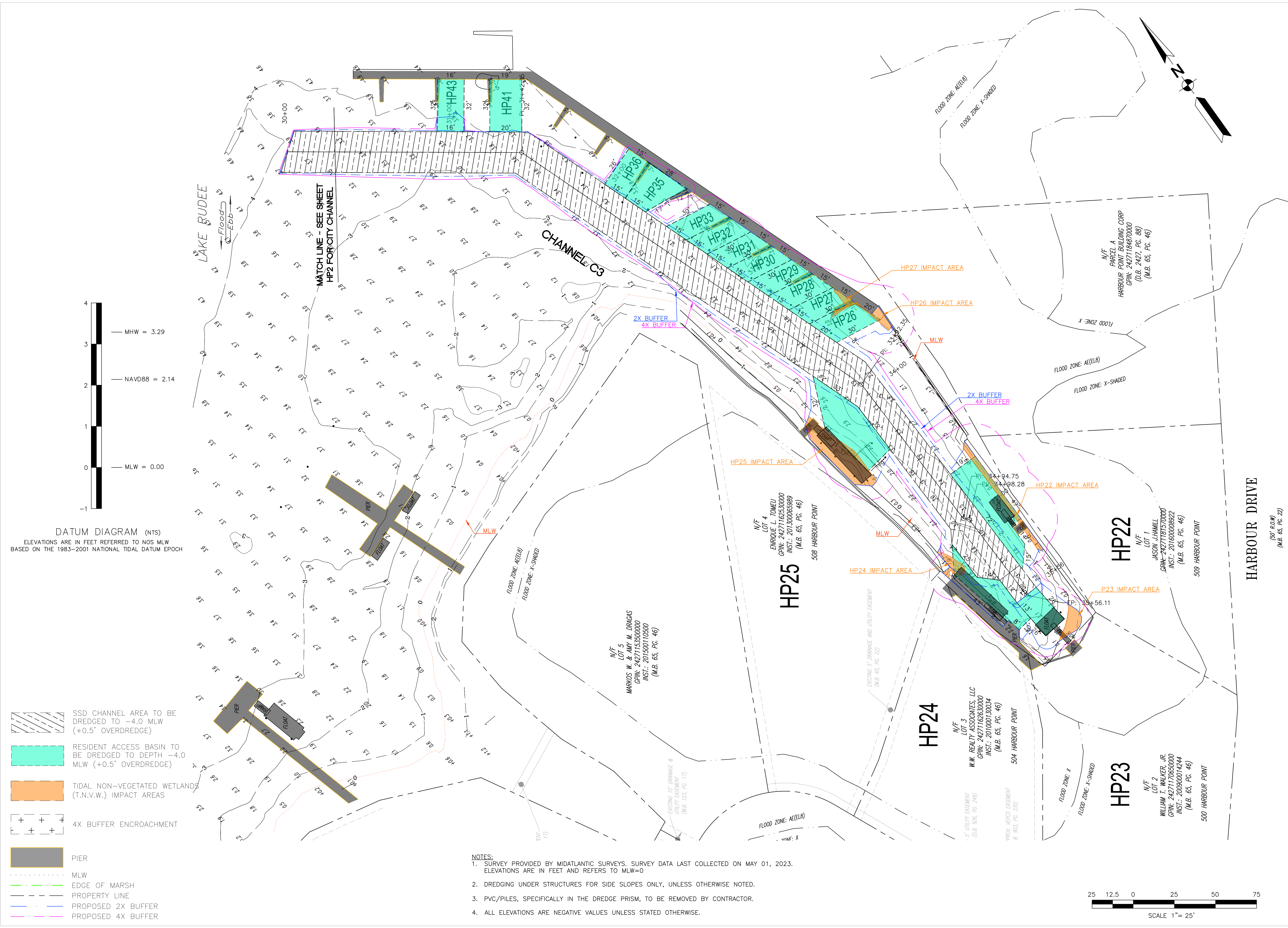


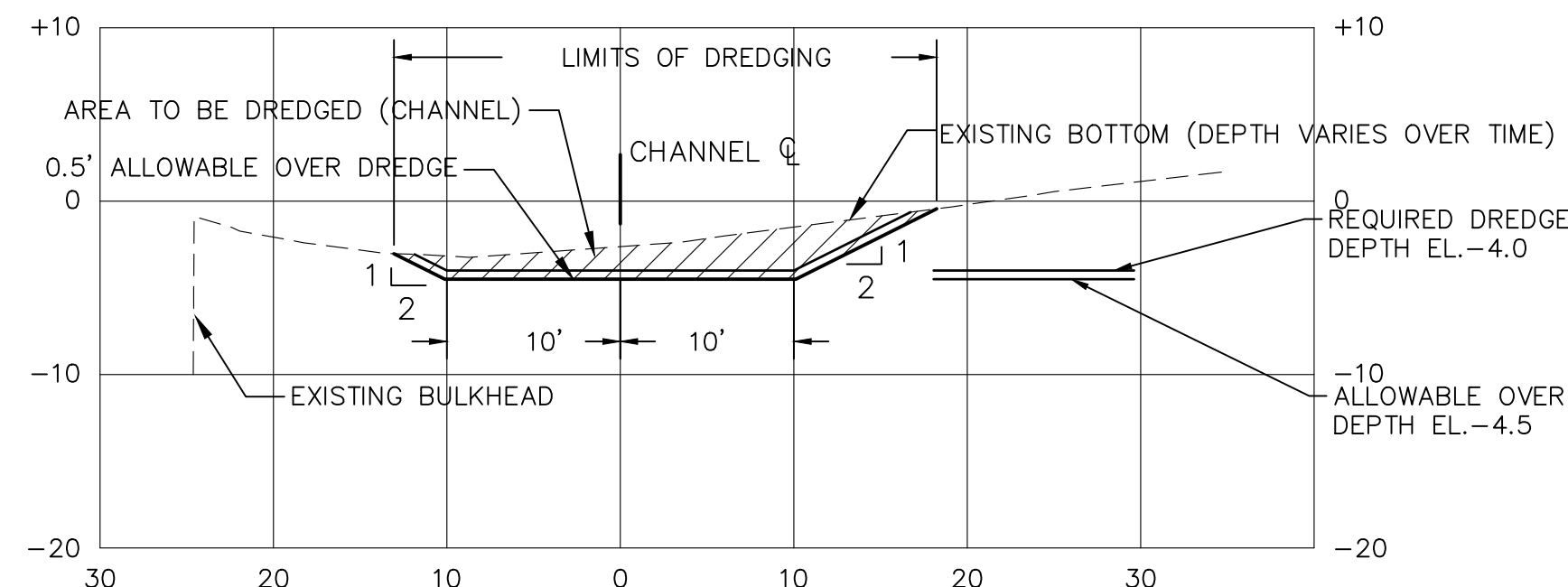


REVISION:	
DATE:	

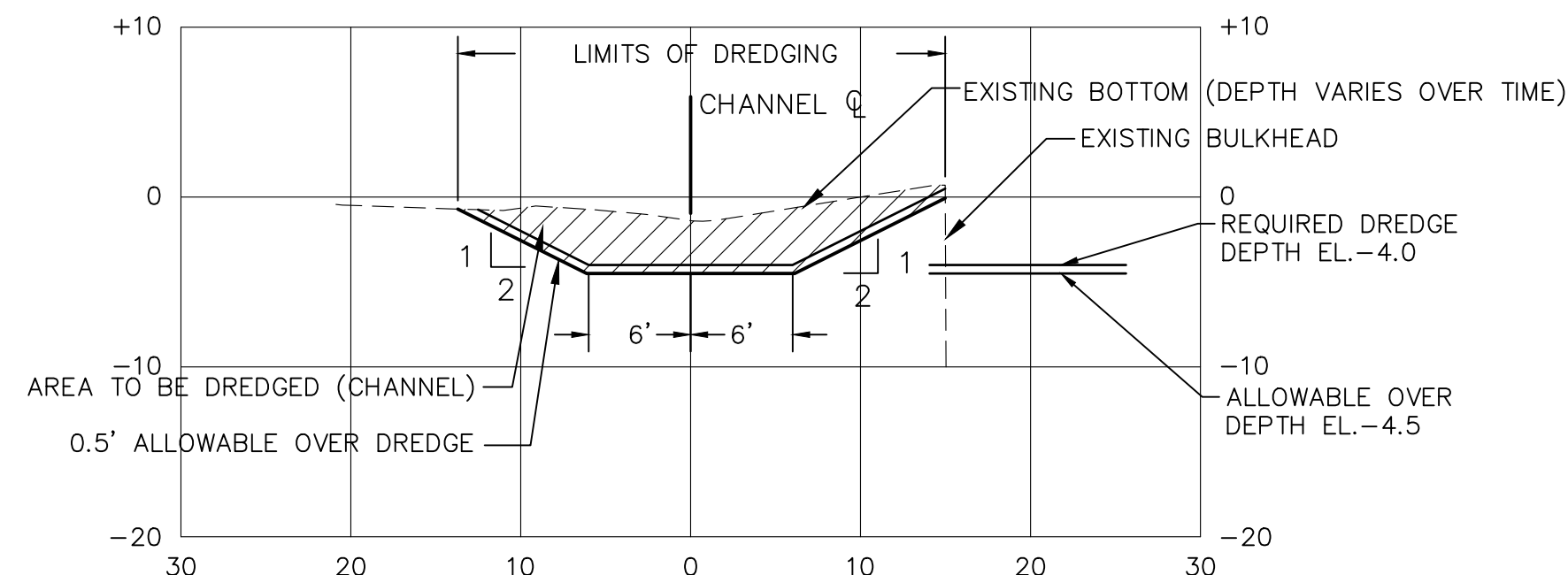
HARBOUR POINT
SSD DREDGING PROJECT
 CHANNEL C3 - LAYOUT PLAN STA. 30+00 TO STA. 36+02.43
 FOR
 CITY OF VIRGINIA BEACH
 VIRGINIA BEACH, VIRGINIA

DESIGNED:	TBL
DRAWN:	BMH
CHECKED:	TBL
SCALE:	1"=25'
DATE:	07/17/23
FILE:	HARBOURPOINT-JPA
PROJ. #:	2011-019-26
SHEET NO.	

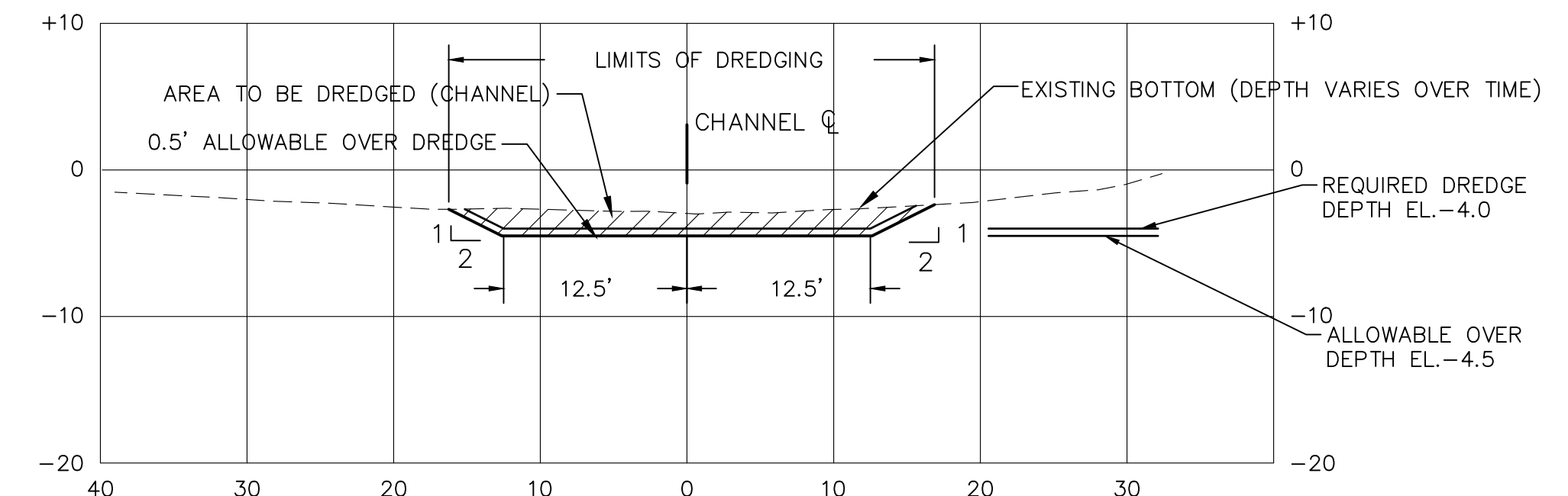




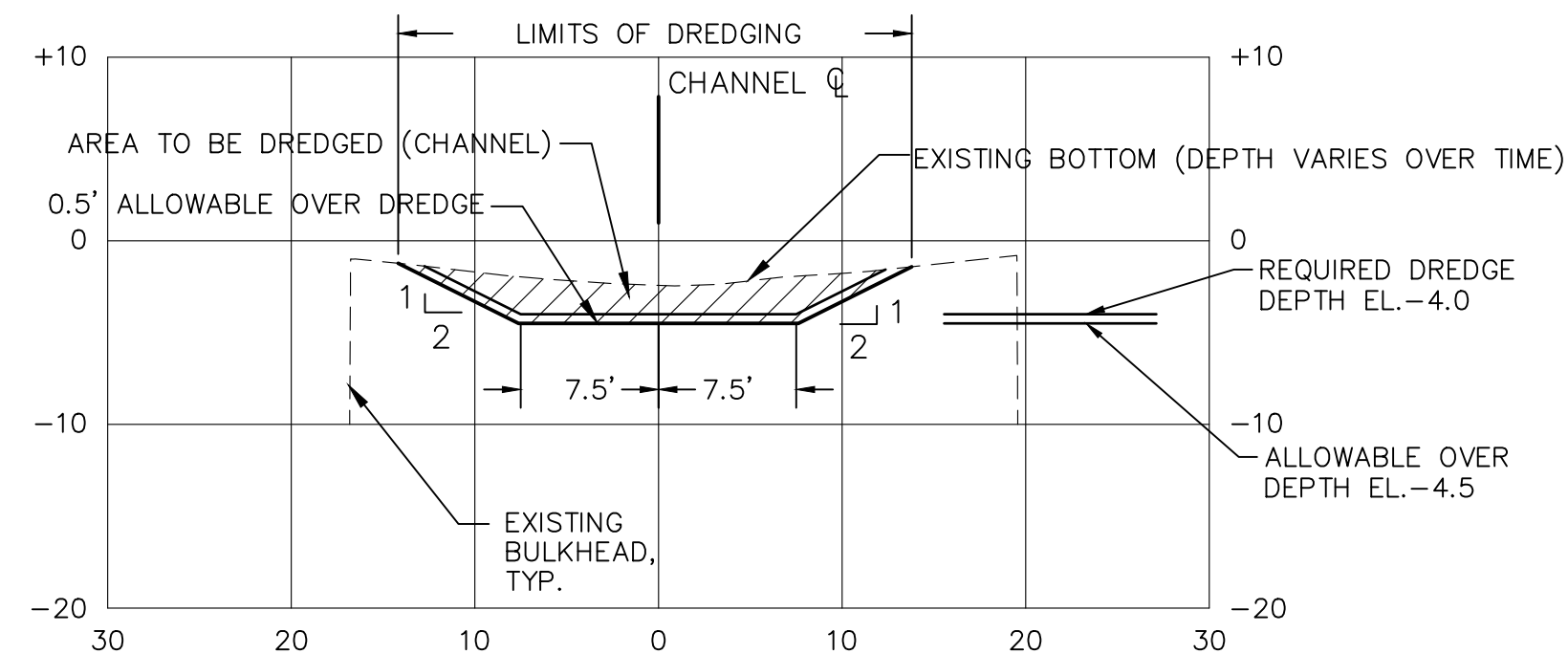
TYPICAL DREDGING SECTION A-A
CHANNEL C1 STA. 10+15.11 THRU 11+36.66
CHANNEL C2 STA. 20+15.19 THRU 22+26.34
CHANNEL C3 STA. 34+01.86 THRU 34+94.75
(CHANNEL C2 STA. 22+00 SHOWN)



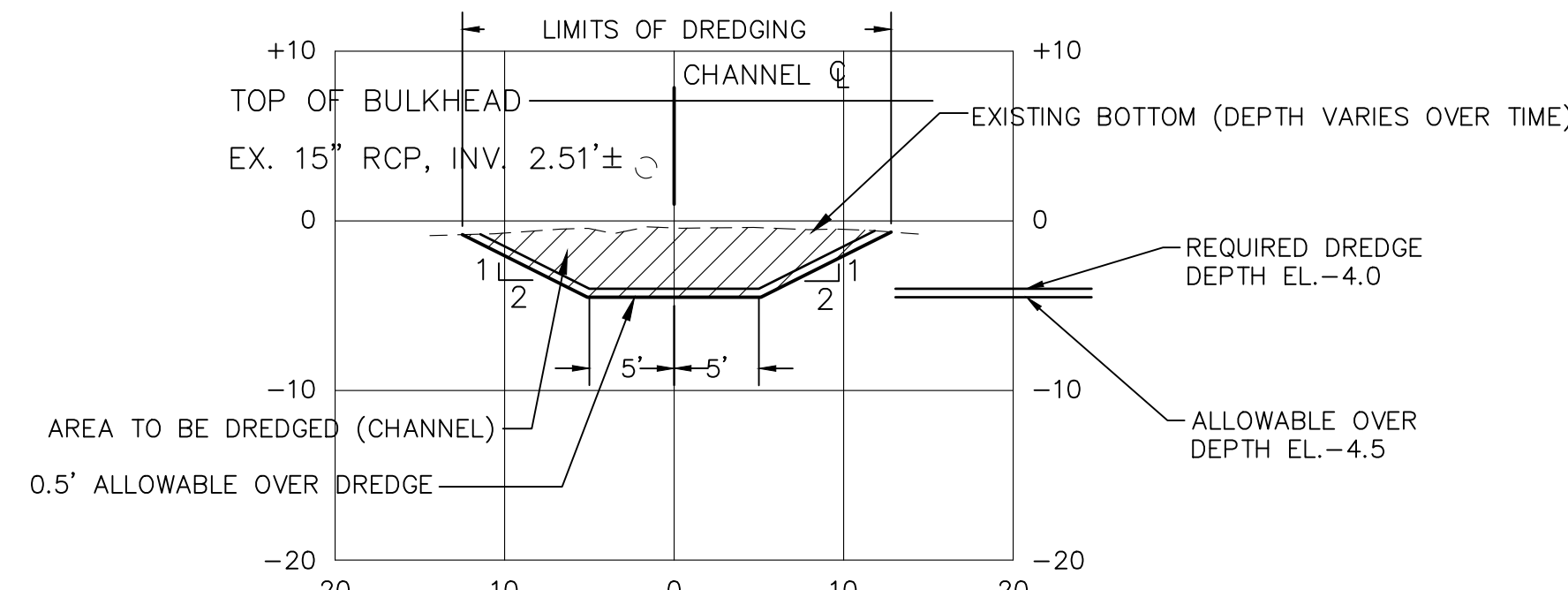
TYPICAL DREDGING SECTION D-D
CITY CHANNEL AT C2 STA. 25+91.89 THRU 26+07.31
(CHANNEL C2 STA. 26+10 SHOWN)



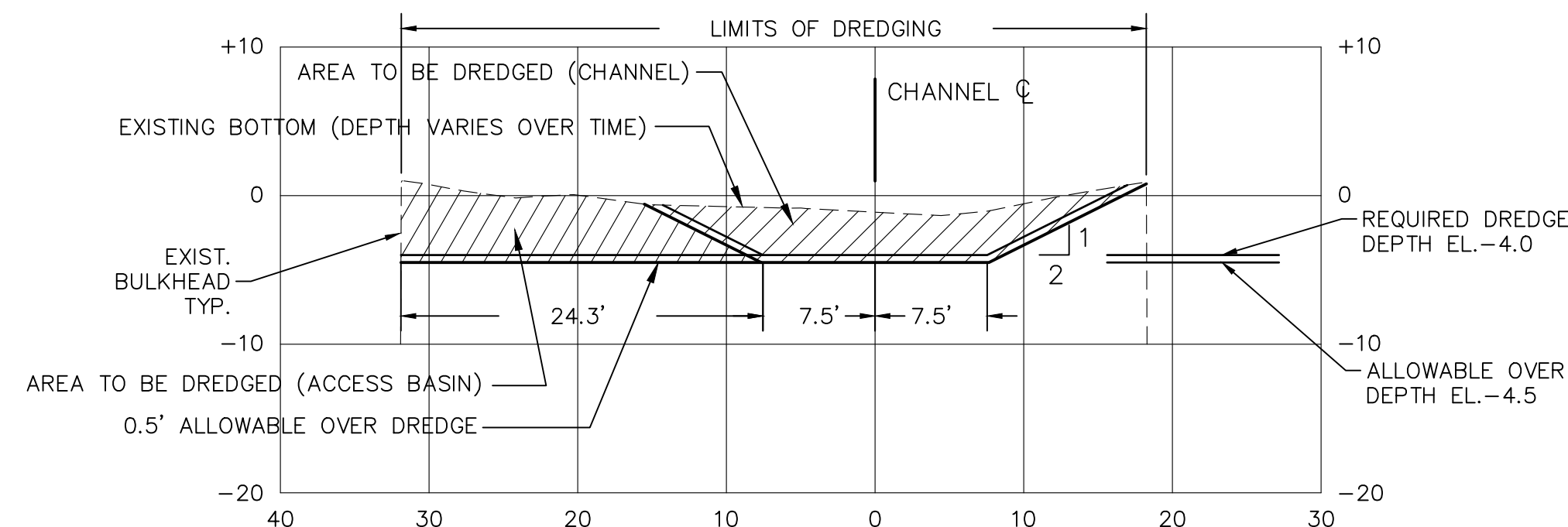
TYPICAL DREDGING SECTION F-F
CHANNEL C3 STA. 30+00 THRU 33+86.51
(STA. 33+50 SHOWN)



TYPICAL DREDGING SECTION B-B
CHANNEL C1 STA. 11+45.76 THRU 15+50.00
CHANNEL C2 STA. 22+36.41 THRU 25+52.96
CHANNEL C3 STA. 35+39.33 THRU 35+56.11
(CHANNEL C1 STA. 13+50 SHOWN)

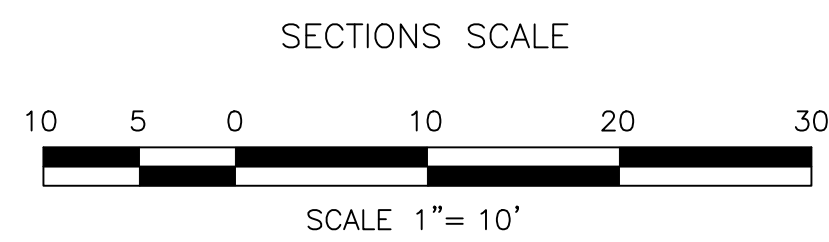


TYPICAL FOREBAY SECTION E-E
CHANNEL C2 STA. 22+58.07 THRU 22+58.07, 31.27' LT.
(CHANNEL C2 STA. 22+58.07, 20' LT SHOWN)



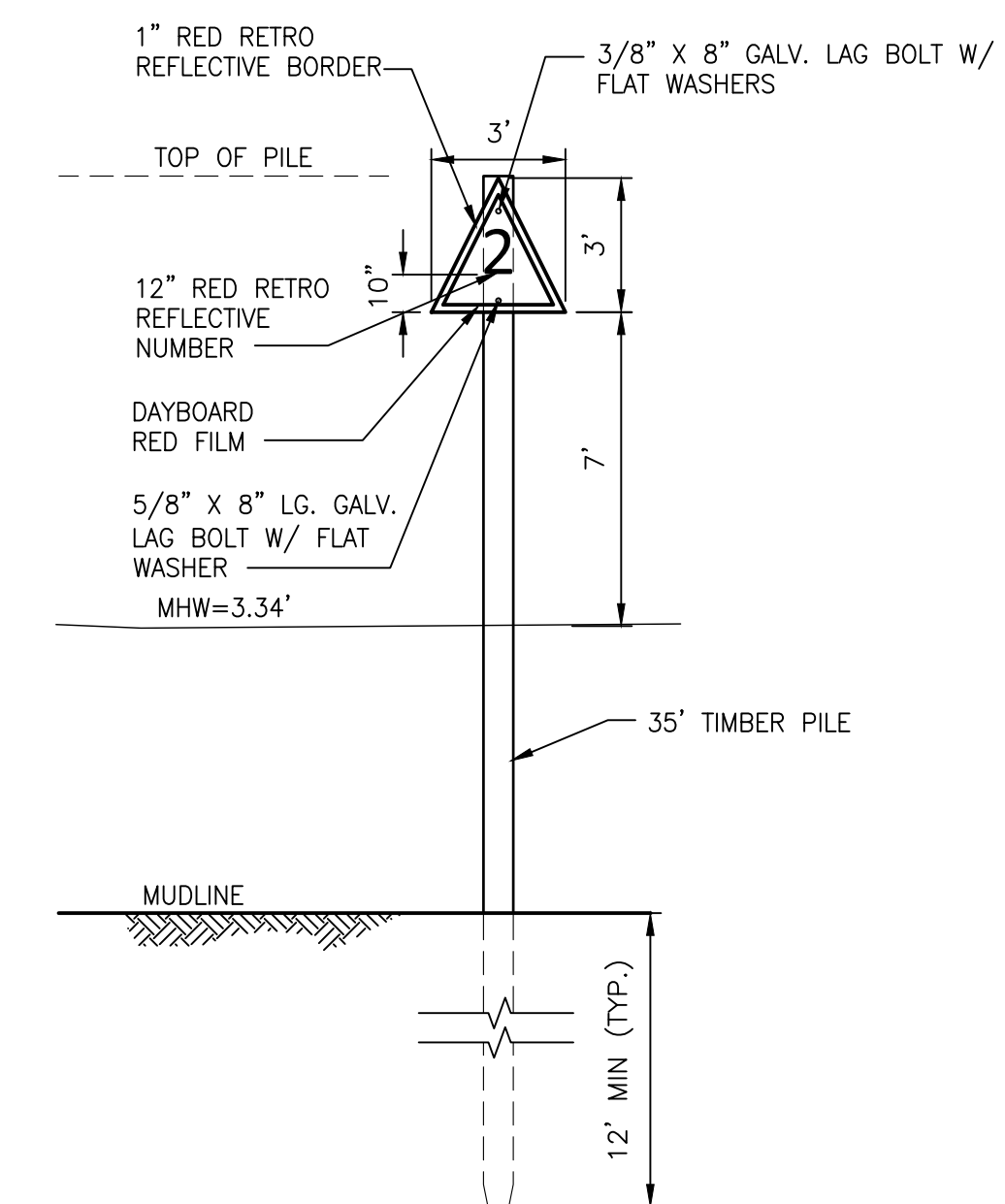
TYPICAL ACCESS BASIN SECTION C-C
CHANNELS C1, C2, AND C3
(CHANNEL C1 STA. 15+50 (P4) SHOWN)

ALL DREDGE DEPTH ELEVATIONS ARE IN FEET AND REFERENCED TO MEAN LOW WATER.



DAY MARKER NOTES:

1. PILES DESIGNED TO BE FRICTION PILE.
2. PILES SHALL BE ROUND, SOUTHERN YELLOW PINE PILES WITH AN 8" TIP DIAMETER, CONFORMING TO ASTM D25. PILES SHALL BE UNUSED CLEAN-PEELED, AND PRESERVATIVE TREATED WITH A MINIMUM 2.5 CCA RETAINED PER CUBIC FOOT. MINIMUM BUTT CIRCUMFERENCE SHALL BE 38" MEASURED THREE FEET FROM BUTT END. PILES SHALL BE 35' IN LENGTH.
3. LOCATE TIMBER PILE WITH A LOCATION TOLERANCE OF 6".
4. DAY MARKER BOARD TYPICAL BOTH SIDES.



RED DAY MARKER DETAIL
(1"=4')

REVISION:	
DATE:	

VIRGINIA

HARBOUR POINT
SSD DREDGING PROJECT
DETAILS AND SECTIONS
FOR
CITY OF VIRGINIA BEACH

VIRGINIA BEACH,

DESIGNED: TBL
DRAWN: BMH
CHECKED: TBL
SCALE: 1"=10'
DATE: 07/17/23
FILE: HARBOURPOINT-JPA
PROJ. #: 2011-019-26
SHEET NO.

Table 2: Property Owner Information

Parcel ID #	GPIN(s)	Property Address	Property Owner (s)
HP01	24271029150000	528 Fishermans Bend	Helen A. Kiley
HP02	24271038080000	532 Fishermans Bend	Brian Davis
HP03	24271038820000	536 Fishermans Bend	Larry M. Garrison
HP04	24271047680000	540 Fishermans Bend	Jeffrey M. & Krista M. Schwoeppe
HP05	24271057210000	529 Harbour Point	Diana R. Schwoeppe
HP06	24271045180000	500 Lighthouse Point	Michael Darden
HP07	24271036330000	504 Lighthouse Point	Cynthia A. Sabol
HP08	24271026590000	508 Lighthouse Point	Irving & Mavis Smith
HP09	24271017640000	512 Lighthouse Point	Robert Phillips
HP10	24271008310000	516 Lighthouse Point	Jay Birsch
HP11	24270097430000	517 Lighthouse Point	Thomas M. & Alice L. Murphy
HP12	24271006220000	513 Lighthouse Point	Brad R. Beach
HP13	24271015170000	509 Lighthouse Point	John M. & Barbara L. Davey
HP14	24271015920000	505 Lighthouse Point	James L. & Teresa M. Marchesani
HP15	24271024960000	501 Lighthouse Point	Joseph & Elizabeth Micucci
HP16	24271013120000	565 Harbour Point	W. Morris & Harriet R. Long RL
HP17	24271004500000	lot only	Rudee Heights Properties LLC
HP18	24270094300000	lot only	Rudee Heights Properties LLC
HP19	24270084680000	lot only	Rudee Heights Properties LLC
HP20	24270085300000	lot only	Rudee Heights Properties LLC
HP21	24270075570000	lot only	Rudee Heights Properties LLC
HP22	24271182300000	509 Harbour Point	Jason Hamill
HP23	24271170650000	500 Fishermans Bend	William T. Walker Jr.
HP24	24271161940000	504 Fishermans Bend	W. W. Realty Associates LLC
HP25	24271162530000	508 Fishermans Bend	Enrique L. Tomeu
HP26	24271184877370	411 Harbour Point Ste. 103 (Boat Slip 1)	Robert Winbauer
HP27	24271184876540	411 Harbour Point Ste. 301 (Boat Slip 2)	Gregory Von Gaston
HP28	24271184876440	405 Harbour Point Ste. 203 (Boat Slip 3)	Kevin Barney
HP29	24271184877050	413 Harbour Point Ste. 304 (Boat Slip 4)	Todd & Donna Rowan
HP30	24271184876900	419 Harbour Point Ste. 204 (Boat Slip 5)	Jean P. Wright Trust
HP31	24271184877950	423 Harbour Point Ste. 103 (Boat Slip 6)	Todd & Jessica Wilson
HP32	24271184876530	411 Harbour Point Ste. 201 (Boat Slip 7)	Frank T. Williams, Sr.
HP33	24271184877520	403 Harbour Point Ste. 306 (Boat Slip 8)	Helen Hicks
HP34	24271184876750	417 Harbour Point Ste. 104 (Boat Slip 9)	Nancy Streeter
HP35	24271184876910	419 Harbour Point Ste. 304 (Boat Slip 10)	Larry D. Lusk
HP36	24271184876890	417 Harbour Point Ste. 202 (Boat Slip 11)	John & Lisa Olver
HP37	24271184876560	417 Harbour Point Ste. 304 (Boat Slip 12)	William & Anita Goins
HP38	24271184876860	419 Harbour Point Ste. 103 (Boat Slip 13)	Linwood F. & Louise A. Alexander
HP39	24271184876880	413 Harbour Point Ste. 305 (Boat Slip 14)	Catherine Dunes
HP40	24271184877670	411 Harbour Point Ste. 302 (Boat Slip 15)	David Lima
HP41	24271184877110	415 Harbour Point Ste. 104 (Boat Slip 16)	Lucille Massaro
HP42	24271184877350	401 Harbour Point Ste. 105 (Boat Slip 17)	Baughan Holdings
HP43	24271184876493	409 Harbour Point Ste. 103 (Boat Slip 18)	Dorothy Daland
HP44	24271184876770	411 Harbour Point Ste. 202 (Boat Slip 19)	Alan Hayden Pryor
HP45	24271184877300	415 Harbour Point Ste. 204 (Boat Slip 20)	David Storm & Belinda Streif
HP46	24271184876730	417 Harbour Point Ste. 201 (Boat Slip 21)	David Soter

Revised 9/1/2023

Exhibit 4
Impact Summary Tables
& Mitigation

Exhibit 4: Proposed Impacts

Impact Site Number	Property Address	Impact Areas (square feet)			Total Dredge Volume (cubic yards)			Depth of Dredging (below MLW)*	DEQ Classification
		Sub-Aqueous	Non-Veg	Vegetated	Sub-Aqueous	Non-Veg	Vegetated		
SSD Channel C1	-	11,868	251	0	690	15	0	4.0	Estaurine Class II
SSD Channel C2	-	12,111	601	0	536	27	0	4.0	Estaurine Class II
SSD Channel C3	-	15,653	0	0	740	0	0	4.0	Estaurine Class II
HP01	528 Fishermans Bend	-	-	-	-	-	-	4.0	Estaurine Class II
HP02	532 Fishermans Bend	-	-	-	-	-	-	4.0	Estaurine Class II
HP03	536 Fishermans Bend	-	-	-	-	-	-	4.0	Estaurine Class II
HP04	540 Fishermans Bend	1,032	284	0	65	18	0	4.0	Estaurine Class II
HP05	529 Harbour Point	233	0	0	13	0	0	4.0	Estaurine Class II
HP06	500 Lighthouse Point	174	35	0	55	11	0	4.0	Estaurine Class II
HP07	504 Lighthouse Point	360	186	0	41	21	0	4.0	Estaurine Class II
HP08	508 Lighthouse Point	427	173	0	44	18	0	4.0	Estaurine Class II
HP09	512 Lighthouse Point	363	131	0	32	12	0	4.0	Estaurine Class II
HP10	516 Lighthouse Point	-	-	-	-	-	-	4.0	Estaurine Class II
HP11	517 Lighthouse Point	-	-	-	-	-	-	4.0	Estaurine Class II
HP12	513 Lighthouse Point	498	86	0	40	7	0	4.0	Estaurine Class II
HP13	509 Lighthouse Point	321	115	120	26	9	9	4.0	Estaurine Class II
HP14	505 Lighthouse Point	557	80	0	36	5	0	4.0	Estaurine Class II
HP15	501 Lighthouse Point	229	42	0	18	3	0	4.0	Estaurine Class II
HP16	565 Harbour Point	-	-	-	-	-	-	4.0	Estaurine Class II
HP17	lot only	-	-	-	-	-	-	4.0	Estaurine Class II
HP18	lot only	-	-	-	-	-	-	4.0	Estaurine Class II
HP19	lot only	-	-	-	-	-	-	4.0	Estaurine Class II
HP20	lot only	-	-	-	-	-	-	4.0	Estaurine Class II
HP21	lot only	-	-	-	-	-	-	4.0	Estaurine Class II

Impact Site Number	Property Address	Impact Areas (square feet)			Total Dredge Volume (cubic yards)			Depth of Dredging (below MLW)*	DEQ Classification
		Sub-Aqueous	Non-Veg	Vegetated	Sub-Aqueous	Non-Veg	Vegetated		
HP22	509 Harbour Point	889	222	0	115	29	0	4.0	Estaurine Class II
HP23	500 Fishermans Bend	728	139	0	61	12	0	4.0	Estaurine Class II
HP24	504 Fishermans Bend	609	114	0	77	15	0	4.0	Estaurine Class II
HP25	508 Fishermans Bend	1,130	619	0	117	64	0	4.0	Estaurine Class II
HP26	411 Harbour Point Ste. 103 (Boat Slip 1)	536	107	0	58	11	0	4.0	Estaurine Class II
HP27	411 Harbour Point Ste. 301 (Boat Slip 2)	304	35	0	27	3	0	4.0	Estaurine Class II
HP28	409 Harbour Point Ste. 202 (Boat Slip 3)	349	0	0	30	0	0	4.0	Estaurine Class II
HP29	413 Harbour Point Ste. 304 (Boat Slip 4)	349	0	0	30	0	0	4.0	Estaurine Class II
HP30	419 Harbour Point Ste. 204 (Boat Slip 5)	346	0	0	26	0	0	4.0	Estaurine Class II
HP31	403 Harbour Point Ste. 104 (Boat Slip 6)	353	0	0	22	0	0	4.0	Estaurine Class II
HP32	411 Harbour Point Ste. 201 (Boat Slip 7)	359	0	0	21	0	0	4.0	Estaurine Class II
HP33	403 Harbour Point Ste. 306 (Boat Slip 8)	372	0	0	21	0	0	4.0	Estaurine Class II
HP34	417 Harbour Point Ste. 104 (Boat Slip 9)	-	-	-	-	-	-	4.0	Estaurine Class II
HP35	419 Harbour Point Ste. 304 (Boat Slip 10)	568	0	0	25	0	0	4.0	Estaurine Class II
HP36	417 Harbour Point Ste. 202 (Boat Slip 11)	391	0	0	14	0	0	4.0	Estaurine Class II
HP37	417 Harbour Point Ste. 304 (Boat Slip 12)	-	-	-	-	-	-	4.0	Estaurine Class II
HP38	419 Harbour Point Ste. 103 (Boat Slip 13)	-	-	-	-	-	-	4.0	Estaurine Class II
HP39	413 Harbour Point Ste. 305 (Boat Slip 14)	-	-	-	-	-	-	4.0	Estaurine Class II
HP40	411 Harbour Point Ste. 302 (Boat Slip 15)	-	-	-	-	-	-	4.0	Estaurine Class II
HP41	415 Harbour Point Ste. 104 (Boat Slip 16)	-	-	-	-	-	-	4.0	Estaurine Class II
HP42	401 Harbour Point Ste. 105 (Boat Slip 17)	-	-	-	-	-	-	4.0	Estaurine Class II
HP43	409 Harbour Point Ste. 103 (Boat Slip 18)	147	0	0	3	0	0	4.0	Estaurine Class II
HP44	411 Harbour Point Ste. 202 (Boat Slip 19)	-	-	-	-	-	-	4.0	Estaurine Class II
HP45	415 Harbour Point Ste. 204 (Boat Slip 20)	-	-	-	-	-	-	4.0	Estaurine Class II
HP46	417 Harbour Point Ste. 201 (Boat Slip 21)	-	-	-	-	-	-	4.0	Estaurine Class II
TOTAL		51,256	3,220	120	2,983	280	9		

*does not include 0.5 ft for allowable overdredging

Exhibit 4a:USACE Mitigation

Impact Site Number	Property Address	Proposed Impacts	
		TNVW Impacts (SF)	TNVW Mitigation (SF)
			1:1 Ratio
HP22	509 Harbour Point	222	222
HP26	411 Harbour Point Ste. 103 (Boat Slip 1)	107	107
HP27	411 Harbour Point Ste. 301 (Boat Slip 2)	35	35
Total Square Feet		364	364
Total Acres			0.008

Exhibit 4b:LWB Mitigation

Impact Site Number	Property Address	Proposed Impacts			
		Non-Veg Impacts on Private Property (SF)	Non-Veg Mitigation (SF)	Vegetated Impacts on Private Property (SF)	Veg Mitigation (SF)
			0.5:1 Ratio		1:1 Ratio
SSD Channel 2		47	24	0	0
HP04	540 Fishermans Bend	227	114	0	0
HP06	500 Lighthouse Point	35	18	0	0
HP13	509 Lighthouse Point	62	31	0	0
Total Square Feet		371	186	0	0
Total Acres			0.004		0.00



The Nature Conservancy in Virginia
652 Peter Jefferson Pkwy, Suite 190
Charlottesville, VA 22911
Tel: (434) 295-6106
nature.org/virginia



July 7, 2023

Karen Dodson
WSSI
1008 Old Virginia Beach Rd
Virginia Beach, VA 23451

Subject: Virginia Aquatic Resources Trust Fund Credit Availability for City of Virginia Beach (the Applicant)

The Nature Conservancy (TNC) of Virginia has mitigation credits available for sale to the Applicant in the hydrologic unit code (HUC) 02040304.

This letter confirms that 0.008 advance tidal wetland credits are available for the Applicant to purchase for impacts in HUC 02040304 for a period of 60 days. These credits will be used as compensatory mitigation for impacts to 0.008 acres of tidal wetlands in the impact HUC 02040304.

TNC acknowledges that the above-mentioned credits will be available for purchase by the Applicant until 9/5/2023 for the price of \$600,000/credit. The total purchase price for 0.008 advance tidal wetland credits is therefore \$4,800. **There is no guarantee of availability beyond this date. If purchase of credits is not made prior to the date listed, the Applicant must contact TNC to determine credit availability status.**

This letter does not document payment for impacts. TNC does not assume liability for the above-mentioned impacts through this correspondence. Please be advised that a purchase of mitigation credits from The Nature Conservancy's Virginia Aquatic Resources Trust Fund is a payment for service and therefore is not, and shall not be acknowledged as, a charitable contribution.

Instructions for submitting payment: When the applicant is ready to submit payment for the above-mentioned credits, please submit a completed Credit Payment Voucher along with the payment written out to "**The Virginia Aquatic Resources Trust Fund**". Mail the voucher and check to VARTF at the address shown in the above letterhead. TNC reserves the right to refuse to accept payment until any conflict is reviewed and approved by TNC.

Sincerely,

A handwritten signature in blue ink that reads "Karen K. Johnson".

Karen K. Johnson
Director of Wetland and Stream Mitigation

CC: Autumn Crawford, USACE

Exhibit 5
***Endangered and Threatened
Species Information***

**HARBOUR POINT SSD
EXHIBIT 5
ENDANGERED AND THREATENED SPECIES INFORMATION**

INDEX

- A Virginia Department of Wildlife Resources (DWR) Fish and Wildlife Information Service (FWIS) Project Review Report, dated 6/22/2023.*
- B U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System (IPaC) official species list, dated 6/22/2023.*
- C U.S. Fish and Wildlife Service (USFWS) Project Review Certification Letter and Species Conclusion Table, dated 6/22/2023.*

VaFWIS Search Report Compiled on 6/22/2023, 3:27:48 PM

[Help](#)

Known or likely to occur within a **2 mile radius around point 36.8297030 -75.9754888**
in **810 Virginia Beach City, VA**

[View Map of Site Location](#)

633 Known or Likely Species ordered by Status Concern for Conservation
(displaying first 47) (47 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name	Confirmed	Database(s)
010031	FESE	Ia	Sturgeon, shortnose	Acipenser brevirostrum		BOVA
030074	FESE	Ia	Turtle, Kemp's ridley sea	Lepidochelys kempii	Yes	BOVA,SppObs,HU6
050022	FEST	Ia	Bat, northern long-eared	Myotis septentrionalis		BOVA
010032	FESE	Ib	Sturgeon, Atlantic	Acipenser oxyrinchus		BOVA
030075	FESE	Ic	Turtle, leatherback sea	Dermochelys coriacea		BOVA
030073	FESE		Turtle, Hawksbill Sea	Eretmochelys imbricata		BOVA
040183	FESE		Tern, roseate	Sterna dougallii dougallii	Yes	BOVA,Habitat,SppObs,HU6
030071	FTST	Ia	Turtle, loggerhead sea	Caretta caretta	Yes	BOVA,Habitat,SppObs,HU6
040144	FTST	Ia	Knot, red	Calidris canutus rufa		BOVA,HU6
040110	FTSE	Ia	Rail, eastern black	Laterallus jamaicensis jamaicensis		BOVA
030072	FTST	Ib	Turtle, green sea	Chelonia mydas		BOVA,HU6
040120	FTST	Ila	Plover, piping	Charadrius melodus		BOVA
120030	FTSE	IVb	Manatee, West Indian	Trichechus manatus	Yes	BOVA,SppObs,HU6
030064	SE	Ia	Turtle, eastern chicken	Deirochelys reticularia reticularia		BOVA,HU6
040118	SE	Ia	Plover, Wilson's	Charadrius wilsonia		BOVA
050034	SE	Ia	Bat, Rafinesque's eastern big-eared	Corynorhinus rafinesquii macrotis		BOVA,HU6
050027	FPSE	Ia	Bat, tri-colored	Perimyotis subflavus	Yes	BOVA,SppObs
030013	SE	Ila	Rattlesnake, canebrake	Crotalus horridus	Potential	BOVA,Habitat,HU6
040096	ST	Ia	Falcon, peregrine	Falco peregrinus	Yes	BOVA,SppObs
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus		BOVA
040379	ST	Ia	Sparrow, Henslow's	Centronyx henslowii		BOVA
040179	ST	Ia	Tern, gull-billed	Gelochelidon nilotica		BOVA,HU6
030010	ST	Ila	Lizard, eastern glass	Ophisaurus ventralis		BOVA,HU6
040403	ST		Falcon, Arctic peregrine	Falco peregrinus tundrius		BOVA
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans		BOVA
100079	FC	IIIa	Butterfly, monarch	Danaus plexippus		BOVA
030067	CC	Ila	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	Potential	BOVA,Habitat,HU6
030063	CC	IIIa	Turtle, spotted	Clemmys guttata	Yes	BOVA,SppObs,HU6
030031	CC	IIIc	Kingsnake, scarlet	Lampropeltis elapsoides		BOVA
040092		Ia	Eagle, golden	Aquila chrysaetos		BOVA
040040		Ia	Ibis, glossy	Plegadis falcinellus		BOVA,HU6
040213		Ic	Owl, northern saw-whet	Aegolius acadicus		BOVA,HU6
040422		Ic	Warbler, Wayne's	Setophaga virens waynei	Potential	Habitat,HU6
020002		Ila	Treefrog, barking	Hyla gratiosa		BOVA,HU6
040052		Ila	Duck, American black	Anas rubripes		BOVA,HU6
040033		Ila	Egret, snowy	Egretta thula	Yes	BOVA,BBA,SppObs,HU6
040029		Ila	Heron, little blue	Egretta caerulea caerulea	Yes	BOVA,BBA,SppObs
040036		Ila	Night-heron, yellow-crowned	Nyctanassa violacea violacea	Yes	BOVA,BBA,SppObs
040114		Ila	Oystercatcher, American	Haematopus palliatus		BOVA
040192		Ila	Skimmer, black	Rynchops niger		BOVA
040181		Ila	Tern, common	Sterna hirundo	Potential	BOVA,BBA,HU6
040320		Ila	Warbler, cerulean	Setophaga cerulea		BOVA,HU6
040140		Ila	Woodcock, American	Scolopax minor		BOVA,HU6
040203		Iib	Cuckoo, black-billed	Coccyzus erythrophthalmus		BOVA
040105		Iib	Rail, king	Rallus elegans	Potential	BOVA,Habitat,HU6
040304		Iic	Warbler, Swainson's	Limnolophus swainsonii		BOVA,HU6
110353		Iic	SPIDER, FUNNEL-WEB	Barronopsis jeffersi		HU6

To view **All 633 species** [View 633](#)

*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need

Virginia Wildlife Action Plan Conservation Opportunity Ranking:

a - On the ground management strategies/actions exist and can be feasibly implemented.; b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.; c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

[View Map of All Query Results from All Observation Tables](#)

Bat Colonies or Hibernacula: **Not Known**

Anadromous Fish Use Streams

N/A

Impediments to Fish Passage

N/A

Colonial Water Bird Survey (1 records)

[View Map of All Query Results Colonial Water Bird Survey](#)

Colony_Name	N Obs	Latest Date	N Species			View Map
			Different Species	Highest TE *	Highest Tier **	
Urban, Virginia Beach, Virginia Beach	1	May 19 2013	1			Yes

Displayed 1 Colonial Water Bird Survey

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests

N/A

Species Observations (198 records - displaying first 53 .
53 Observations with Threatened or Endangered species)

[View Map of All Query Results Species Observations](#)

obsID	class	Date Observed	Observer	N Species			View Map
				Different Species	Highest TE *	Highest Tier **	
634763	SppObs	Nov 12 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634761	SppObs	Nov 8 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634756	SppObs	Oct 29 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634727	SppObs	Aug 29 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634698	SppObs	Jun 27 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634668	SppObs	Jun 13 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634659	SppObs	Jun 7 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634658	SppObs	Jun 6 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634619	SppObs	May 18 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634617	SppObs	May 17 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634616	SppObs	May 17 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FESE	I	Yes
634199	SppObs	Nov 8 2020	Chelsea Witherup	1	FESE	I	Yes
634125	SppObs	Aug 9 2020	Chelsea Witherup	1	FESE	I	Yes
634109	SppObs	Jul 8 2020	Tiffany Zorotrian	1	FESE	I	Yes
634078	SppObs	Jun 19 2020	Erin Bates	1	FESE	I	Yes
634037	SppObs	May 29 2020	Sarah McCormack	1	FESE	I	Yes
634032	SppObs	May 24 2020	Alexandra Epple	1	FESE	I	Yes
601651	SppObs	May 23 2008	Gwen; Lockhart	1	FESE	I	Yes
64542	SppObs	May 27 1968	P. A. BUCKLEY	1	FESE		Yes
634731	SppObs	Sep 2 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FTST	I	Yes

634672	SppObs	Jun 14 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FTST	I	Yes
634636	SppObs	May 27 2021	Joanna Daniel; Sydney Lundquist; Sarah McCormack; Eri	1	FTST	I	Yes
634202	SppObs	Nov 13 2020	Chelsea Witherup	1	FTST	I	Yes
634188	SppObs	Oct 25 2020	Chelsea Witherup	1	FTST	I	Yes
634150	SppObs	Sep 5 2020	Chelsea Witherup	1	FTST	I	Yes
634134	SppObs	Aug 15 2020	Chelsea Witherup	1	FTST	I	Yes
634132	SppObs	Aug 14 2020	Sarah McCormack	1	FTST	I	Yes
634128	SppObs	Aug 13 2020	Joanna Daniel	1	FTST	I	Yes
634129	SppObs	Aug 13 2020	Alexandra Epple	1	FTST	I	Yes
634124	SppObs	Aug 4 2020	Sarah Rose	1	FTST	I	Yes
634117	SppObs	Jul 17 2020	Joanna Daniel	1	FTST	I	Yes
634084	SppObs	Jun 21 2020	Sarah Rose	1	FTST	I	Yes
634083	SppObs	Jun 21 2020	Chelsea Witherup	1	FTST	I	Yes
634056	SppObs	Jun 7 2020	Chelsea Witherup	1	FTST	I	Yes
634033	SppObs	May 25 2020	Joanna Daniel	1	FTST	I	Yes
634027	SppObs	Mar 20 2020	Sarah McCormack	1	FTST	I	Yes
600230	SppObs	Oct 7 2008	Christina; Trapani	1	FTST	I	Yes
601160	SppObs	Sep 14 2008	Lisa; Wright	1	FTST	I	Yes
602244	SppObs	Sep 10 2008	Christina; Trapani	1	FTST	I	Yes
600328	SppObs	Sep 5 2008	Margaret; Cook	1	FTST	I	Yes
603678	SppObs	Aug 27 2008	Lisa; Wright	1	FTST	I	Yes
605578	SppObs	Aug 7 2008	Margaret; Cook	1	FTST	I	Yes
603184	SppObs	Jul 17 2008	Lisa; Wright	1	FTST	I	Yes
604644	SppObs	Jul 12 2008	Lisa; Wright	1	FTST	I	Yes
606338	SppObs	Jun 8 2008	Christina; Trapani	1	FTST	I	Yes
366996	SppObs	Jan 1 1900		1	FTST	I	Yes
366995	SppObs	Jan 1 1900		1	FTST	I	Yes
634017	SppObs	Jan 10 2020	Alexandra Epple	1	FTSE	IV	Yes
62360	SppObs	Sep 24 1999	Michael A. Yates	1	ST	I	Yes
629963	SppObs	Jun 13 2018	Caroline Byrne; Dustin Meatley	2	FPSE	I	Yes
629957	SppObs	Jun 8 2018	Caroline Byrne; Dustin Meatley	2	FPSE	I	Yes
632071	SppObs	Mar 15 2019	Jessica Meck; Brandon Silker; Hunter VanDoren	1	CC	III	Yes
632070	SppObs	Mar 12 2019	Jessica Meck; Brandon Silker; Hunter VanDoren	1	CC	III	Yes

Displayed 53 Species Observations

Selected 198 Observations [View all 198 Species Observations](#)

Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species (6 Species)

[View Map of Combined Terrestrial Habitat Predicted for 6 WAP Tier I & II Species Listed Below](#)

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
040183	FESE		Tern, roseate	Sterna dougallii dougallii	Yes
030071	FTST	Ia	Turtle, loggerhead sea	Caretta caretta	Yes
030013	SE	Ila	Rattlesnake, canebrake	Crotalus horridus	Yes
030067	CC	Ila	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	Yes
040422		Ic	Warbler, Wayne's	Setophaga virens waynei	Yes
040105		Iib	Rail, king	Rallus elegans	Yes

Virginia Breeding Bird Atlas Blocks (2 records)

[View Map of All Query Results Virginia Breeding Bird Atlas Blocks](#)

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE*	Highest Tier**	
62032	Princess Anne, NE	56		III	Yes
63033	Virginia Beach, CW	61		II	Yes

Public Holdings: (5 names)

Name	Agency	Level
Oceana Naval Air Station	Department of the Navy	Federal
Dam Neck Combat Training Center	Dept. of the Army	Federal

Camp Pendleton State Military Reservation	U.S. Dept. of Army	Federal
NAB Camp Pendleton	U.S. Dept. of Navy	Federal
Oceana Naval Air Station	U.S. Dept. of Navy	Federal

Summary of BOVA Species Associated with Cities and Counties of the Commonwealth of Virginia:

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
810	Virginia Beach City	556	FESE	I

USGS 7.5' Quadrangles:

Princess Anne
Virginia Beach

USGS NRCS Watersheds in Virginia:

N/A

USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV Species:

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
AO23	Atlantic Ocean-Rudee Inlet	92	FESE	I
AO25	Atlantic Ocean-Sand Ridge	86	FESE	I
AS18	Ashville Bridge Creek	83	FESE	I
CB25	Lynnhaven River	97	FESE	I

Compiled on 6/22/2023, 3:27:48 PM 11507140.0 report=all searchType=R dist= 3218 poi= 36.8297030 -75.9754888

PixelSize=64; Aradonous=0.023065; BBA=0.041006; BECAR=0.021312; Bats=0.021063; Buffer=0.117264; County=0.071143; HU6=0.122432; Impediments=0.027081; Inir=0.155751; PublicLands=0.031734; Quad=0.073778; SppObs=0.440628; TEWaters=0.036176; TierReaches=0.05069; TierTerrestrial=0.217083; Total=1.390388; Tracking_BOVA=0.407347; Trout=0.028903; hova=0.116641



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032



In Reply Refer To:
Project Code: 2023-0096769
Project Name: Harbour Point SSD

June 22, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Code in the header of this

letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Virginia Ecological Services Field Office

6669 Short Lane

Gloucester, VA 23061-4410

(804) 693-6694

PROJECT SUMMARY

Project Code: 2023-0096769

Project Name: Harbour Point SSD

Project Type: Navigation Channel Improvement

Project Description: This site is proposed for maintenance dredging to retain navigable access for adjacent homeowners.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.8296585,-75.97539218693147,14z>



Counties: Virginia Beach County, Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\) list](#) or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Oystercatcher <i>Haematopus palliatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8935	Breeds Apr 15 to Aug 31
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Oct 15 to Aug 31

NAME	BREEDING SEASON
Black Skimmer <i>Rynchops niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234	Breeds May 20 to Sep 15
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Gull-billed Tern <i>Gelochelidon nilotica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9501	Breeds May 1 to Jul 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Purple Sandpiper <i>Calidris maritima</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere

NAME	BREEDING SEASON
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

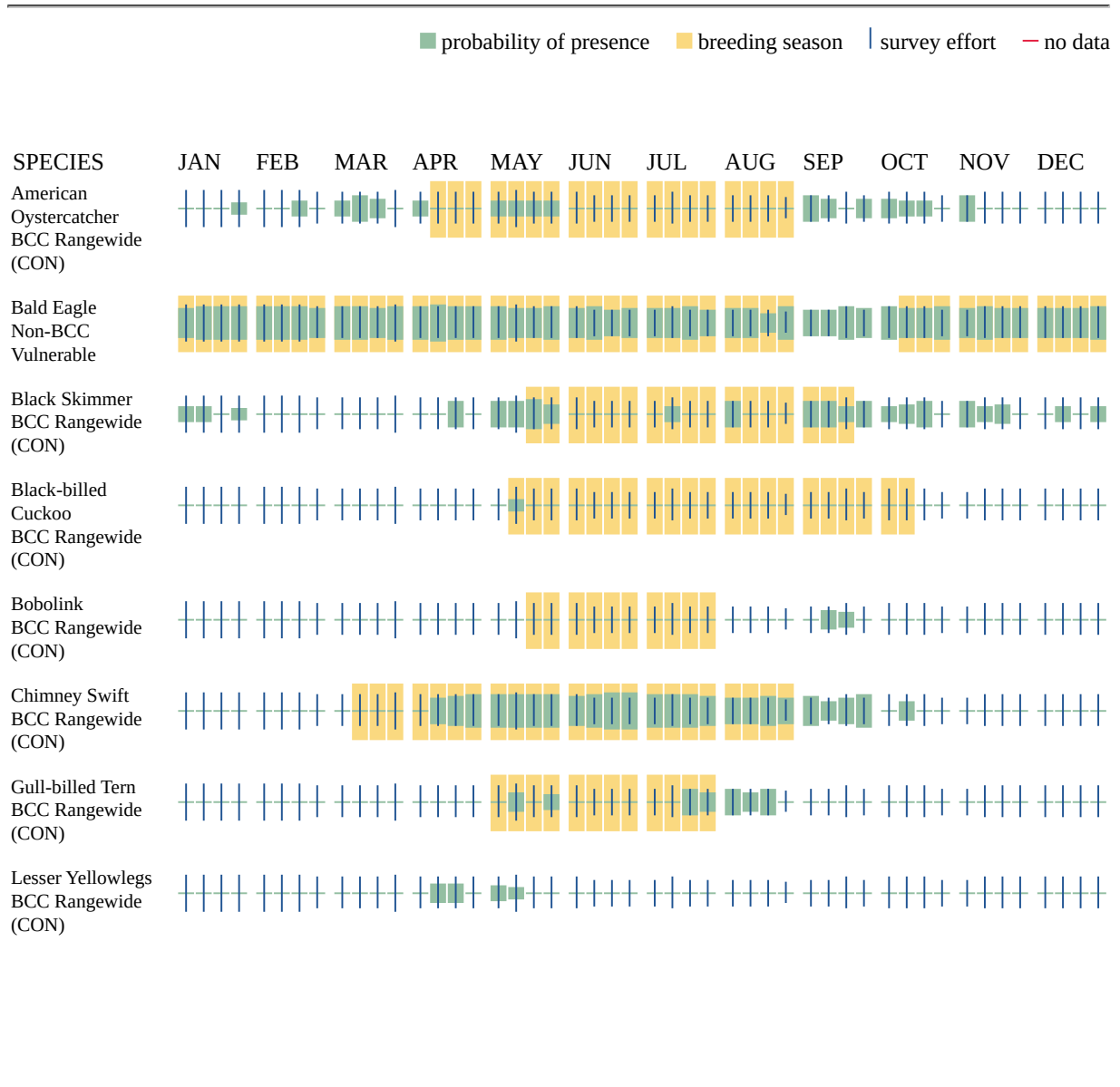
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

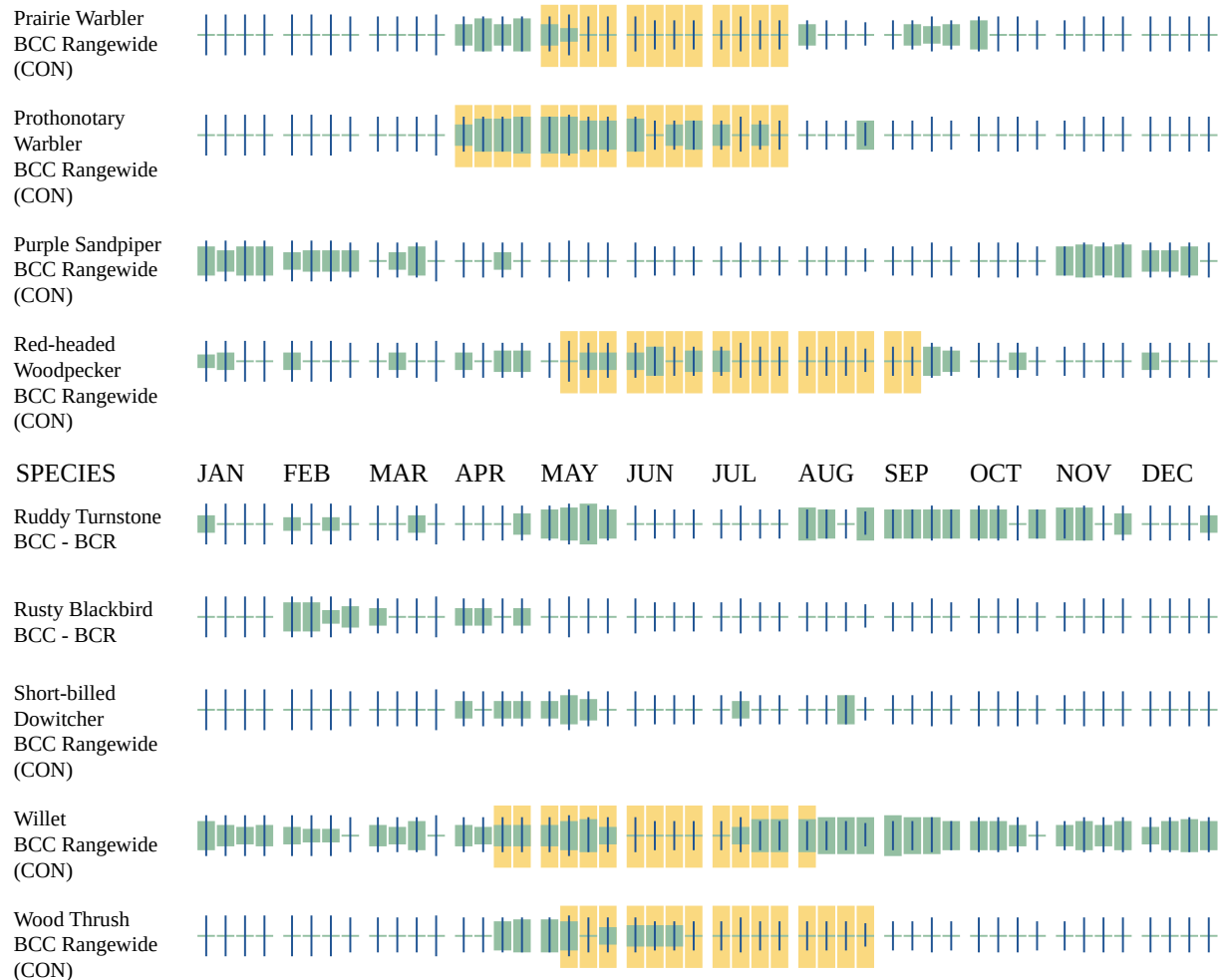
No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

MIGRATORY BIRDS FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding

in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);

2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities,

should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

IPAC USER CONTACT INFORMATION

Agency: Wetland Studies and Solutions, Inc

Name: Karen Dodson

Address: 1620 Brook Road

City: Richmond

State: VA

Zip: 23220

Email: kdodson@wetlands.com

Phone: 7032177691



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Date: 6/22/2023

Self-Certification Letter

Project Name: Harbour Point SSD

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Ecological Services online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA conclusions. These conclusions resulted in:

- “no effect” determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR § 17.40(o) [as determined through the Information, Planning, and Consultation System (IPaC) northern long-eared bat assisted determination key]; and/or
- “may affect, not likely to adversely affect” determinations for proposed/listed species and/or proposed/designated critical habitat.

We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the determinations described above for proposed and listed species and proposed and designated critical habitat. Additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat becomes available, this determination may be reconsidered. This certification letter is valid for 1 year.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html. If you have any questions, please contact Troy Andersen of this office at (804) 824-2428.

Sincerely,



Cindy Schulz
Field Supervisor
Virginia Ecological Services

Enclosures - project review package

Endangered Species Act (ESA) Section 7 Determination Table

Project Name: Harbour Point SSD







Date: June, 22, 2023

Species / Resource Name	Habitat/Species Presence in Action Area	Sources of Info	ESA Section 7 Determination	Project Elements that Support Determination
Critical habitat not present		VAFO CH Map Tool		

Exhibit 6
Historic Resources Information

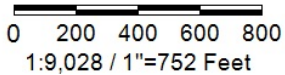


Legend

-  Architecture Resources
-  Architecture Labels
-  Individual Historic District Properties
-  Archaeological Resources
-  Archaeology Labels
-  DHR Easements



Feet



Title: Harbour Point

Date: 7/18/2023

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

3. 2023-WTRA-00188

City of Virginia Beach, Dept. of Public Works, et al. (Shadowlawn SSD Dredge)
[Applicant & Owner]

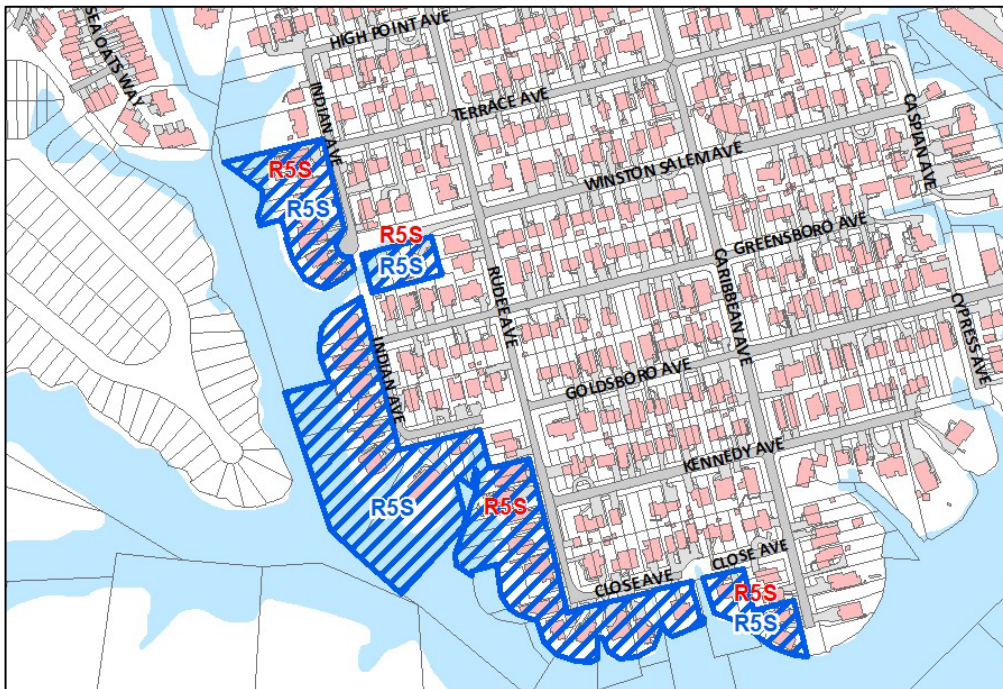
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2417907822, 2417906729, 2417905873, 2417905858, 2417904943, 2417905938,
2417914055, 2417914099, 2417914131, 2417914185, 2417914281, 2417913248,
2417912112, 2417910260, 2417910341, 2417910327, 2417910403, 2417910499,
2417910549, 2417912746, 2417910714, 2417819787, 2417819872, 2417819866,
2417819921, 2417819914

City Council District: District 5

Waterway – Lake Rudee

Subdivision – Shadow Lawn Heights

Request: To maintenance dredge involving wetlands.



Disclosure Statement Shadowlawn SSD Dredging Project



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 William R. & Karen P. Schonauer

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.



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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

	
Applicant Signature	
William R. Schonauer, Owner	Karen P. Schonauer
Print Name and Title	
7/20/23	7/20/23
Date	

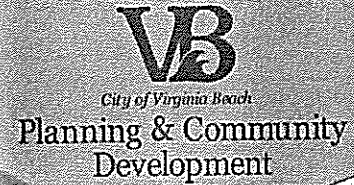
- Is the applicant also the owner of the subject property? Yes No

- 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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Jeff Hodgson

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent subsidiary 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-sub subsidiary 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 providing the service.
-

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 company and individual providing the service.
-

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 and individual providing the service.
-

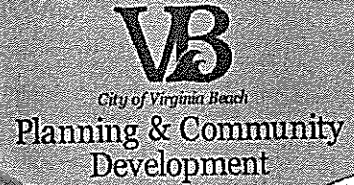
4. Does the applicant have services from an architect/landscape architect/land planner provided in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If yes, identify the firm and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.



Applicant Signature

JEFF HODGSON

Print Name and Title

6-30-23

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name CHARLES F. CAYTON, REVOCABLE TRUST & ELAINE F. CAYTON, REVOCABLE TRUST

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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

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

CHARLES F. CAYTON, REVOCABLE TRUST: TRUSTEE IS
CHARLES F. CAYTON. ELAINE F. CAYTON REVOCABLE TRUST:
TRUSTEE IS ELAINE F. CAYTON

- If yes, list the businesses that have a parent-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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

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Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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Charles F. Cayton
Applicant Signature

CHARLES F. CAYTON, TRUSTEE
Print Name and Title

08.28.2023
Date

Elaine F. Cayton

ELAINE F. CAYTON, TRUSTEE

8/28/2023

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

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Laidlaw Living Trust, 3/23/2022

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

Thomas John Laidlaw, Julie Ann Laidlaw

- 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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

<p><i>Thomas John Langley, trustee</i> _____ Applicant Signature</p> <p><i>Thomas John Langley, trustee</i> _____ Print Name and Title</p> <p><i>7/8/23</i> _____ Date</p>	<p><i>Julie Ann Langley, trustee</i> _____ Applicant Signature</p> <p><i>Julie Ann Langley, trustee</i> _____ Print Name and Title</p> <p><i>7/8/23</i> _____ Date</p>
--	--

- 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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Peter Michael Cummings Jr.

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 providing the service.
-

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 company and individual providing the service.
-

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 and individual providing the service.
-

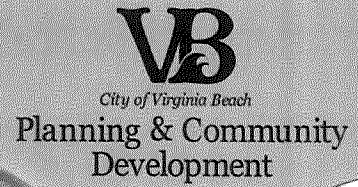
4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

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

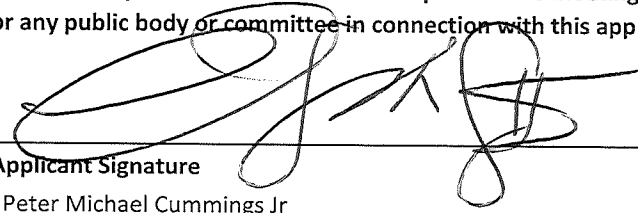
7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No
- If **yes**, identify the firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.



Applicant Signature
Peter Michael Cummings Jr

Print Name and Title
7.10.23

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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 Matt Bankin & Heather & Son

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 providing the service.

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 company and individual providing the service.

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Applicant Signature

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Applicant Signature

Print Name and Title

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name BRYAN T BUTLER

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.


Applicant Signature

Print Name and Title

BRYAN T BUTLER
7/18/2023

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name _____

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

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Ronald L Payne

Applicant Signature

Print Name and Title

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Gregory M Owens

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Gregory M Owens

Applicant Signature

Gregory M Owens Owner

Print Name and Title

7-10-2023

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Sam Caldwell

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

Sam Caldwell Owner

Print Name and Title

7/10/23

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Kenneth B. Gregory

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

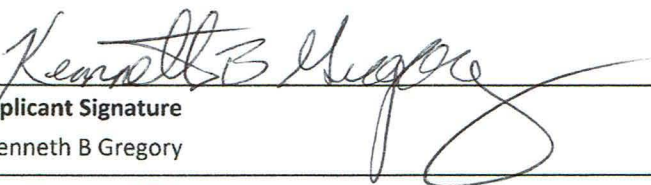
Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**



Applicant Signature

Kenneth B Gregory

Print Name and Title

July 6, 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	

Disclosure Statement Shadowlawn SSD Dredging Project



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 Greg Purkey

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

Purkey Family Trust: Jon Gregory Purkey; Monica Marie Purkey
documentation attached

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

N/A

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.

THE PURKEY FAMILY JOINT DECLARATION OF TRUST

NAME OF TRUST: The Purkey Family Joint Declaration of Trust

DATE ESTABLISHED: July 31, 2018

PRIMARY SUCCESSOR TRUSTEE: Jon Gregory Purkey or Monica Marie Purkey

SECONDARY SUCCESSOR TRUSTEE: Midgett Preti Olansen PC

INFORMAL TRUST NAME: The Purkey Family Joint Declaration of Trust dated July 31, 2018

**FORMAL TRUST NAME:
(TITLE TO ALL ASSETS IN
THE TRUST ARE VESTED IN
THIS NAME)** Jon Gregory Purkey and
Monica Marie Purkey, Trustees, or their
successors in trust, under the
Purkey Family Joint Declaration of Trust,
dated July 31, 2018, and any amendments
thereto

THIS SUMMARY IS NOT PART OF THE TRUST

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 providing the service.

Mortgage through Bay Port Credit Union

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 company and individual providing the service.
-

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 and individual providing the service.

Stewart & Company: personal CPA

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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

Midgett Preti Olsen PC: trust 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.

[Handwritten Signature]

Applicant Signature

Jon Gregory Purkey Primary Successor Trustee

Print Name and Title

7-5-23

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name MARK R. WEST

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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-sub subsidiary 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 providing the service.

BAYPORT CREDIT UNION

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 company and individual providing the service.

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Manik R. West

Applicant Signature

MANIK R. WEST

PROPERTY OWNER

Print Name and Title

6/30/23

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Carmel Johnson

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

Print Name and Title

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name John Uhrin

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

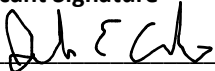
8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

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

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.**

Applicant Signature



Print Name and Title

John Uhrin, Owner 7/6/23

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Richard and Kate Kinnear

Does the applicant have a representative? Yes No

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

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Applicant Signature

RICHARD AND KATE KINNEAR OWNERS

Print Name and Title

1/10/23

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	

Disclosure Statement

Shadowlawn SSD Dredging Project



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Applicant Disclosure

Applicant Name Hal & Lee Ann Breedlove

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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)

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Disclosure Statement



City of Virginia Beach

Planning & Community
Development

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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

Hal W. Sreedlove / owner

Print Name and Title

7/13/2022

Date

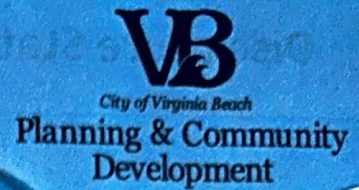
- Is the applicant also the owner of the subject property? Yes No

- 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	

Disclosure Statement Shadowlawn SSD Dredging Project



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 JEFF JANIK

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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-subsidary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsidary 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-subsidary 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 providing the service.
-

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 company and individual providing the service.
-

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 and 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 and 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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.

Applicant Signature

JEFF SANK Homeowner

Print Name and Title

07-02-23

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	

Disclosure Statement Shadowlawn SSD Dredging Project



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 Henry W Stanley, Jr

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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.

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Disclosure Statement

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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 providing the service.
-

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property? Yes No

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-

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 and 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.

AKS
8-29-2023

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 company and individual providing the service.

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 firm and individual providing the service.

Tom Langley of Langley & McDonald/Karen Dodson of Wetland Studies and Solutions

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 firm and individual providing the service.

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.**

Henry W. Stanley, JR
Applicant Signature

Print Name and Title

Henry W. Stanley, JR

Date *7-6-2023*

- 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	

Shadowlawn SSD

Virginia Beach, Virginia

WSSI #28737.02

Individual Permit Application & Modification

July 7, 2023, Revised September 7, 2023



1008 Old Virginia Beach Road, Suite 200

Virginia Beach, VA 23451

Tel: 757-963-2008

www.wetlands.com

1008 Old Virginia Beach Road • Suite 200 • Virginia Beach, VA 23451 • Phone 757.963.2008 • www.wetlands.com

Additional Info/Revision Received by VMRC September 12, 2023 / Ira



July 7, 2023 Rev. September 8, 2023

Autumn Crawford
U. S. Army Corps of Engineers
803 Front Street
Norfolk, Virginia 23510

VIA VMRC Permit Inbox

Heaven Manning
Planning & Community Development
City of Virginia Beach LWB
2875 Sabre Street, Suite 500
Virginia Beach, Virginia 23452

VIA VMRC Permit Inbox

Re: Revised Joint Permit Application for LWB Permit and USACE Permit Modification
Shadowlawn SSD Dredging Project (± 2.2 acres), Maintenance Dredging Round 1
Virginia Beach, Virginia
WSSI #28737.02


Dear Ms. Crawford and Ms. Manning:

This application has been revised to account for changes at property SL17. The access basin has been expanded to account for a new proposed pier which has resulted in additional subaqueous and TNVW impacts as well as a new 4x buffer impact. The pier and boatlift are not included in this JPA and are to be permitted separately. Additional impacts of 201 square feet of subaqueous bottom and 416 square feet of TNVW are proposed. A new vegetated impact is proposed to the 4x buffer and totals 130 square feet. The entirety of these impacts are located on private property. The remainder of the project and impacts remain unchanged.

This application is being provided at the request of the Shadowlawn Special Service District (SSD) homeowners and the City of Virginia Beach for encroachment on subaqueous bottom as part of the first round of maintenance dredging in Virginia Beach, Virginia. The permanent impact to 72,695 square feet (1.67 acres) of subaqueous bottom, 6,973 square feet (0.16 acres) of TNVW, and 130 square feet (0.003 acres) of 4x buffer is proposed as part of this project. The project obtained authorization for the initial round of dredging from the USACE (NAO-2013-1998) on February 1, 2016 and from the LWB March 23, 2016 (VB15-061-W). The LWB permit was extended twice and most recently expired in March 2019 and the USACE permit will expire on February 1, 2026. VMRC confirmed that the project is located in a non-jurisdictional waterway and therefore a permit is not required in April 2015. The project is due for its first round of maintenance dredging (Year 9 of 16) and therefore we are requesting reauthorization of the expired LWB permit and a permit modification from the USACE to include minor project changes.

The following information will allow you to process this request:

1008 Old Virginia Beach • Suite 200 • Virginia Beach, VA 23451 • Phone 757-963-2008 • www.wetlands.com



Additional Info/Revision Received by VMRC September 12, 2023 / Ira

Applicant

City of Virginia Beach Dept of Public Works
484 Viking Drive, Suite 201
Virginia Beach, VA 23452
Attn: Rommel Tamayo
Phone: (757) 385-4131
Email: RTamayo@vbgov.com

Agent

Wetland Studies and Solutions, Inc.
1008 Old Virginia Beach Road, Suite 200
Virginia Beach, VA 23451
Attn: Karen Dodson
Phone: (703) 217-7691
Email: kdodson@wetlands.com

Project Location

The proposed project is located in the Shadowlawn neighborhood west of Rudee Avenue and south of Virginia Avenue in Virginia Beach, Virginia. A vicinity map of the location and boundary of the proposed project area is enclosed within Exhibit 2. The centroid location of the proposed project is located approximately at latitude 36.828825 N, and longitude -75.983960W.

Wetland Delineation

The MLW line has been determined by survey and is shown in the permit drawings (Exhibit 3). According to the National Wetlands Inventory (NWI) mapping, the subject Waters of the U. S. (WOUS) are estuarine, subtidal, unconsolidated bottom, (E1UBL) as defined by the U.S. Fish and Wildlife Service (USFWS) *Classification of Wetlands and Deep-water Habitats of the United States (Cowardin 1979)*. Non-vegetated intertidal wetlands (TNVW) are also present in the project area. The subject WOUS are surrounded by residential development to the northeast and undeveloped land to the northwest.

Project Description

At the request of the Shadowlawn waterfront homeowners, the City of Virginia Beach has developed a partnership between the City and waterfront homeowners to create a Special Service District (SSD) to carry out a neighborhood dredging project to allow residents to recapture their access to navigable channels in Lake Rudee and to attenuate the siltation.

The Shadowlawn SSD was initially dredged in 2017. This current application is to authorize the first round of maintenance dredging associated with the original project. The dredging footprints of this application are consistent with those previously permitted with two exceptions. The property identified as SL02 is new to this application and property SL17's access basin has expanded to accommodate a new boatlift and pier. Property owner information is included in Exhibit 3, Table 2.

The proposed Shadowlawn SSD Dredging Project is composed of two distinct types of channels: the neighborhood SSD channel providing access to Lake Rudee; and the individual access basin channels which provide access to individual properties. No dredging is proposed in the City SDD Channel as part of this application. In addition to the current dredging, the

Shadowlawn SSD Dredging Project proposes an additional maintenance dredging event in seven years during Year 16 of the overall dredging cycle.

The Shadowlawn SSD program includes 31 waterfront property owners. The SSD main channel with one spur to the east is located in the vicinity of Kennedy Avenue. The proposed dimensions of the SSD channels, which remain unchanged from the initial permit, are described in Table 1 below.

Table 1: Proposed Dimensions of the SSD Dredging Project Channels

Channel	Length (ft)	Depth (ft)*	Bottom Width (ft)
SSD Main Channel	2,337	-4.0	25
SSD Spur	175	-3.0	15

*does not include 0.5 ft for allowable overdredging

The proposed 2,512 linear feet of Neighborhood SSD channels will have a dredge depth of three to four feet (+0.5' allowable overdredge) below MLW with a maximum bottom width of 25 feet in the main SDD channel narrowing to 15' in the Spur Channel.

The proposed designs for dredging the individual access basins vary depending on existing water depth, distance to connect to the neighborhood channel, and the size and geometry of the turning basin to accommodate individual homeowner boat sizes, and boat lifts. Typical sections are provided on Sheet SL7 (Exhibit 3). A total of 19 individual access basins will be dredged as a part of this project. All existing homeowner piers and boat lifts are shown on the permit drawings (Exhibit 3). No permits for any homeowner's proposed pier structures are being requested as part of this application and must be secured separately by the homeowners.

Avoidance, Minimization, and Unavoidable Impacts

The applicant has designed the dredging to avoid and minimize impacts to tidal vegetated and non-vegetated wetlands within the project area. The dredge footprint is within the boundary of the previously permitted dredge areas except for the addition of property SL02 and expansion of SL17. All impacts to vegetated wetlands have been avoided expect the small 4x buffer impact at SL17. The proposed design depicts the minimum amount of impacts necessary to provide safe navigability to the homeowners within the Shadowlawn SSD.

SSD Channels

The width of the main SSD channel reduces from 25 feet to 15 feet as it transitions into the SSD spur channel. The dredge depth also reduces from four feet to three feet below MLW. This reduction in dredging width and depth eliminates impacts to vegetated wetlands as the natural

channel narrows and wetlands increase towards the upstream ends and reduces impacts to subaqueous bottom.

Individual Access Basins

The project engineer, Langley & McDonald, worked with each homeowner to design nineteen individual access basins which avoided all encroachment to vegetated wetlands except for one 4x buffer impact located at SL17. Changes from the current USACE permit consist of the addition of SL02 and expansion of SL17 which propose additional total impacts to 801 square feet of subaqueous bottom, 416 square feet of TNVW, and 130 square feet of 4x buffer impact.

Homeowner access basins are designed to avoid and minimize impacts to subaqueous bottom, tidal non-vegetated and vegetated wetlands, while still allowing homeowners to access piers and boat lifts. Dredge depths range from one to five feet below MLW in order to reduce the impacts whenever possible. All impacts to tidal vegetated wetlands have been avoided.

Proposed Dredge Material Management Plan

The channel dredging will be accomplished by utilizing a hydraulic dredge, with the dredge material being piped and deposited within the Lake Rudee dredge disposal area. This dredge disposal area was created for the purpose of depositing dredging material from projects within the Lake Rudee drainage area. The floating portion of the pipeline will be placed to avoid impacts to vegetated wetlands. The submerged pipeline will be secured to the bottom with solid concrete blocks. A minimum clearance over the pipeline will be seven feet to allow for continued navigability of the area. A baffle screen and turbidity curtain will be used at the discharge point to protect water quality.

Compensatory Mitigation

There is one impact to the 4x buffer located at SL17 which totals 130 square feet (0.003 ac) and is located outside the limits of the current USACE permit. All impacts to non-vegetated wetlands are located within the limits of current USACE permit except for 600 square feet (0.014 ac) of TNVW impact associated with the expansion of SL17. These impacts are proposed to be mitigated at a 1:1 ratio with the purchase of 0.017 tidal wetland credits. The total credits proposed to be purchased for the LWB impacts (discussed below) are in excess of this amount, therefore no additional mitigation is proposed to be purchased for this impact beyond the 0.07 credits.

Non-vegetated wetland impacts located on private property under the LWB jurisdiction total 5,819 square feet and are detailed in Table 4 (Exhibit 4). These impacts are proposed to be

mitigated at a 0.5:1 ratio via the purchase of 0.067 tidal wetland credits. One 4x buffer impact located in private property is proposed and totals 130 square feet. This impact is proposed to be mitigated at a 1:1 ratio via the purchase of 0.003 credits. A total of 0.07 credits are proposed to be purchased from the Virginia Aquatic Resources Trust Fund or an approved mitigation bank.

Other Related Issues

Endangered and Threatened Species

WSSI conducted a search of the Virginia Department of Wildlife Resources (DWR) Fish and Wildlife Information Service (FWIS) database on June 21, 2023 to determine if DWR has records of any endangered or threatened species (ETS) within a 2-mile radius of the refenced project area. The results of the database search indicate the federally and state endangered Kemp's ridley sea turtle (*Lepidochelys kempii*), the federally and state endangered roseate turn (*Sterna dougallii dougallii*), the federally and state threatened loggerhead sea turtle (*Caretta caretta*), the federally threatened and state endangered West Indian manatee (*Trichechus manatus*), the federally proposed endangered and state endangered tri-color bat (*Perimyotis subflavus*), and the state threatened peregrine falcon (*Falco peregrinus*) have all been documented within a two-mile radius of the project area. A copy of this is provided within Exhibit 5A.

In addition, WSSI reviewed the U.S. Fish and Wildlife Service (FWS) Information Planning and Consultation (IPaC) system report on June 21, 2023 for potential federally-listed ETS within the project area. The FWS IPaC system indicates that candidate species the monarch butterfly (*Danaus plexippus*) could potentially occur within the project vicinity. A copy of the FWS IPaC database search is also enclosed within Exhibit 5B.

The Kemps ridley sea turtle, loggerhead sea turtle, and West Indian Manatee have been documented within the vicinity of the project. Most of these documentations are located within the open water of the Atlantic Ocean. Some of these species have been documented within Lake Rudee which is an area subject to high recreational boat traffic. While suitable habitat for these species is present within the project area, adverse effects to these species are not anticipated as they are mobile and easily able to relocate to another portion of the waterway should they be present in the project vicinity during dredging.

The roseate turn occupies sandy beaches and dunes, none of which are located within the project area. Therefore, no suitable habitat is present and no effects to this species are anticipated.

The tri-color bat utilizes trees for roosting and breeding. As there are no trees within the project area, no suitable habitat is present therefore no adverse effects to this species are anticipated.

Suitable habitat for the monarch butterfly is not present within this project area. The project takes place entirely in the water therefore no effects to this species are anticipated.

Thus, to the best of our knowledge, the proposed project complies with both the federal and state Endangered Species Acts, and no adverse impacts to state or federally protected species are anticipated.

Historic Properties

Exhibit 6 depicts the Virginia Department of Historic Resources (DHR) Architectural Resources and Archeological Sites Map. This map indicates that there are no archaeological or architectural resources located within the project footprint therefore no adverse effects to these types of resources are anticipated.

Conclusion

Impacts associated with the Shadowlawn SSD project consist of dredging impacts to 72,695 square feet (1.67 acres) of subaqueous bottom, 6,973 square feet (0.16 acres) of TNVW, and 130 square feet (0.003 acres) of 4x buffer. To our knowledge, no state- or federally-listed species are expected to be adversely impacted by the proposed project and no historic properties listed, or eligible for listing, on the NRHP will be adversely impacted. To compensate for the non-vegetated LWB impacts, the purchase of 0.07 tidal wetland credits is proposed.

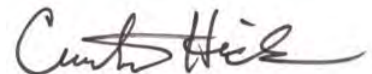
On behalf of the Applicant, the City of Virginia Beach, we request authorization for the proposed impacts. Please contact me at kdodson@wetlands.com; (703) 217-7691 or Curtis Hickman at chickman@wetlands.com (757) 386-4112 you have any questions or require additional information to complete your review of this request for authorization. Thank you in advance for your attention to this matter.

Sincerely,

WETLAND STUDIES AND SOLUTIONS, INC.



Karen Dodson, PWD, CE
Senior Environmental Scientist



Curtis Hickman
Project Manager

Enclosures



Shadowlawn SSD

Virginia Beach, Virginia

Joint Permit Application

INDEX TO EXHIBITS

- 1 *Joint Permit Application Form*
- 2 *Vicinity Map*
- 3 *Plans as Applicable to Impacts to Waters of the U.S.*
- 4 *Impact Summary Table and Mitigation Table*
- 5 *Endangered and Threatened Species (ETS) Information and Related Correspondence*
- 6 *Historic Resources Information*

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1008 Old Virginia Beach • Suite 200 • Virginia Beach, VA 23451 • Phone 757-963-2008 • www.wetlands.com

Additional Info/Revision Received by VMRC September 12, 2023 / Ira

Exhibit 1
Joint Permit Application Form

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 1/2 x 11 inch sheets of paper.***

<i>Check all that apply</i>			
Pre-Construction Notification (PCN) NWP # _____ RP # 05 (For NWP's & RP 05 ONLY - No DEQ-VWP permit writer will be assigned)	SPGP	DEQ Reapplication Existing permit number: _____	Receiving federal funds Agency providing funding: _____
Regional Permit 17 Checklist (RP-17)			

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

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)				Agent (if applicable)			
Mailing address				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 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: _____

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)

Property owner(s) legal name, if different from applicant			Contractor, if known		
Mailing address			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)		City/County/ZIP Code	
Subdivision		Lot/Block/Parcel #	
Name of water body(ies) within project boundaries and drainage area (acres or square miles).			
Tributary(ies) to: _____ Basin: _____ Sub-basin: _____ (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.): _____			
Project type (check one) _____ Single user (private, non-commercial, residential) _____ Multi-user (community, commercial, industrial, government) _____ Surface water withdrawal			
Latitude and longitude at center of project site (decimal degrees): _____ / - _____ (Example: 37.33164/-77.68200)			
USGS topographic map name: _____			
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): _____ If known, indicate the 10-digit and 12-digit USGS HUCs (see http://consapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm): _____			
Name of your project (Example: <u>Water Creek driveway crossing</u>) _____			
Is there an access road to the project? <input type="checkbox"/> Yes <input type="checkbox"/> No. If yes, check all that apply: <input type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> improved <input type="checkbox"/> unimproved			
Total size of the project area (in acres): _____			

2. PROJECT LOCATION INFORMATION (Continued)

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

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.

Date of proposed commencement of work (MM/DD/YYYY)

Date of proposed completion of work (MM/DD/YYYY)

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

Has any work commenced or has any portion of the project for which you are seeking a permit been completed?

Yes 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.

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

4. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ _____

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): \$ _____

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. Per Army Regulation (AR 25-51) outgoing correspondence must be addressed to a person or business.

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

Name of newspaper having general circulation in the area of the project: _____
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: _____

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)					
Latitude / Longitude (in decimal degrees)					
Wetland/waters impact area (square feet / acres)					
Dune/beach impact area (square feet)					
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)					
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)					

8. WETLANDS/WATERS IMPACT INFORMATION (Continued)

Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO; Example stream: 'C' channel and if tidal, whether vegetated or non-vegetated wetlands per Section 28.2-1300 of the Code of Virginia</i>					
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)					
Contributing drainage area in acres or square miles (<i>VMRC cannot complete review without this information</i>)					
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 https://law.lis.virginia.gov					

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.

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.

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Legal name & title of Applicant Rommel Tamayo, City of Virginia Beach Public Works	Second applicant's legal name & title, if applicable	
Applicant's signature Rommel B. Tamayo <small>Digital signed by Rommel B. Tamayo DN: cn=Rommel B. Tamayo, ou=Central Engineering, ou=Public Works, email=rtamayo@virginiabeach.gov, c=US Date: 2023.07.11 13:23:08 -0500</small>	Second applicant's signature	
Date July 11, 2023	Date	
Property owner's legal name, if different from Applicant See Attached	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), <u>City of Virginia Beach, Rommel Tamayo</u> (and) <u>See Attached</u> APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant		
hereby certify that I (we) have authorized <u>Wetland Studies and Solutions</u> (and) <u>c/o Karen Dodson</u> 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 Rommel B. Tamayo <small>Digital signed by Rommel B. Tamayo DN: cn=Rommel B. Tamayo, ou=Central Engineering, ou=Public Works, email=rtamayo@virginiabeach.gov, c=US Date: 2023.07.11 13:23:08 -0500</small>	Second applicant's signature, if applicable	
Date July 11, 2023	Date	
Agent's signature and title Karen Dodson, PWD, CE - Sr. Environmental Scientist	Second agent's signature and title, if applicable	
Date July 12, 2023	Date	
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								
Non-vegetated wetlands								
Subaqueous land								
Totals								

Is this a one-time dredging event? Yes No If "no", how many dredging cycles are anticipated: _____
 (____ 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).

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.

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

If this is a maintenance dredging project, what was the date that the dredging was last performed? _____
 Permit number of original permit: _____ (It is important that you attach a copy of the original permit.)

REVISED 09/05-23

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>) 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: _____ Date permit issued: _____

Contributing drainage area: _____ square miles	Average stream flow at site (flow rate under normal rainfall conditions): _____ 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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 ENHANCEMENT, 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

APPENDIX C

Chesapeake Bay Preservation Act Information

Please answer the following questions to determine if your project is subject to the requirements of the Bay Act Regulations:

1. Is your project located within Tidewater Virginia? ___Yes ___No (See map on page 31) - If the answer is “no”, the Bay Act requirements do not apply; if “yes”, then please continue to question #2.
2. Please indicate if the project proposes to impact any of the following Resource Protection Area (RPA) features:
 - ___ Tidal wetlands,
 - ___ Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow,
 - ___ Tidal shores,
 - ___ Other lands considered by the local government to meet the provisions of subsection A of 9VAC25-830-80 and to be necessary to protect the quality of state waters (contact the local government for specific information),
 - ___ A buffer area not less than 100 feet in width located adjacent to and landward of the components listed above, and along both sides of any water body with perennial flow.

If the answer to question #1 was “yes” and any of the features listed under question #2 will be impacted, compliance with the Chesapeake Bay Preservation Area Designation and Management Regulations is required. **The Chesapeake Bay Preservation Area Designation and Management Regulations** are enforced through locally adopted ordinances based on the Chesapeake Bay Preservation Act (CBPA) program. Compliance with state and local CBPA requirements mandates the submission of a **Water Quality Impact Assessment (WQIA)** for the review and approval of the local government. Contact the appropriate local government office to determine if a WQIA is required for the proposed activity(ies).

The individual localities, not the DEQ, USACE, or the Local Wetlands Boards, are responsible for enforcing the CBPA requirements and, therefore, local permits for land disturbance are not issued through this JPA process. **Approval of this wetlands permit does not constitute compliance with the CBPA regulations nor does it guarantee that the local government will grant approval for encroachments into the RPA that may result from this project.**

Notes for all projects in RPAs

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

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

Notes for shoreline erosion control projects in RPAs

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

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

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

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

PROJECT LOCATION: Shadowlawn Community

APPLICANT'S NAME: City of Virginia Beach

APPLICANT'S ADDRESS: 484 Viking Drive, #201

Virginia Beach, VA 23452

OWNER'S NAME
(IF DIFFERENT FROM APPLICANT): _____

- WITHIN THIRTY (30) DAYS AFTER 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.

- CERTIFICATION SHALL ALSO BE MADE THAT ANY SIGNS REQUIRED TO BE POSTED HAVE BEEN REMOVED.

- 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.

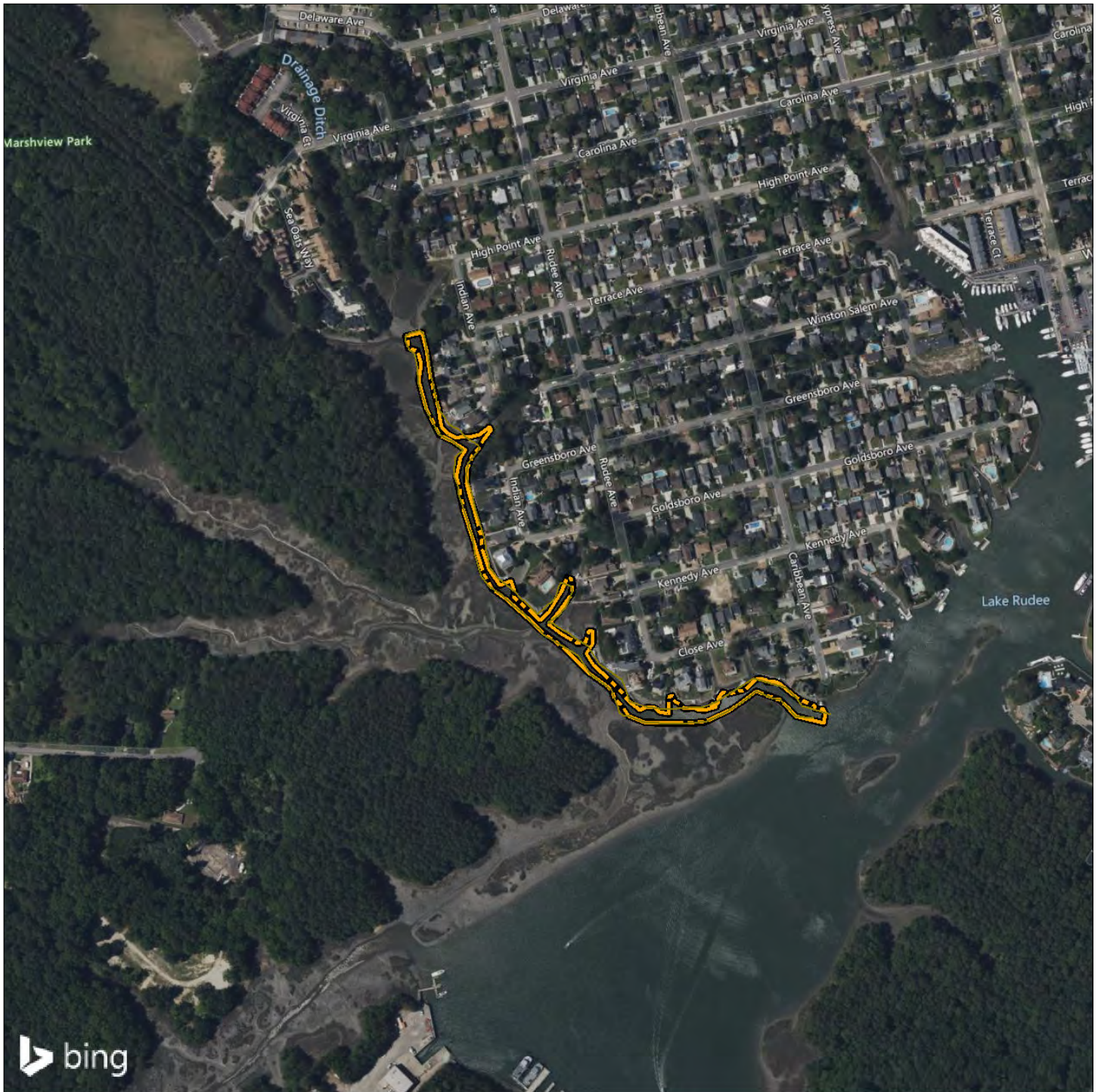
Tom B. Langley 8/29/23
SIGNATURE OF ENGINEER/SURVEYOR DATE
CERTIFYING CONSTRUCTION

Tom B. Langley, PE, LS
TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

SIGNATURE OF OWNER 9/5/23
DATE

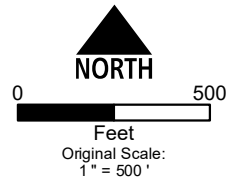
ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT OF THE CITY SHALL INVALIDATE THIS INSTRUMENT.

Exhibit 2
Vicinity Map



 Project Area

**Vicinity Map
Shadowlawn SSD
WSSI #28737.02**



Source: World Street Map - ESRI

Wetland Studies and Solutions, Inc.
a **DAVEY** company

Additional Info/Revision Received by VMRC September 12, 2023 / Ira

Exhibit 2

Exhibit 3

Project Plans



CITY OF VIRGINIA BEACH
DEPARTMENT OF PUBLIC WORKS
ENGINEERING

SHADOWLAWN SSD - CIP #8-502

DREDGING PROJECTS
BID NUMBER: PWCN-16-0152

INDEX OF SHEETS

1	COVER SHEET
SHADOWLAWN SSD DREDGING PROJECT	
SL1	2 SHEET INDEX
SL2	3 LAYOUT PLAN STA. 10+00 TO STA. 16+50
SL3	4 LAYOUT PLAN STA. 16+50 TO STA. 25+00
SL4	5 LAYOUT PLAN STA. 25+00 TO STA. 33+00
SL5	6 LAYOUT PLAN STA. 33+00 TO STA. 39+00 AND SPUR LAYOUT STA. 0+00 TO STA. 1+74.52
SL6	7 LAYOUT PLAN STA. 39+00 TO STA. 46+32
SL7	8 DETAILS AND SECTIONS

Langley & McDonald, Inc

SURVEY NOTES

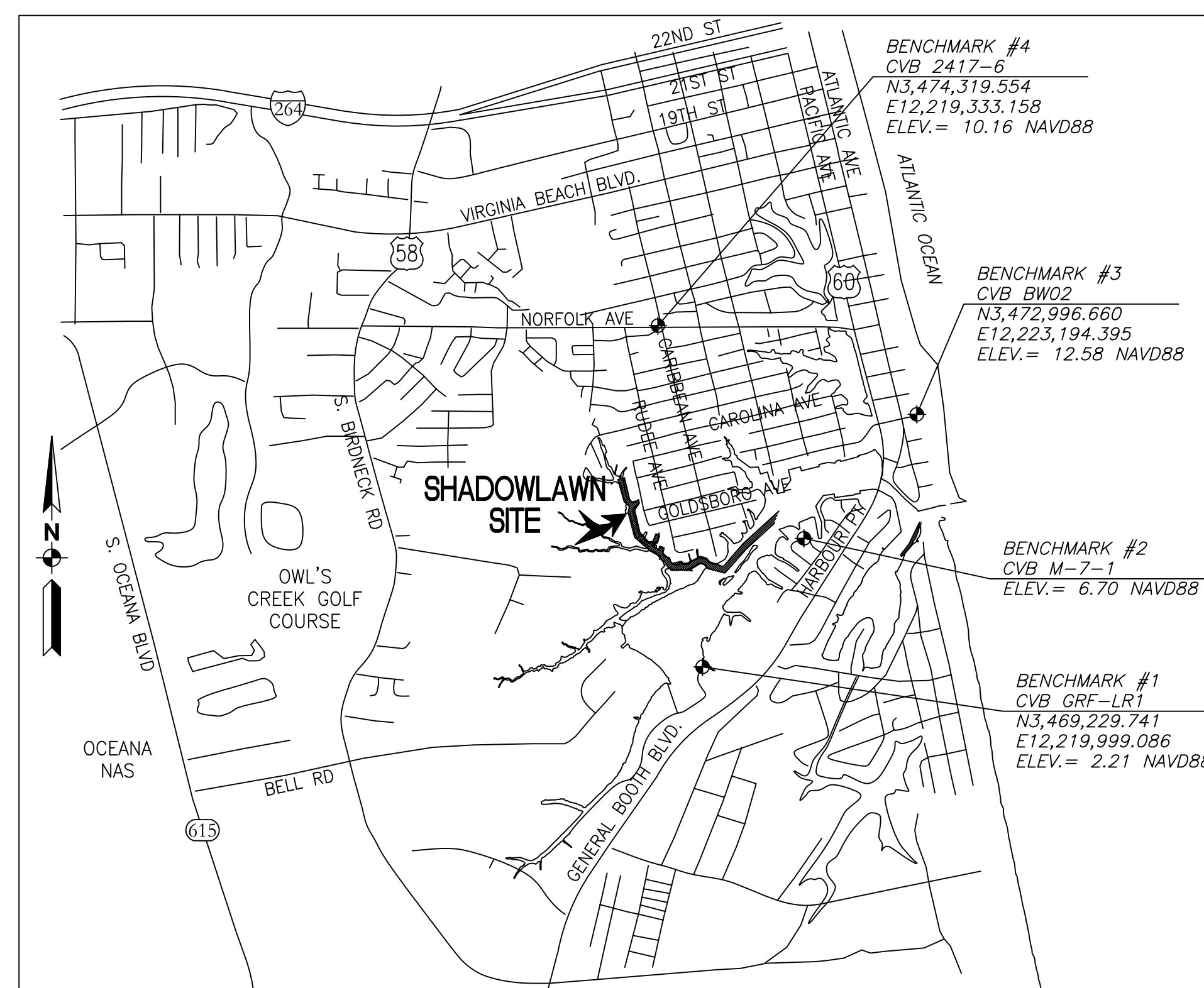
1. THIS SURVEY "SHADOWLAWN SSD DREDGING PROJECT CIP 8-502 PWCN-16-0152" WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF BETH ANN G. CAMPBELL (VA LS #003316) FROM AN ACTUAL GROUND SURVEY MADE UNDER MY DIRECT SUPERVISION. THAT THE ORIGINAL DATA WAS OBTAINED BETWEEN 04-16-23 AND 05-01-23 AND THAT THIS PLAN, MAP OR DIGITALLY PROVIDED GEOSPATIAL DATA, INCLUDING METADATA, MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
2. THE REFERENCE MERIDIAN IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983/1986. US SURVEY FEET. HORIZONTAL AND VERTICAL CONTROL ESTABLISHED VIA GPS "ONE-STEP" ON THE LEICA SMART-NET NETWORK USING CITY OF VIRGINIA BEACH CONTROL MONUMENTS PS118, 2417-6, BW02, M-7-1, GRF-LR1, AND 2416-1. VERTICAL DATUM WAS CONVERTED TO MLW WITH A DIFFERENCE OF (+2.14') USING THE DATUM CONVERSION INFORMATION PROVIDED ON CITY OF VIRGINIA BEACH PLANS FOR THE RUDEE LOOP AND HARBOUR WALK RENOVATIONS.
3. SOUNDINGS WERE OBTAINED WITH A SONAMITE MILSPEC ECHO SOUNDER OPERATING AT 200 KHz. ADDITIONAL SUPPLEMENTAL DATA WAS COLLECTED WITH LEICA VIVA RTK GPS AND TOTAL STATIONS.
4. PROPERTY LINES INDICATED HEREON ARE BASED ON MINIMAL FOUND FIELD MONUMENTATION AS RELATED TO PLATS AND MAPS OF RECORD FOR PROPERTIES IN OR NEAR THE SURVEY AREA. IN SOME INSTANCES, CITY MAPPING HAS BEEN USED TO SUPPLEMENT MISSING OR AMBIGUOUS DATA.
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT FOR ALL PARCELS INDICATED HEREON.
6. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
7. THESE ELEVATIONS REPRESENT ONLY THE CONDITIONS AT THIS LOCATION AND ON THE DATE SHOWN AND DO NOT GUARANTEE THE CONDITION AT OTHER AREAS OR DATES SUBSEQUENT TO THIS SURVEY.

JULY 1, 2023

REVISED 09-05-2023

CITY SIGNATURE BLOCK

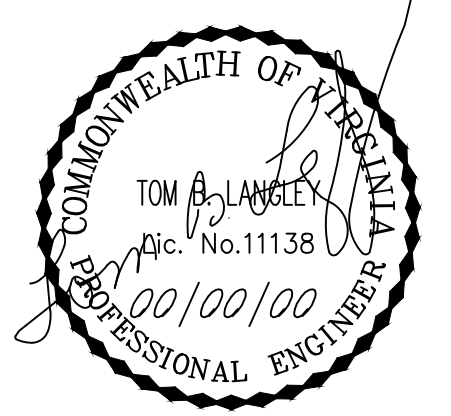
APPROVED _____	DATE _____
CITY ENGINEER	
APPROVED _____	DATE _____
DIRECTOR OF DEPARTMENT OF PUBLIC WORKS	
APPROVED _____	DATE _____
PUBLIC WORKS OPERATIONS ENGINEER	
APPROVED _____	DATE _____
REAL ESTATE	



VICINITY MAP

SCALE: 1"=1800'

Langley & McDonald, Inc
Engineering • Planning • Surveying
309 Lynnhaven Parkway
Virginia Beach, VA 23452
PH: (757) 463-4306 FAX: (757) 463-3563



REVISION:	
DATE:	

VIRGINIA

SHADOWLAWN
SSD DREDGING PROJECT
 SHEET INDEX
 FOR
 CITY OF VIRGINIA BEACH

VIRGINIA BEACH,

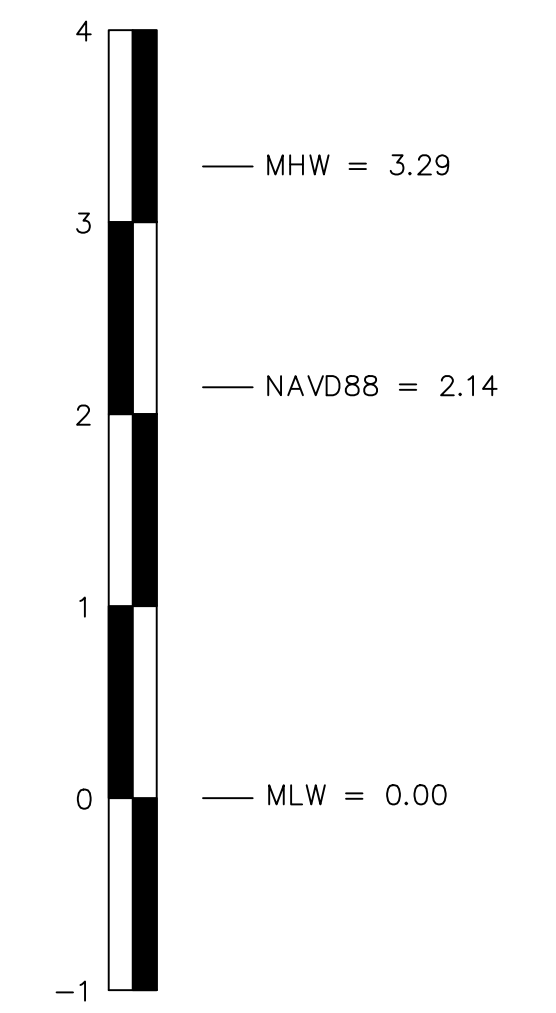
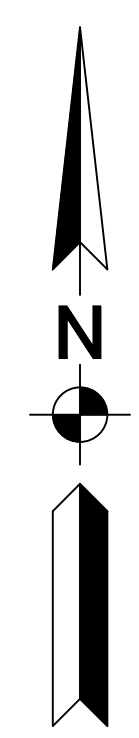
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 DATE: 07/01/23
 FILE: SHADOWLAWN-JPA-2
 PROJ. #: 2011-019-26
 SHEET NO.

SL1
 2 OF 8 SHEETS

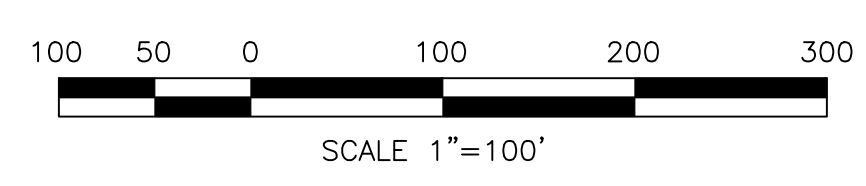
- PIER
- MLW
- EDGE OF MARSH (GIS)
- PROPERTY LINE
- PROPOSED 2X BUFFER
- PROPOSED 4X BUFFER

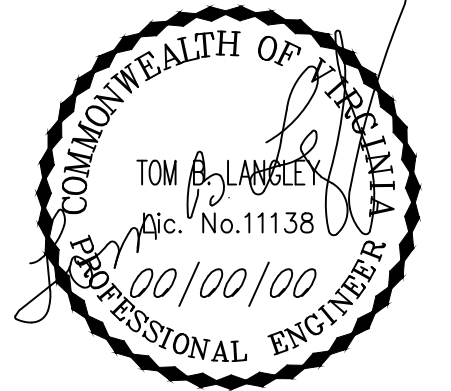
- SSD CHANNEL AREA TO BE DREDGED TO -4.0 MLW (+0.5' OVERDREDGE)
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- TIDAL NON-VEGETATED WETLANDS (T.N.V.W.) IMPACT AREAS

- ABBREVIATION**
- MHW MEAN HIGH WATER
 - MLW MEAN LOW WATER
 - MLLW MEAN LOWER LOW WATER
 - MTR MEAN TIDE RANGE
 - C.Y. CUBIC YARD
 - M.B. MAP BOOK
 - P.G. PAGE
 - ELEV. ELEVATION
 - ROW RIGHT OF WAY
 - PS PARTICIPANT PARCEL NUMBER
 - SSD SPECIAL SERVICE DISTRICT
 - STA STATION
 - P.I. POINT OF INTERSECTION
 - E.P. END POINT
 - O.A. OVERALL
 - BH BULKHEAD
 - TB TOP OF BANK
 - WDS WETLANDS
 - LSA LANDSCAPE AREA
 - CONC CONCRETE
 - INV INVERT
 - CMP CORRUGATED METAL PIPE
 - TS TOE OF SLOPE



DATUM DIAGRAM (NTS)
 ELEVATIONS ARE IN FEET REFERRED TO NOS MLW
 BASED ON THE 1983-2001 NATIONAL TIDAL DATUM EPOCH





REVISION:
DATE:

VIRGINIA

**SHADOWLAWN
 SSD DREDGING PROJECT**
 LAYOUT PLAN STA. 10+00 TO STA. 16+50
 FOR
 CITY OF VIRGINIA BEACH

DESIGNED: TBL
 DRAWN: BMH
 CHECKED: TBL
 SCALE: 1"=25'
 DATE: 07/01/23
 FILE: SHADOWLAWN-JPA-2
 PROJ. #: 2011-019-26
 SHEET NO.



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- PIER
- MLW
- EDGE OF MARSH (GIS)
- PROPERTY LINE
- PROPOSED 2X BUFFER
- PROPOSED 4X BUFFER

- NOTES:**
1. SURVEY PROVIDED BY MIDATLANTIC SURVEYS. SURVEY DATA LAST COLLECTED ON MAY 01, 2023. ELEVATIONS ARE IN FEET AND REFERS TO MLW=0
 2. PROPOSED PIERS AND BOAT LIFTS (AS SHOWN IN PERMITS), TO BE CONSTRUCTED BY OTHERS.
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 BASED ON THE 1983-2001 NATIONAL TIDAL DATUM EPOCH

SCALE 1"=25'

REVISION:
DATE:

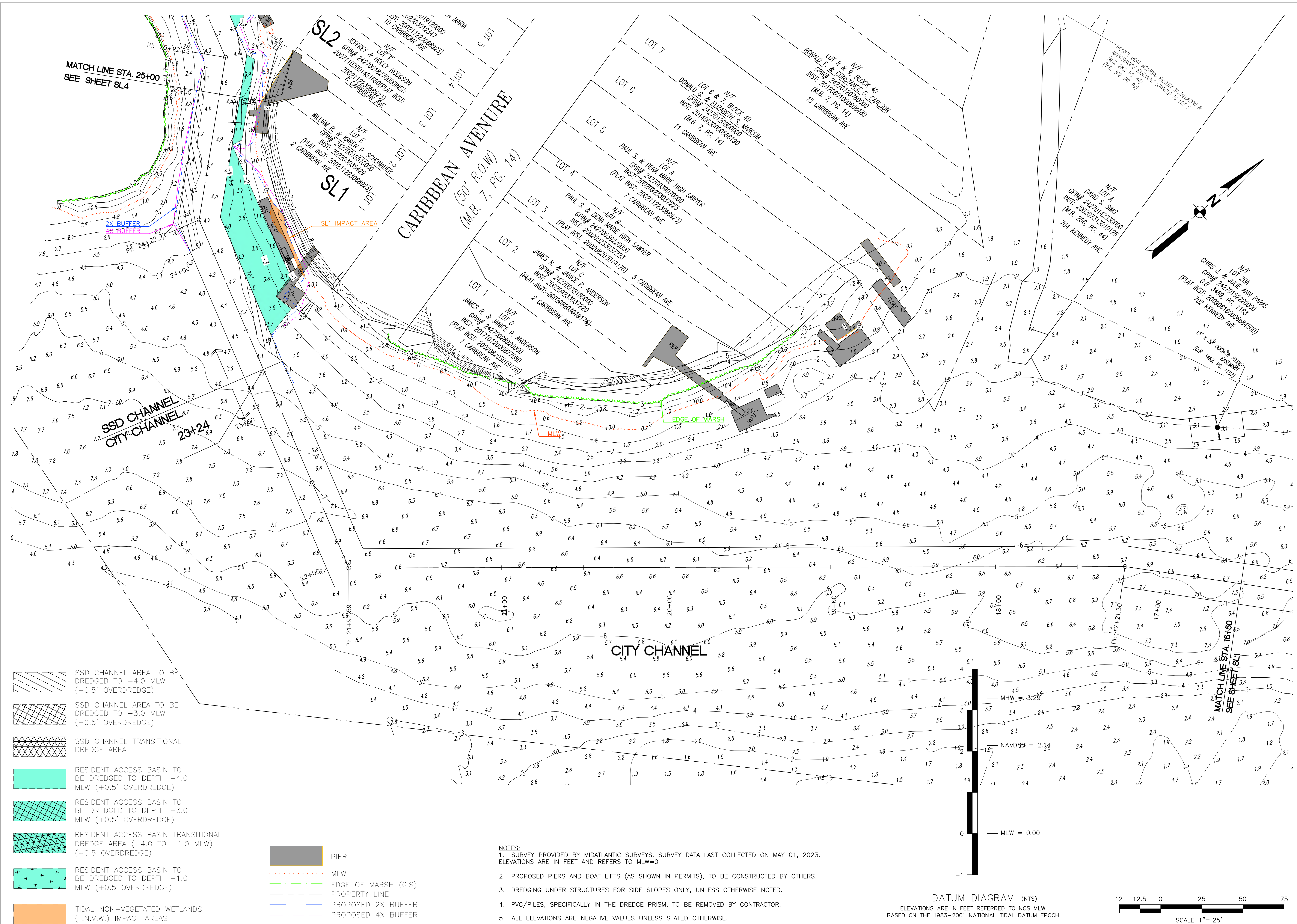
VIRGINIA

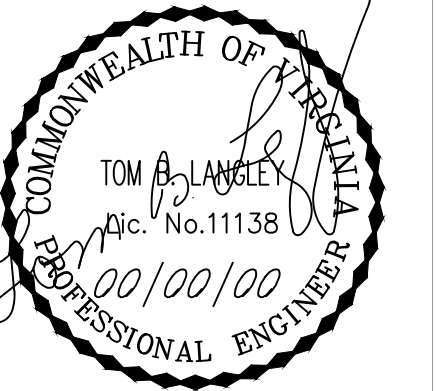
**SHADOWLAWN
SSD DREDGING PROJECT**

LAYOUT PLAN STA. 16+50 TO STA. 25+00
FOR
CITY OF VIRGINIA BEACH

VIRGINIA BEACH,

DESIGNED: TBL
DRAWN: BMH
CHECKED: TBL
SCALE: 1"=25'
DATE: 07/01/23
FILE: SHADOWLAWN-JPA-2
PROJ. #: 2011-019-26
SHEET NO.





DATE:	11/14/16
REVISION:	REVISED P6 ACCESS BASIN

VIRGINIA

**SHADOWLAWN
SSD DREDGING PROJECT**
LAYOUT PLAN STA. 25+00 TO STA. 33+00
FOR
CITY OF VIRGINIA BEACH

DESIGNED: TBL
DRAWN: BMH
CHECKED: TBL
SCALE: 1"=25'
DATE: 07/01/23
FILE: SHADOWLAWN-JPA-2
PROJ. #: 2011-019-26
SHEET NO.

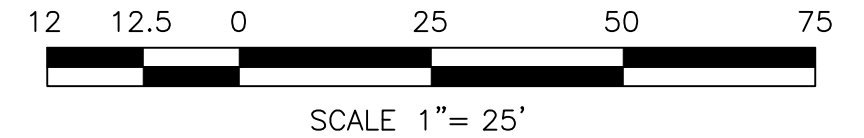
SL4
5 OF 8 SHEETS



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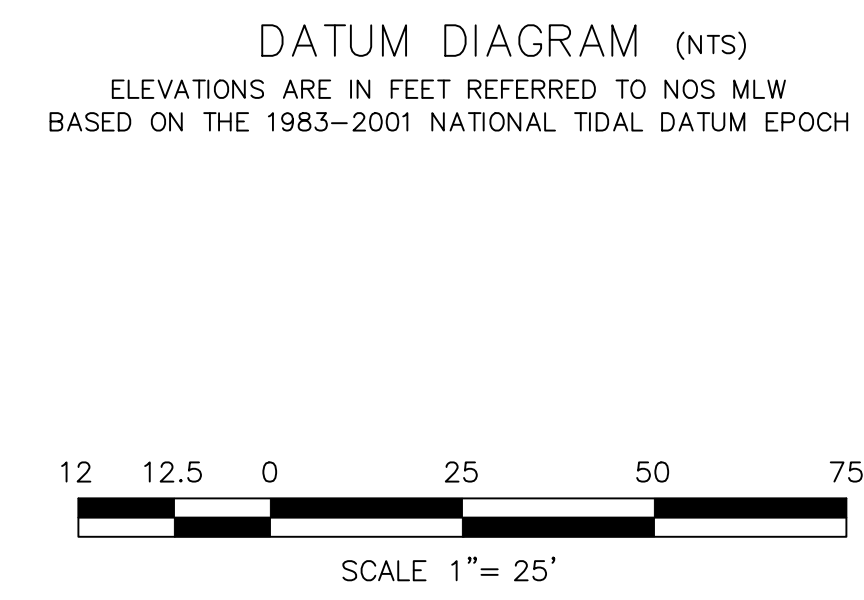
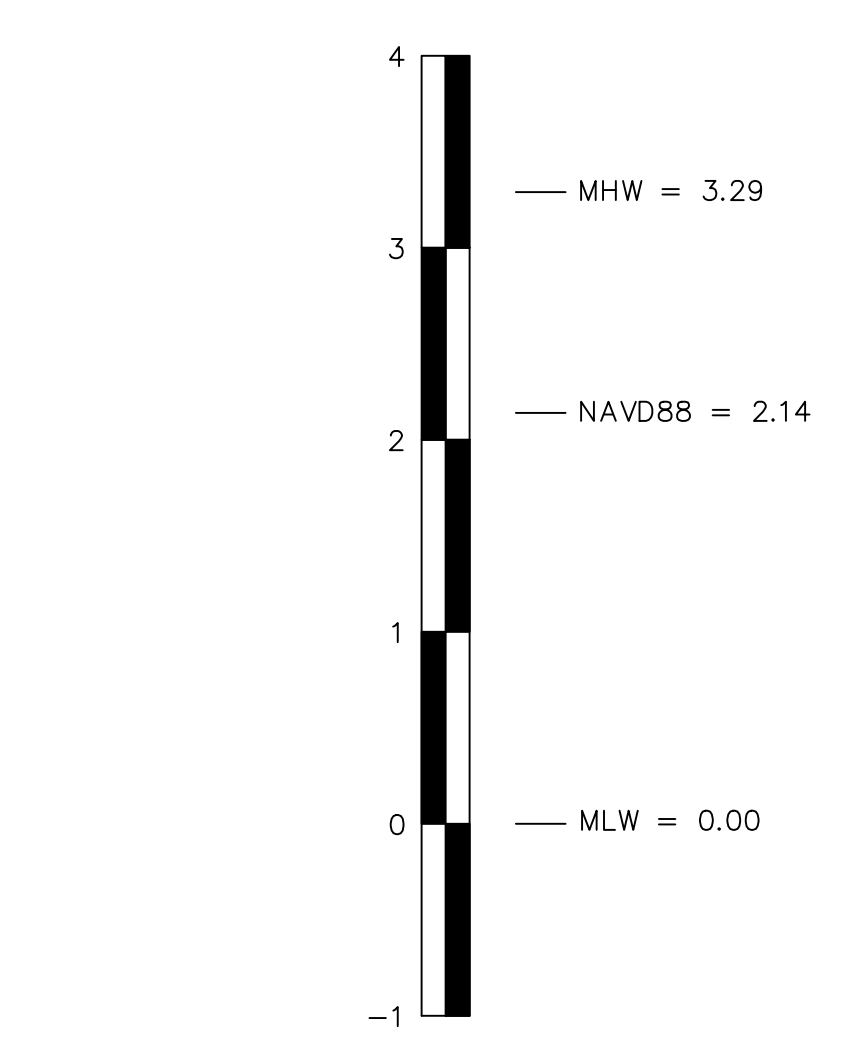


DATUM DIAGRAM (NTS)
ELEVATIONS ARE IN FEET REFERRED TO NOS MLW
BASED ON THE 1983-2001 NATIONAL TIDAL DATUM EPOCH



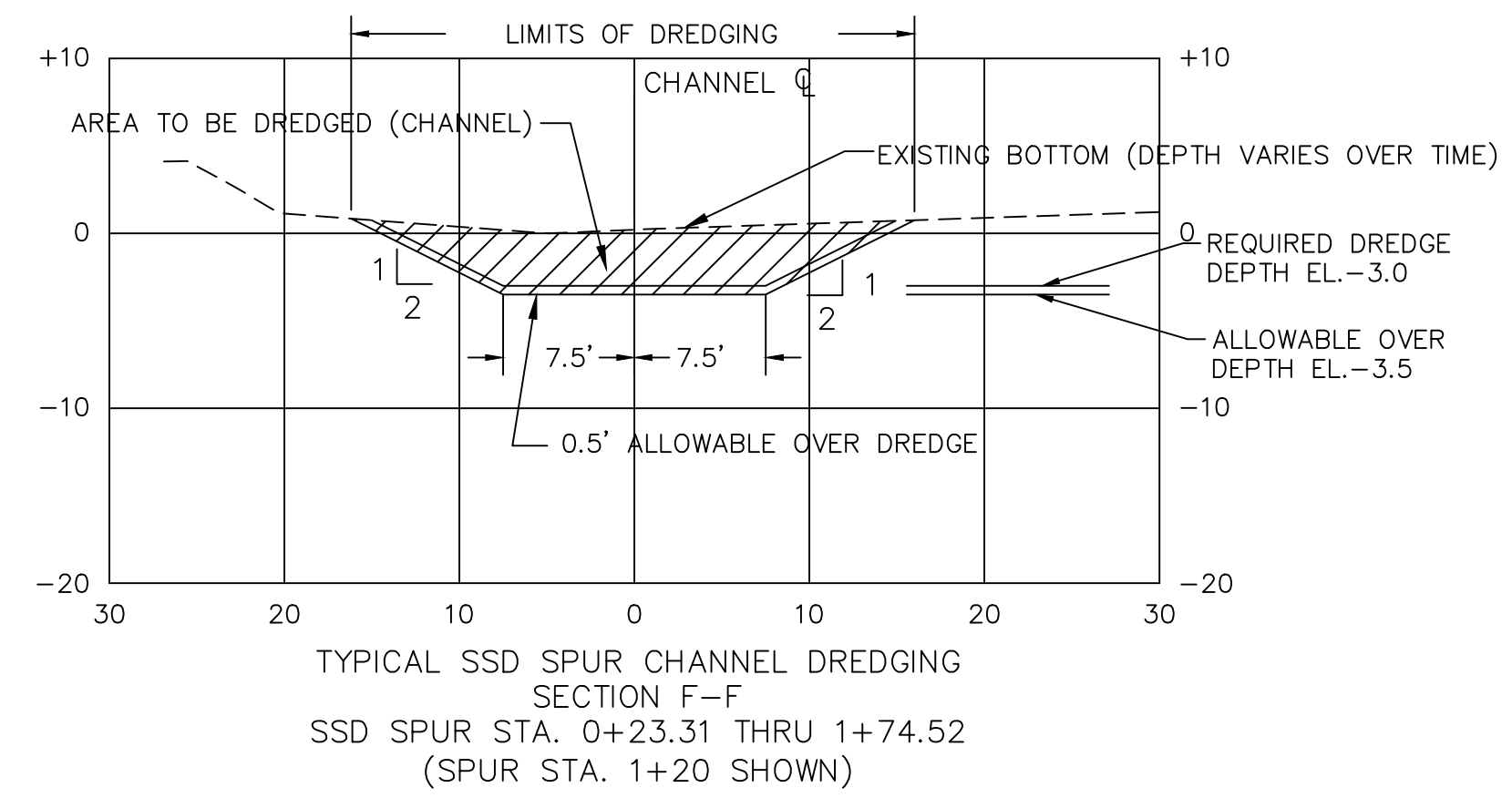
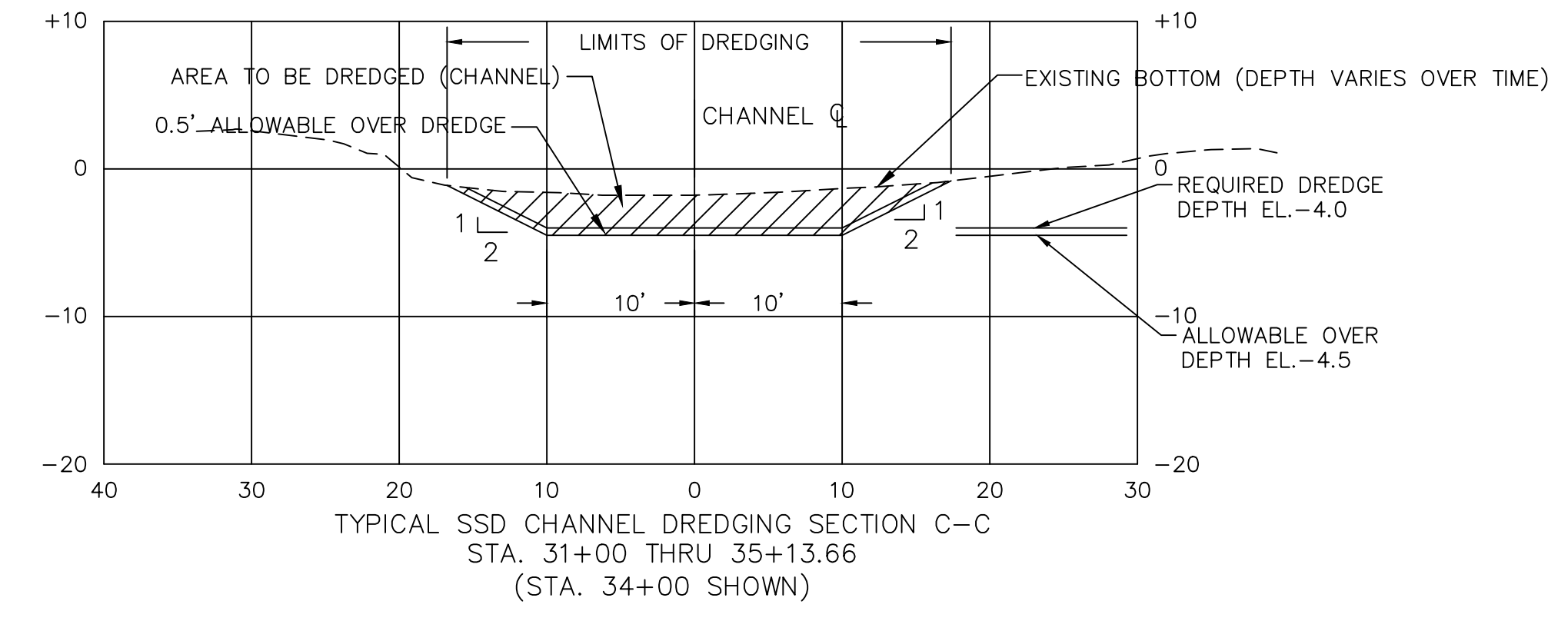
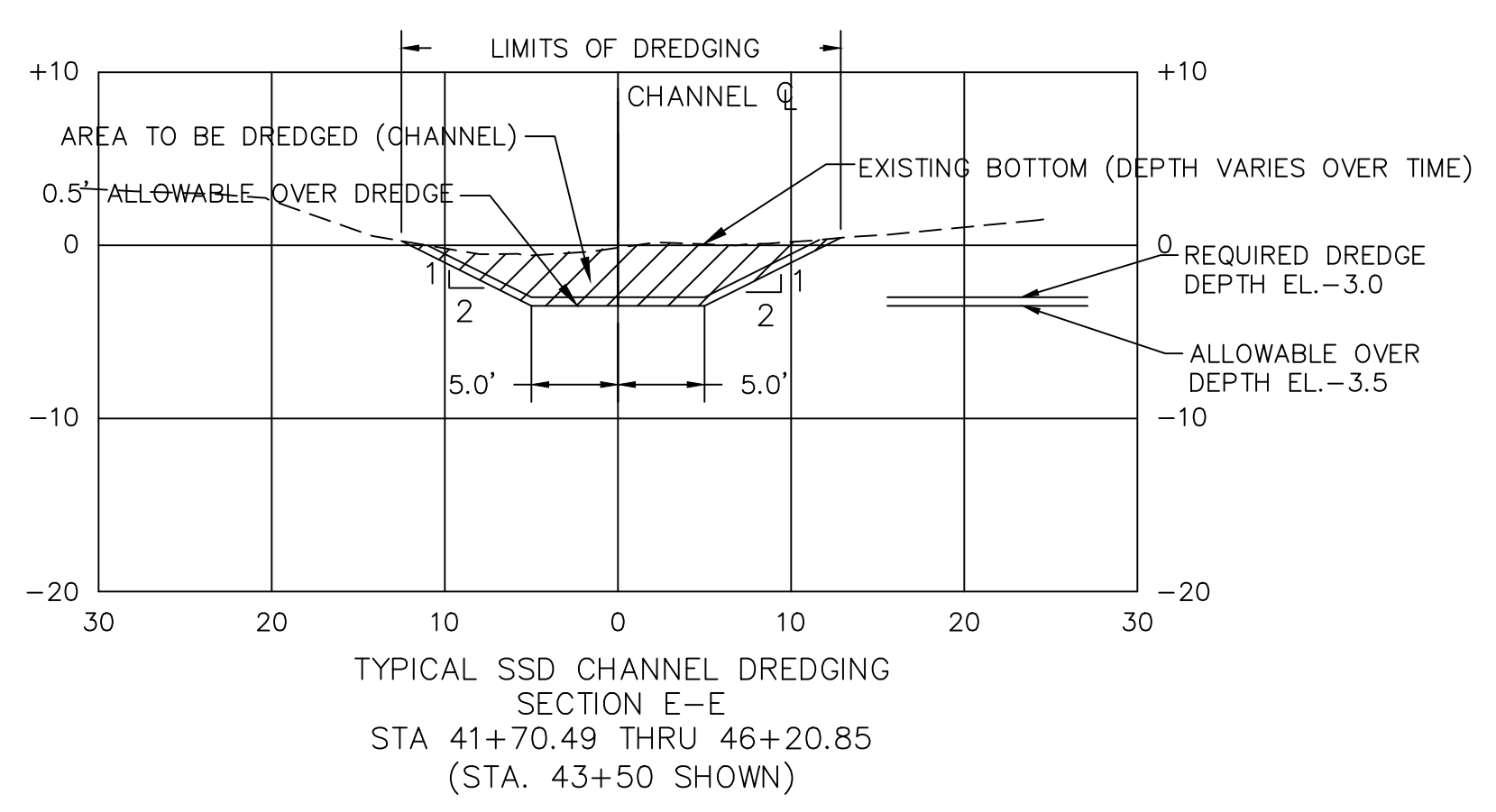
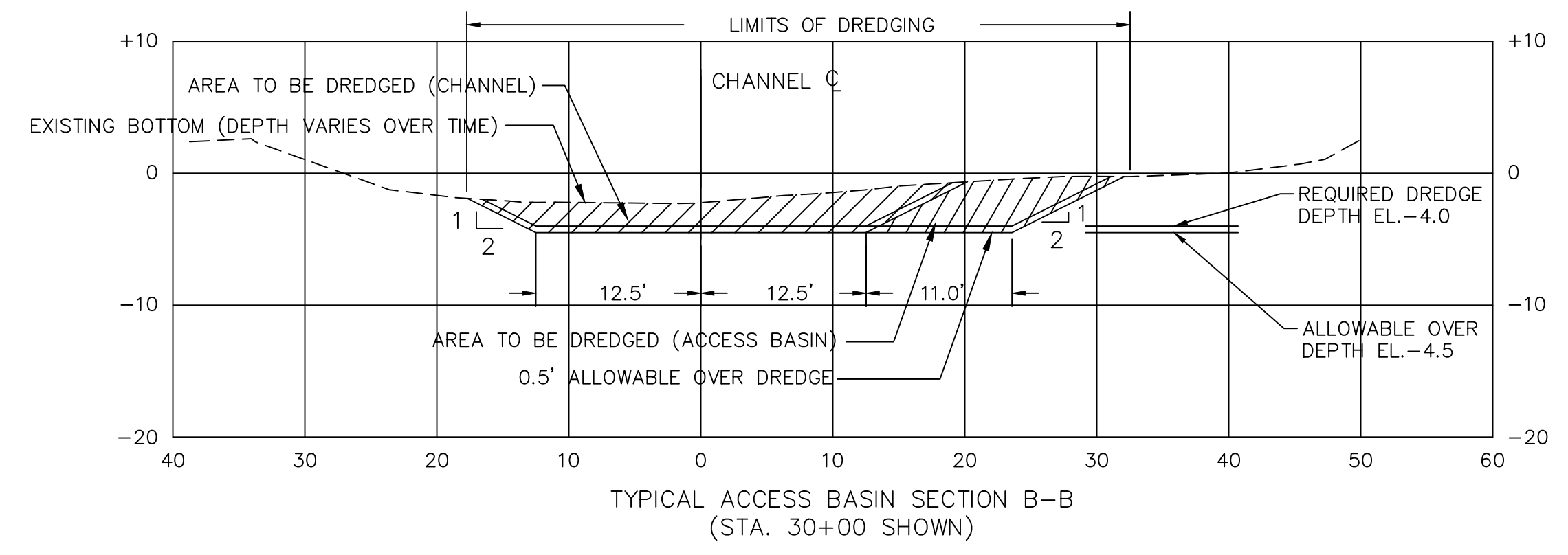
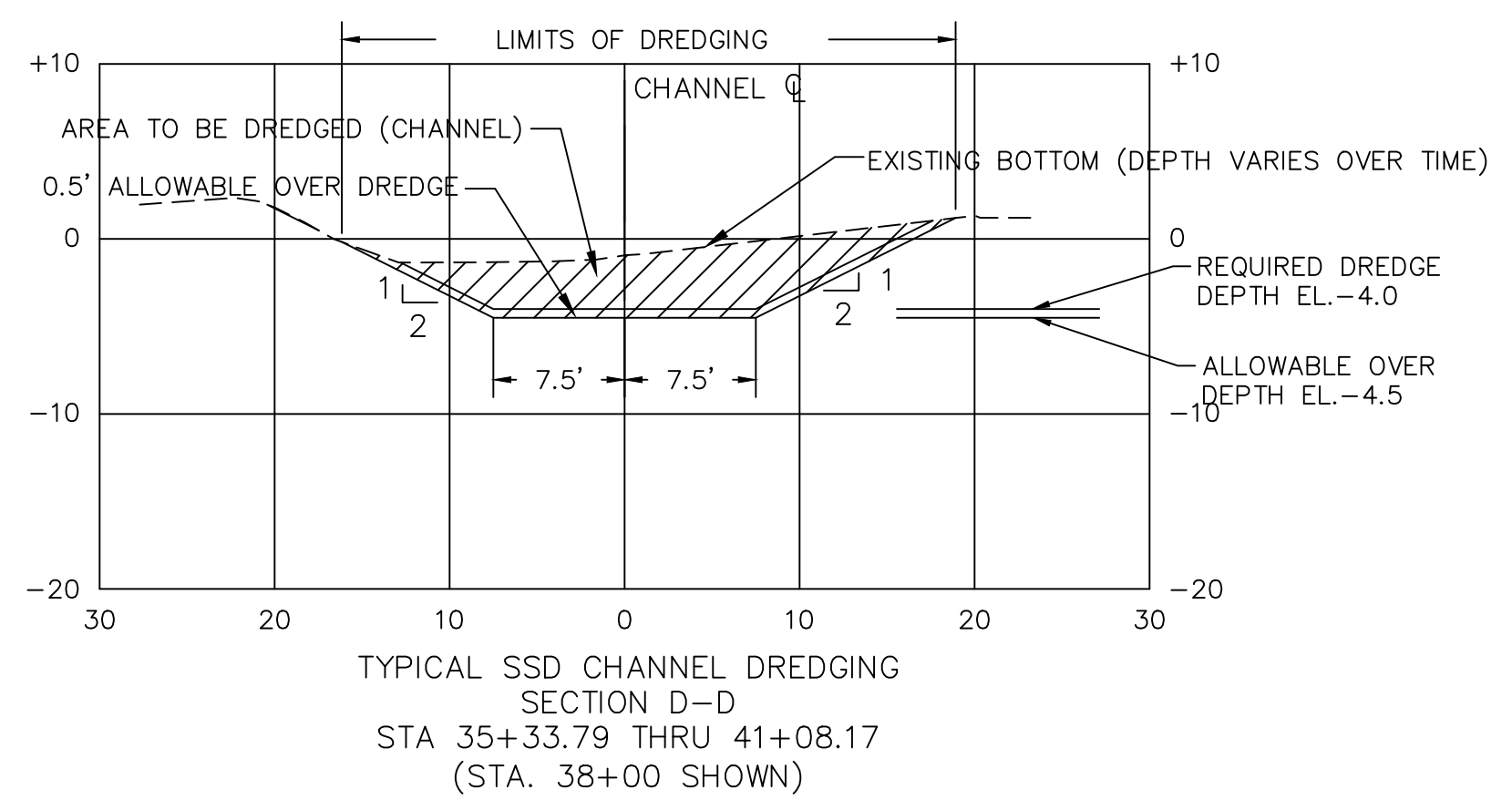
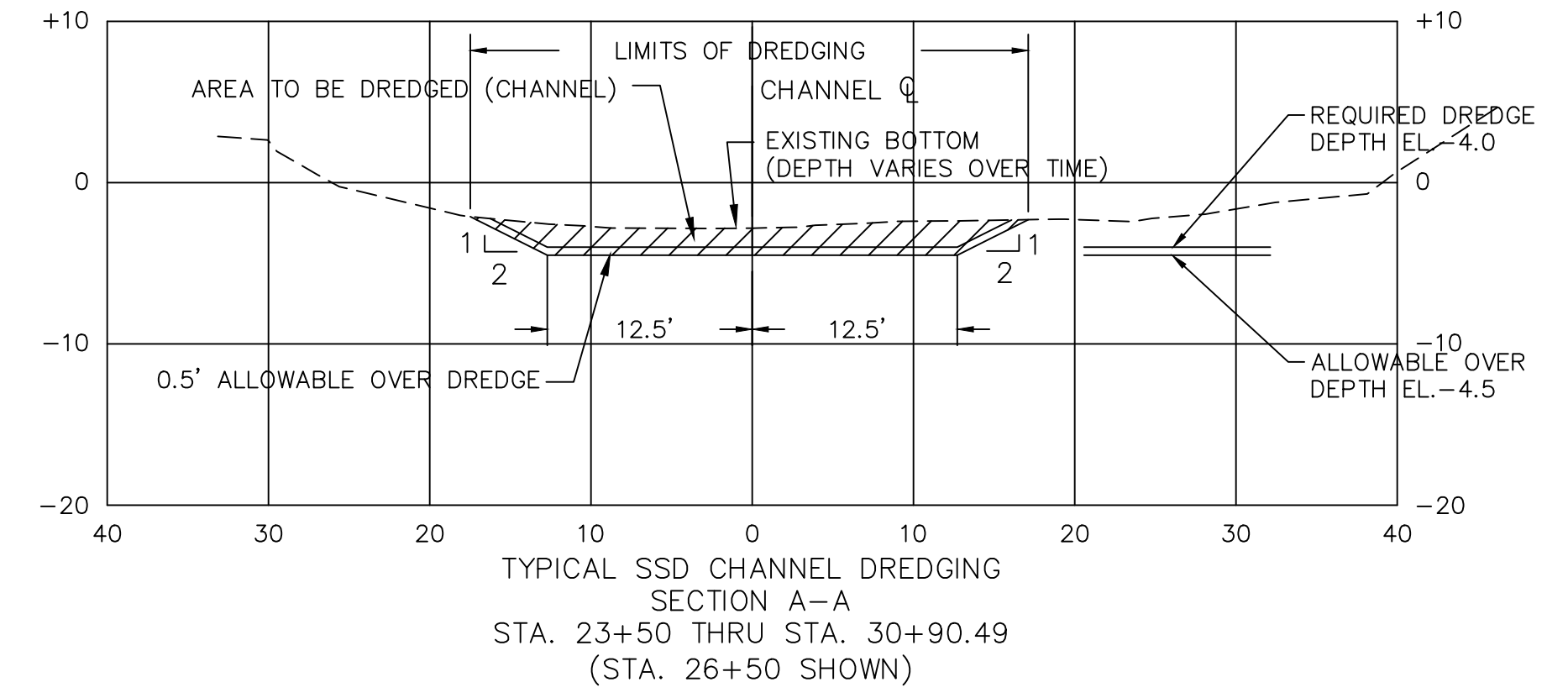
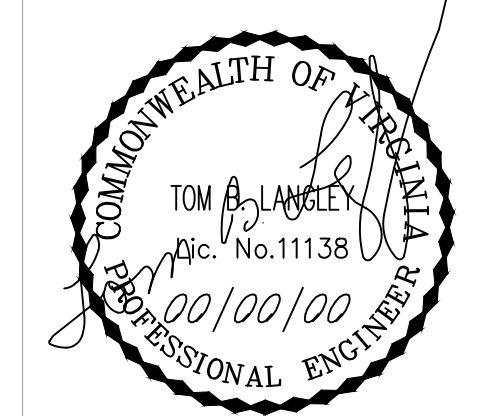
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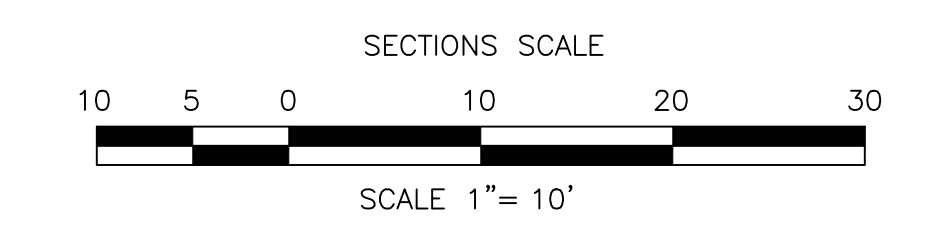


SHADOWLAWN
SSD DREDGING PROJECT
LAYOUT PLAN STA. 33+00 TO STA. 39+00
AND SPUR LAYOUT STA. 0+00 TO STA. 1+74.52
FOR
CITY OF VIRGINIA BEACH
VIRGINIA BEACH, VIRGINIA

DESIGNED:	TBL
DRAWN:	BMH
CHECKED:	TBL
SCALE:	1"=25'
DATE:	07/01/23
FILE:	SHADOWLAWN-JPA-2
PROJ. #:	2011-019-26
SHEET NO.	



ALL DREDGE DEPTH ELEVATIONS ARE IN FEET AND REFERENCED TO MEAN LOW WATER.



REVISION:	
DATE:	11/14/16
	REVISED P6 ACCESS BASIN

VIRGINIA

SHADOWLAWN
SSD DREDGING PROJECT
 DETAILS AND SECTIONS
 FOR
 CITY OF VIRGINIA BEACH

VIRGINIA BEACH,

DESIGNED:	TBL
DRAWN:	BMH
CHECKED:	TBL
SCALE:	1" = 10'
DATE:	07/01/23
FILE:	SHADOWLAWN-JPA-2
PROJ. #:	2011-019-26
SHEET NO.	

Exhibit 4

Impact Summary Tables

Table 2: Property Owner Information

Parcel ID #	GPIN(s)	Property Address	Property Owner (s)
SL01	2427-00-1851-0000	2 Caribbean Avenue	William R. & Karen P. Schonauer
SL02	2427-00-1827-0000	6 Caribbean Avenue	Jeffrey & Holly Hodgson
SL03	2417-00-0902-0000	808 Close Avenue	Elaine F. & Charles F. Cayton
SL04	2417-00-8898-0000	810 Close Avenue	Bruce Thompson
SL05	2417-90-7896-0000	812 Close Avenue	Thomas J. & Julie A. Laidlaw
SL06	2417-90-7822-0000	814 Close Avenue	Peter M. Cummings, Jr.
SL07	2417-90-6729-0000	818 Close Avenue	Matthew Rankin
SL08	2417-90-5873-0000	824 Close Avenue	Dwayne L. Ross
SL09	2417-90-5858-0000	12 Rudee Avenue	Linda T. Barnes
SL10	2417-90-4943-0000	14 Rudee Avenue	James B. & Kay W. Dadson
SL11	2417-90-5938-0000	16 Rudee Avenue	Bryan T. Butler
SL12	2417-91-4055-0000	24 Rudee Avenue	William A. Rickard
SL13	2417-91-4099-0000	26 Rudee Avenue	Barry R. Cate
SL14	2417-91-4131-0000	28 Rudee Avenue	Jeff Reed/Jessica Thorsen
SL15	2417-91-4185-0000	32 Rudee Avenue	Ronald L. & D. Diane Payne
SL16	2417-91-4281-0000	34 Rudee Avenue	John C. McCoy
SL17	2417-91-3248-0000	911 Goldsboro Avenue	Gregory Michael Owens
SL18	2417-91-2112-0000	915 Goldsboro Avenue	Jeffrey W. & Jennifer L. Knowles
SL19	2417-91-0260-0000	112 Indian Avenue	Samuel C. II & Dawn E. Caldow
SL20	2417-91-0341-0000	116 Indian Avenue	Patrick C. Vesce
SL21	2417-91-0327-0000	120 Indian Avenue	Kenneth B. & Frances D. Gregory
SL22	2417-91-0403-0000	124 Indian Avenue	Jon G. & Monica M. Purkey
SL23	2417-91-0499-0000	128 Indian Avenue	Mark R. & Brenda S. West
SL24	2417-91-0549-0000	200 Indian Avenue	William J. & Linda B. Pascarosa
SL25	2417-91-2746-0000	212 Rudee Avenue	Garrett T. Johnson
SL26	2417-91-0714-0000	232 Indian Avenue	John E. & Catherine S. Uhrin
SL27	2417-81-9787-0000	236 Indian Avenue	John P. Prodan
SL28	2417-81-9872-0000	240 Indian Avenue	Richard G. Kinnear
SL29	2417-81-9866-0000	300 Indian Avenue	Hal Breedlove
SL30	2417-81-9921-0000	304 Indian Avenue	Jeffery Janik
SL31	2417-81-9914-0000	312 Indian Avenue	Henry W. Jr. & Kay F. Stanley

Table 4: Proposed Impacts

Impact Site Number	Property Address	Impact Areas (square feet)			Total Dredge Volume (cubic yards)			Depth of Dredging (below mlw)*	DEQ Classification
		Sub-Aqueous	Non-Veg Wetland	Vegetated (4x Buffer)	Subaqueous	Non-Veg Wetland	Vegetated		
SSD Channel	-	51,057	1,255	0	2,829	70	0	4.0	Estaurine Class II
SSD Spur Channel	-	3,821	14	0	189	1	0	3.0	Estaurine Class II
SL01	2 Caribbean Avenue	2,728	166	0	147	9	0	4.0	Estaurine Class II
SL02	6 Caribbean Avenue	700	0	0	32	0	0	4.0	Estaurine Class II
SL03	808 Close Avenue	862	0	0	37	0	0	4.0	Estaurine Class II
SL04	810 Close Avenue	-	-	-	-	-	-	-	-
SL05	812 Close Avenue	1,720	0	0	117	0	0	4.0	Estaurine Class II
SL06	814 Close Avenue	1,800	1,057	0	188	111	0	1.0-4.0	Estaurine Class II
SL07	818 Close Avenue	308	258	0	34	28	0	4.0	Estaurine Class II
SL08	824 Close Avenue	-	-	-	-	-	-	-	-
SL09	12 Rudee Avenue	-	-	-	-	-	-	-	-
SL10	14 Rudee Avenue	-	-	-	-	-	-	-	-
SL11	16 Rudee Avenue	2,081	418	0	169	34	0	4.0	Estaurine Class II
SL12	24 Rudee Avenue	-	-	-	-	-	-	-	-
SL13	26 Rudee Avenue	-	-	-	-	-	-	-	-
SL14	28 Rudee Avenue	-	-	-	-	-	-	-	-
SL15	32 Rudee Avenue	240	0	0	22	0	0	3.0	Estaurine Class II
SL16	34 Rudee Avenue	-	-	-	-	-	-	-	-
SL17	911 Goldsboro Avenue	635	697	130	60	64	0	3.0	Estaurine Class II
SL18	915 Goldsboro Avenue	-	-	-	-	-	-	-	-
SL19	112 Indian Avenue	952	512	0	93	50	0	4.0	Estaurine Class II
SL20	116 Indian Avenue	-	-	-	-	-	-	-	-
SL21	120 Indian Avenue	632	529	0	41	35	0	4.0	Estaurine Class II
SL22	124 Indian Avenue	886	397	0	108	48	0	4.0	Estaurine Class II
SL23	128 Indian Avenue	560	519	0	47	44	0	4.0	Estaurine Class II
SL24	200 Indian Avenue	-	-	-	-	-	-	-	-
SL25	212 Rudee Avenue	1,445	0	0	84	0	0	3.0	Estaurine Class II
SL26	232 Indian Avenue	1,115	0	0	21	0	0	3.0	Estaurine Class II
SL27	236 Indian Avenue	-	-	-	-	-	-	-	-
SL28	240 Indian Avenue	445	279	0	31	20	0	3.0	Estaurine Class II
SL29	300 Indian Avenue	222	451	0	16	33	0	3.0	Estaurine Class II
SL30	304 Indian Avenue	228	206	0	13	12	0	3.0	Estaurine Class II
SL31	312 Indian Avenue	258	215	0	11	10	0	3.0	Estaurine Class II
TOTAL		72,695	6,973	130	4,289	569	0		

*does not include 0.5 ft for allowable overdredging

Revised 9/7/23

Denotes properties with changes outside the current USACE permit

SL02 is new to this application and SL17 has been expanded since the previous application

Table 4a:LWB Impacts

Impact Site Number	Property Address	Proposed Impacts			
		Non-Veg Impacts on Private Property (SF)	Non-Veg Mitigation (SF)	Veg Impact (4X Only) (SF)	Veg Mitigation (4X Only) (SF)
			0.5:1 Ratio	(square feet)	1:1 Ratio
SSD Channels		1,269	635	0	0
SL06	814 Close Avenue	1,057	529	0	0
SL11	16 Rudee Avenue	418	209	0	0
SL17	911 Goldsboro Avenue	697	349	130	130
SL19	112 Indian Avenue	512	256	0	0
SL21	120 Indian Avenue	529	265	0	0
SL22	124 Indian Avenue	397	199	0	0
SL23	128 Indian Avenue	519	260	0	0
SL30	304 Indian Avenue	206	103	0	0
SL31	312 Indian Avenue	215	108	0	0
Total Square Feet		5,819	2,910	130	130
Total Acres			0.067		0.003
			Total Mitigation		0.070

Revised 9/7/23

Exhibit 5
***Endangered and Threatened
Species Information***

SHADOWLAWN SSD
EXHIBIT 5
ENDANGERED AND THREATENED SPECIES INFORMATION

INDEX

- A *Virginia Department of Wildlife Resources (DWR) Fish and Wildlife Information Service (FWIS) Project Review Report, dated 6/21/2023.*
- B *U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System (IPaC) official species list, dated 6/21/2023.*
- C *U.S. Fish and Wildlife Service (USFWS) Project Review Certification Letter and Species Conclusion Table, dated 6/21/2023.*

VaFWIS Initial Project Assessment Report Compiled on 6/21/2023, 2:05:51 PM

[Help](#)

Known or likely to occur within a 2 mile radius around point 36.8288250 -75.9839598 in 810 Virginia Beach City, VA

[View Map of Site Location](#)

629 Known or Likely Species ordered by Status Concern for Conservation (displaying first 46) (46 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name	Confirmed	Database(s)
010031	FESE	Ia	Sturgeon, shortnose	Acipenser brevirostrum		BOVA
030074	FESE	Ia	Turtle, Kemp's ridley sea	Lepidochelys kempii	Yes	BOVA,SppObs
050022	FEST	Ia	Bat, northern long-eared	Myotis septentrionalis		BOVA
010032	FESE	Ib	Sturgeon, Atlantic	Acipenser oxyrinchus		BOVA
030075	FESE	Ic	Turtle, leatherback sea	Dermochelys coriacea		BOVA
030073	FESE		Turtle, Hawksbill Sea	Eretmochelys imbricata		BOVA
040183	FESE		Tern, roseate	Sterna dougallii dougallii	Yes	BOVA,Habitat,SppObs
030071	FTST	Ia	Turtle, loggerhead sea	Caretta caretta	Yes	BOVA,Habitat,SppObs
040144	FTST	Ia	Knot, red	Calidris canutus rufa		BOVA
040110	FTSE	Ia	Rail, eastern black	Laterallus jamaicensis jamaicensis		BOVA
030072	FTST	Ib	Turtle, green sea	Chelonia mydas		BOVA
040120	FTST	Ila	Plover, piping	Charadrius melodus		BOVA
120030	FTSE	IVb	Manatee, West Indian	Trichechus manatus	Yes	BOVA,SppObs
030064	SE	Ia	Turtle, eastern chicken	Deirochelys reticularia reticularia		BOVA
040118	SE	Ia	Plover, Wilson's	Charadrius wilsonia		BOVA
050034	SE	Ia	Bat, Rafinesque's eastern big-eared	Corynorhinus rafinesquii macrotis		BOVA
050027	FPSE	Ia	Bat, tri-colored	Perimyotis subflavus	Yes	BOVA,SppObs
030013	SE	Ila	Rattlesnake, canebrake	Crotalus horridus		BOVA,Habitat
040096	ST	Ia	Falcon, peregrine	Falco peregrinus	Yes	BOVA,SppObs
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus		BOVA
040379	ST	Ia	Sparrow, Henslow's	Centronyx henslowii		BOVA
040179	ST	Ia	Tern, gull-billed	Gelochelidon nilotica		BOVA
030010	ST	Ila	Lizard, eastern glass	Ophisaurus ventralis		BOVA
040403	ST		Falcon, Arctic peregrine	Falco peregrinus tundrius		BOVA
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans		BOVA
100079	FC	IIIa	Butterfly, monarch	Danaus plexippus		BOVA
030067	CC	Ila	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin		BOVA,Habitat
030063	CC	IIIa	Turtle, spotted	Clemmys guttata	Yes	BOVA,SppObs
030031	CC	IIIc	Kingsnake, scarlet	Lampropeltis elapsoides		BOVA
040092		Ia	Eagle, golden	Aquila chrysaetos		BOVA
040040		Ia	Ibis, glossy	Plegadis falcinellus		BOVA
040213		Ic	Owl, northern saw-whet	Aegolius acadicus		BOVA
040422		Ic	Warbler, Wayne's	Setophaga virens waynei		Habitat
020002		Ila	Treefrog, barking	Hyla gratiosa		BOVA
040052		Ila	Duck, American black	Anas rubripes		BOVA
040033		Ila	Egret, snowy	Egretta thula	Yes	BOVA,SppObs
040029		Ila	Heron, little blue	Egretta caerulea caerulea	Yes	BOVA,SppObs
040036		Ila	Night-heron, yellow-crowned	Nyctanassa violacea violacea	Yes	BOVA,SppObs
040114		Ila	Oystercatcher, American	Haematopus palliatus		BOVA
040192		Ila	Skimmer, black	Rynchops niger		BOVA
040181		Ila	Tern, common	Sterna hirundo		BOVA
040320		Ila	Warbler, cerulean	Setophaga cerulea		BOVA
040140		Ila	Woodcock, American	Scolopax minor		BOVA
040203		Iib	Cuckoo, black-billed	Coccyzus erythrophthalmus		BOVA
040105		Iib	Rail, king	Rallus elegans		BOVA,Habitat
040304		Iic	Warbler, Swainson's	Limnolophus swainsonii		BOVA

To view All 629 species [View 629](#)

*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need

Virginia Wildlife Action Plan Conservation Opportunity Ranking:

a - On the ground management strategies/actions exist and can be feasibly implemented.; b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.; c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Bat Colonies or Hibernacula: **Not Known**

Anadromous Fish Use Streams

N/A

Colonial Water Bird Survey (1 records)

[View Map of All Query Results Colonial Water Bird Survey](#)

Colony_Name	N Obs	Latest Date	N Species			View Map
			Different Species	Highest TE*	Highest Tier**	
Urban, Virginia Beach, Virginia Beach	1	May 19 2013	1			Yes

Displayed 1 Colonial Water Bird Survey

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests

N/A

Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species (6 Species)

[View Map of Combined Terrestrial Habitat Predicted for 6 WAP Tier I & II Species Listed Below](#)

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
040183	FESE		Tern, roseate	Sterna dougallii dougallii	Yes
030071	FTST	Ia	Turtle, loggerhead sea	Caretta caretta	Yes
030013	SE	IIa	Rattlesnake, canebrake	Crotalus horridus	Yes
030067	CC	IIa	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	Yes
040422		Ic	Warbler, Wayne's	Setophaga virens waynei	Yes
040105		IIb	Rail, king	Rallus elegans	Yes

Public Holdings: (5 names)

Name	Agency	Level
Oceana Naval Air Station	Department of the Navy	Federal
Dam Neck Combat Training Center	Dept. of the Army	Federal
Camp Pendleton State Military Reservation	U.S. Dept. of Army	Federal
NAB Camp Pendleton	U.S. Dept. of Navy	Federal
Oceana Naval Air Station	U.S. Dept. of Navy	Federal

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 PixelSize=64; Anadromous=0.023062; BECAR=0.017739; Bats=0.016046; Buffer=0.064076; County=0.064581; Impediments=0.040666; Inri=0.096221; PublicLands=0.026499; SppObs=0.364712; TEWaters=0.041393; TierReaches=0.064487; TierTerrestrial=0.169507; Total=1.255003; Tracking_BOVA=0.303956; Trout=0.022635



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032



In Reply Refer To:
Project Code: 2023-0096066
Project Name: Shadowlawn SSD

June 21, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Code in the header of this

letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Virginia Ecological Services Field Office

6669 Short Lane

Gloucester, VA 23061-4410

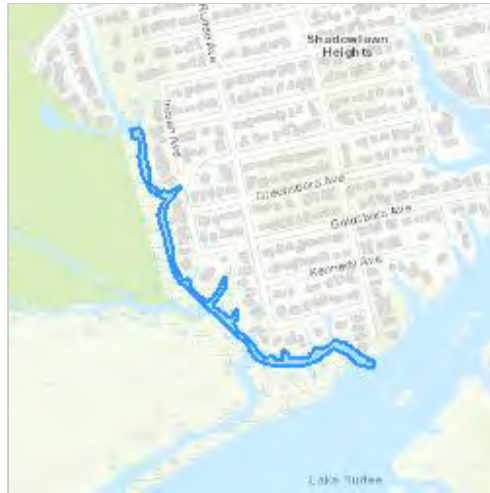
(804) 693-6694

PROJECT SUMMARY

Project Code: 2023-0096066
Project Name: Shadowlawn SSD
Project Type: Navigation Channel Improvement
Project Description: This site is proposed for maintenance dredging to restore navigable access for adjacent homeowners.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.8296546,-75.9847567897377,14z>



Counties: Virginia Beach County, Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\) list](#) or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Oystercatcher <i>Haematopus palliatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8935	Breeds Apr 15 to Aug 31
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Oct 15 to Aug 31

NAME	BREEDING SEASON
Black Skimmer <i>Rynchops niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234	Breeds May 20 to Sep 15
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Gull-billed Tern <i>Gelochelidon nilotica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9501	Breeds May 1 to Jul 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Purple Sandpiper <i>Calidris maritima</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere

NAME	BREEDING SEASON
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

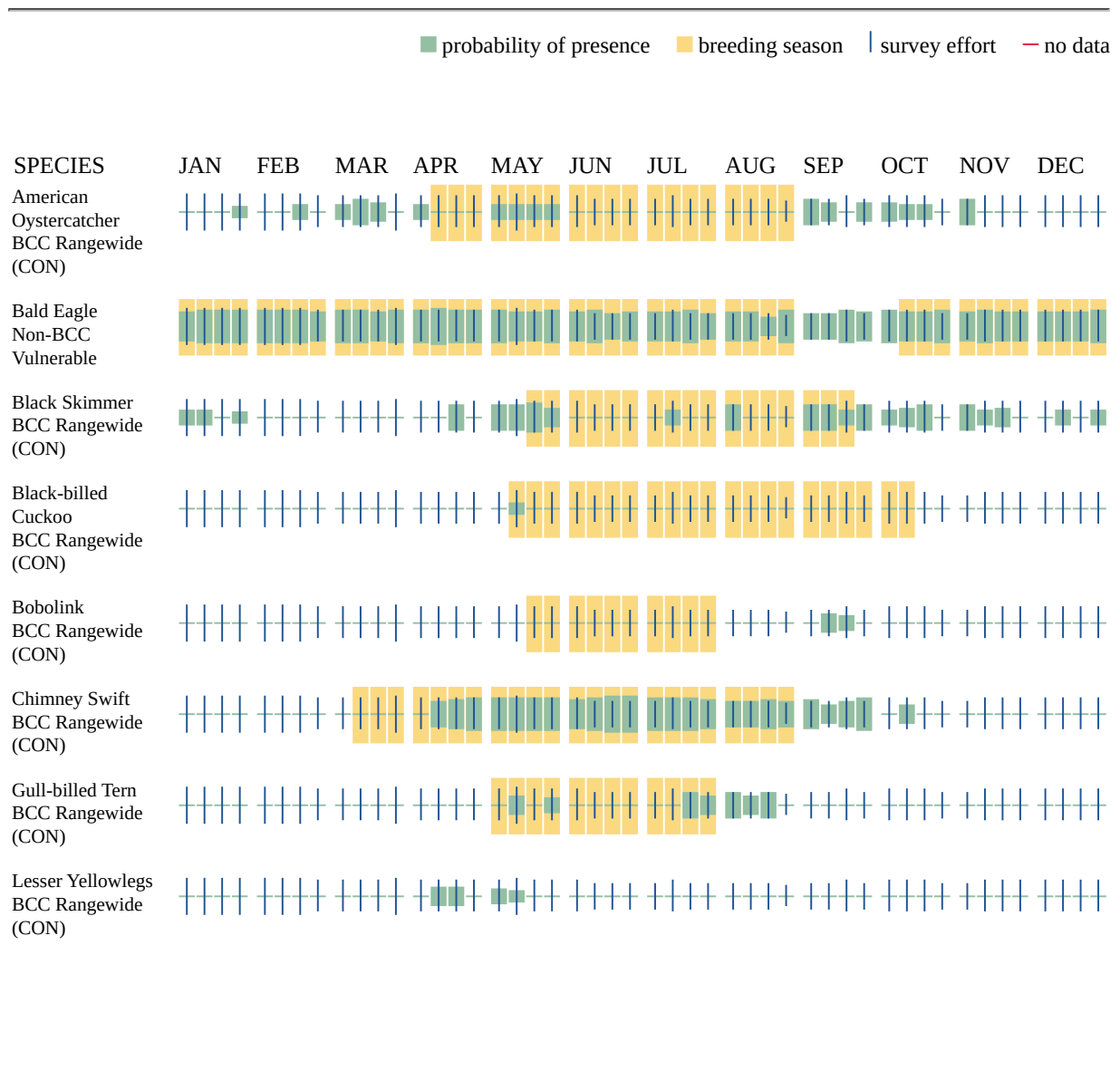
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

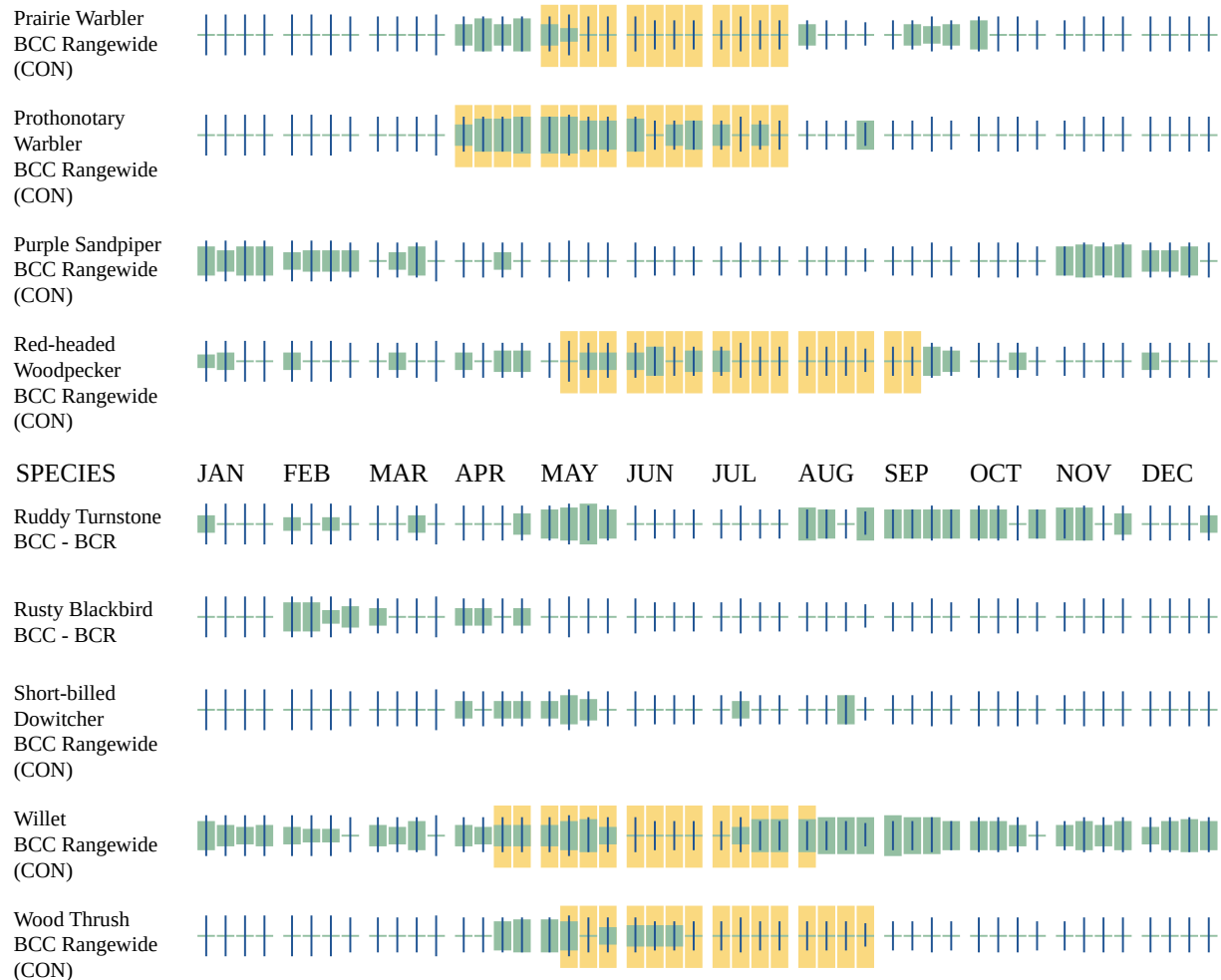
No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

MIGRATORY BIRDS FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding

in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);

2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities,

should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

IPAC USER CONTACT INFORMATION

Agency: Wetland Studies and Solutions, Inc

Name: Karen Dodson

Address: 1620 Brook Road

City: Richmond

State: VA

Zip: 23220

Email: kdodson@wetlands.com

Phone: 7032177691



United States Department of the Interior

FISH AND WILDLIFE SERVICE



Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Date: 6/21/2023

Self-Certification Letter

Project Name: Shadowlawn SSD

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Ecological Services online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA conclusions. These conclusions resulted in:

- “no effect” determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR § 17.40(o) [as determined through the Information, Planning, and Consultation System (IPaC) northern long-eared bat assisted determination key]; and/or
- “may affect, not likely to adversely affect” determinations for proposed/listed species and/or proposed/designated critical habitat.

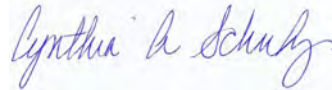
We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the determinations described above for proposed and listed species and proposed and designated critical habitat. Additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat becomes available, this determination may be reconsidered. This certification letter is valid for 1 year.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html. If you have any questions, please contact Troy Andersen of this office at (804) 824-2428.

Sincerely,



Cindy Schulz
Field Supervisor
Virginia Ecological Services

Enclosures - project review package

Endangered Species Act (ESA) Section 7 Determination Table

Project Name: Shadowlawn Creek SSD








Date: June, 21, 2023

Species / Resource Name	Habitat/Species Presence in Action Area	Sources of Info	ESA Section 7 Determination	Project Elements that Support Determination
Critical habitat not present		VAFO CH Map Tool		

Exhibit 6
Historic Resources Information

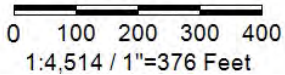


Legend

-  Architecture Resources
-  Architecture Labels
-  Individual Historic District Properties
-  Archaeological Resources
-  Archaeology Labels
-  DHR Easements
-  County Boundaries



Feet



Title: Shadowlawn SSD

Date: 6/22/2023

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

4. 2023-WTRA-00182

George Pregel

[Applicant & Owner]

349 W Chickasaw Road

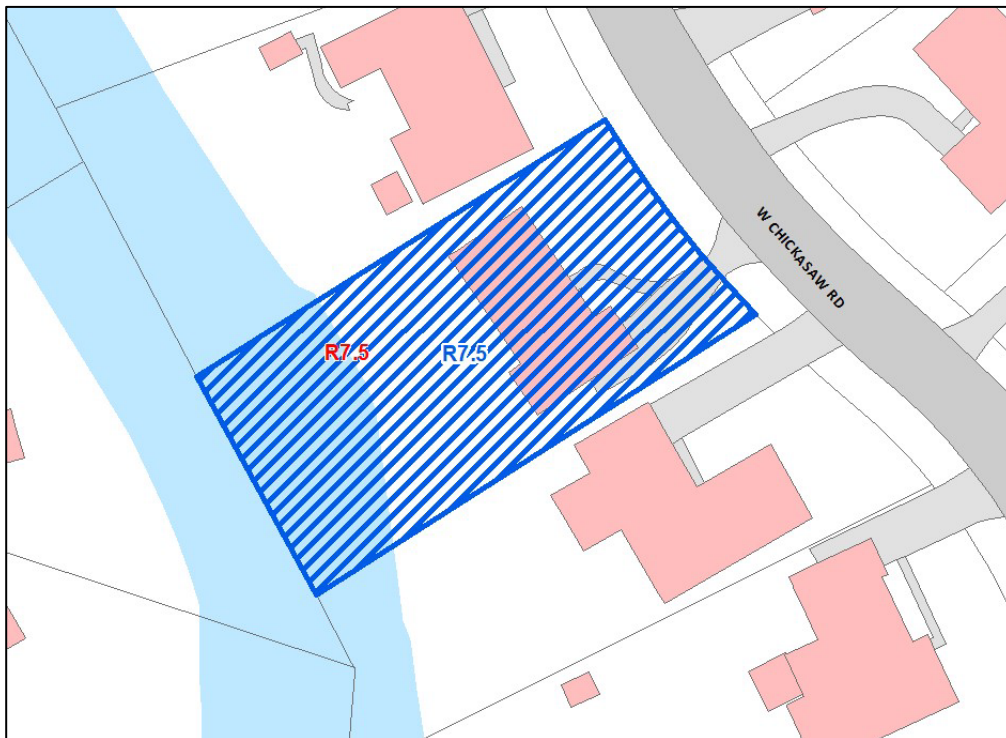
GPIN 1457-70-8776

City Council District: District 1

Waterway – Eastern Branch Elizabeth River

Subdivision – Arrowhead

Request: To construct rip rap revetments, return walls and plant vegetation 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 GEORGE PREGEL

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

BILLY GARRINGTON

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.
-

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.
-

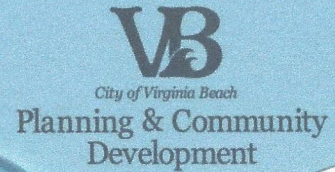
4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- 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.

GALLUP SURVEYORS & ENGINEERS

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.

Applicant Signature

G. A. PREGEL, OWNER

Print Name and Title

SEPTEMBER 8, 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 # 23-1810

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"/>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>				
County or City in which the project is located: Virginia Beach				
Waterway at project site: Canal from 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:

George Pregel
349 W. Chickasaw Road
Virginia Beach, VA 23462

Home () _____
Work () _____
Fax () _____
Cell () _____
e-mail gapregel@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:

David R. Butler
323 First Colonial Road
Virginia Beach, VA 23454
Email: DAVE@GAI I UPSURVEYORS.COM

Home () _____
Work (757) 428-8132
Fax (757) 425-2390
Cell () _____
e-mail _____

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.

Replace a failing timber bulkhead with rip rap. No clearing is required. The replacement will consist of 2 rows of granite rip rap with a 4' wide plant strip of spartina patens. Access will be from land and no trees or shrubs will be lost. A total of 649 sq. ft. of wetlands will be impacted with 221 sq. ft. being existing vegetated and the remaining 428 sq. ft. existing non vegetated.

Of the 649 sq. ft. of disturbed wetlands, 221 sq. ft. of vegetated wetlands will be converted to non vegetated rock habitat (wetland) and 428 sq. ft. of non vegetated will be converted to non vegetated rock habitat (wetland)

A 4' wide strip of uplands will be cut and converted to 351 sq. ft. of vegetated wetlands and 159 sq. ft. of uplands will be cut and converted to non vegetated rock habitat (wetland).

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:

Virginian Pilot
 150 W. Brambleton Avenue
 Norfolk, VA 23510

Telephone number

(757) 622-1455 _____

7. Give the following project location information:

Street Address (911 address if available) _____

Lot/Block/Parcel# Lot 55 _____

Subdivision Arrowhead _____

City / County Virginia Beach _____ ZIP Code 23462 _____

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

36-49-56.30 / - 76-11-37.55 (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.*

N/A

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 halt erosion. Secondary purpose is to maintain the property value.

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.*
- No clearing. Minimal construction footprint defined by safety fence. No net loss of wetlands will occur.
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.): \$ _____
Approximate cost of that portion of the project that is channelward of mean low water:
\$ _____
13. Completion date of the proposed work: June 30 _____ 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. Jose Cabral
Laura B. Cabral
115 Connolly Street
W. Lafayette, IN 47906

 2. Margaret M. Robertson-Trustee
358 S. Newtown Road
Virginia Beach, VA 23462

 3. Thomas M. Bosio
Barbara A. Bosio
345 W. Chickasaw Road
Virginia Beach, VA 23462

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.

George Pregel

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

Applicant's Signature

(Use if more than one applicant)

Date

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

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), George Pregel, hereby certify that I (we) have authorized David R. Butler
(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.

David R. Butler
(Agent's Signature)

(Use if more than one agent)

11.21.22
(Date)

[Signature]
(Applicant's Signature)

(Use if more than one applicant)

August 3, 2023
(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), Jose and Laura Cabral, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of George Pregel.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 11-21-22
(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), Margaret M. Robertson-Trustee, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of George Pregel
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 11-21-22
(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).

Margaret M. Robertson
Adjacent/nearby property owner's signature(s)

7/27/23
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), Thomas M. and Barbara A. Bosio, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of George Pregel
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 11-21-22
(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).

Thomas M. Bosio
Adjacent/nearby property owner's signature(s)

Date

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

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, 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:

Remove a failed timber bulkhead and install 88 L.F. of rip rap revetment, 2 rows, and a 4' wide strip of vegetated wetlands from uplands. Rip rap will be 50% class A1 and 50% class I and installed over filter fabric. 44 c.y. of rip rap will be placed below mean high water.

See sheet 6 of this application for impacts, additions and conversions to/of wetlands.

2. 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? feet.

3. Please calculate the square footage of encroachment over:
- Vegetated wetlands 221 square feet
 - Non-vegetated wetlands 428 square feet
 - Subaqueous bottom 0 square feet
 - Dune and/or beach n/a 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? x 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: 349 W. CHICKASAW ROAD

APPLICANT'S NAME: GEORGE A. PREGEL

APPLICANT'S ADDRESS: 349 W. CHICKASAW ROAD
VIRGINIA BEACH, VA. 23462

ENGINEER OF RECORD: DAVID R. BUTLER

PROFESSIONAL ENGINEER/SURVEYOR

CERTIFYING PROJECT

CONSTRUCTION:

DAVID R. BUTLER

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.

DAVID R. BUTLER

SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

11.21.22

DATE

DAVID R. BUTLER, P.E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

August 3, 2023

SIGNATURE OF APPLICANT

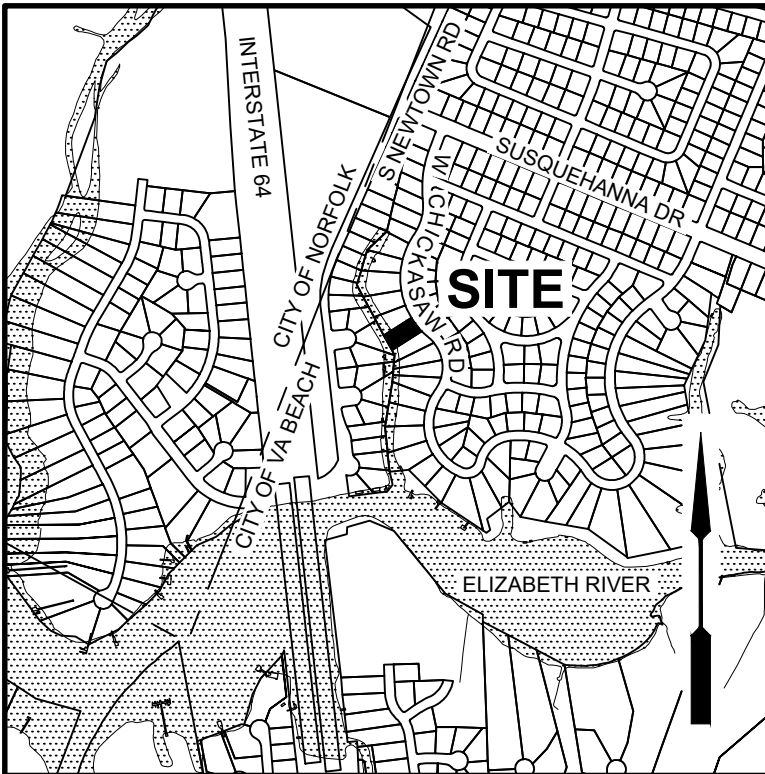
DATE

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. _____



LOCATION MAP

SCALE: 1"=1000'

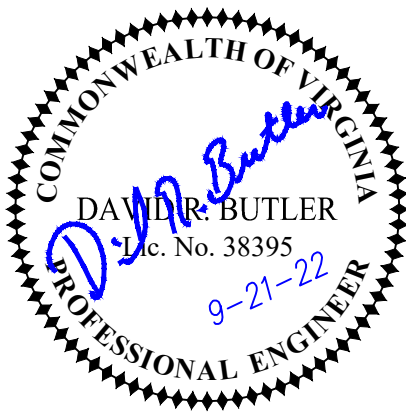
SITE DATA

1. **SITE ADDRESS:** 349 W. CHICKASAW ROAD
VIRGINIA BEACH, VA. 23462
2. **LEGAL:** LOT 55, BLOCK A, ARROWHEAD,
SECTION 8 M.B. 12, PG. 34
3. **GPIN:** 1457-70-8776
4. **VERTICAL DATUM:** NAVD 88
5. **ZONED:** R7.5 (RESIDENTIAL MEDIUM DENSITY)
6. THE PHYSICAL FEATURES SHOWN WERE
OBTAINED FROM A TOPOGRAPHIC SURVEY
PREPARED BY TIM FALLON LAND SURVEYING, PLLC
DATED JULY 12, 2022 AND FROM A PHYSICAL
SURVEY PREPARED BY STEPHEN I. BOONE &
ASSOCIATES, P.C. DATED AUGUST 30, 2006.
7. **ELEV. OF MLW (NAVD 88):** -1.7
ELEV. OF MHW (NAVD 88): 1.0
SOURCE: VIRGINIA INSTITUTE OF MARINE SCIENCE
8. THIS PLAN WAS PERFORMED WITHOUT THE
BENEFIT OF A TITLE REPORT AND MAY NOT SHOW
ANY AND/OR ALL EASEMENTS OR RESTRICTIONS
THAT MAY EFFECT SAID PROPERTY AS SHOWN.
9. 5' UTILITIES & DRAINAGE EASEMENT ALONG ALL
SIDES AND REAR PER M.B. 60, PG. 49.
10. ALL CONSTRUCTION TO BE PERFORMED FROM THE
SEAWARD SIDE VIA BARGE AND FROM LANDWARD
SIDE.

SHEET INDEX

<u>SHEET NO.</u>	<u>DESCRIPTION</u>
1	COVER SHEET
2	ADJACENT OWNERS MAP
3	EXISTING CONDITIONS
4	ENLARGEMENT PLAN
5	RIP-RAP SECTION
6	RETURN WALL DETAIL
7	NOTES AND DETAILS

SEE SHEET 6 FOR IMPACTS



OWNER/DEVELOPER
 GEORGE A. PREGEL
 349 W. CHICKASAW ROAD
 VIRGINIA BEACH, VA. 23462
 (757) 677-6140
 gapregel@gmail.com



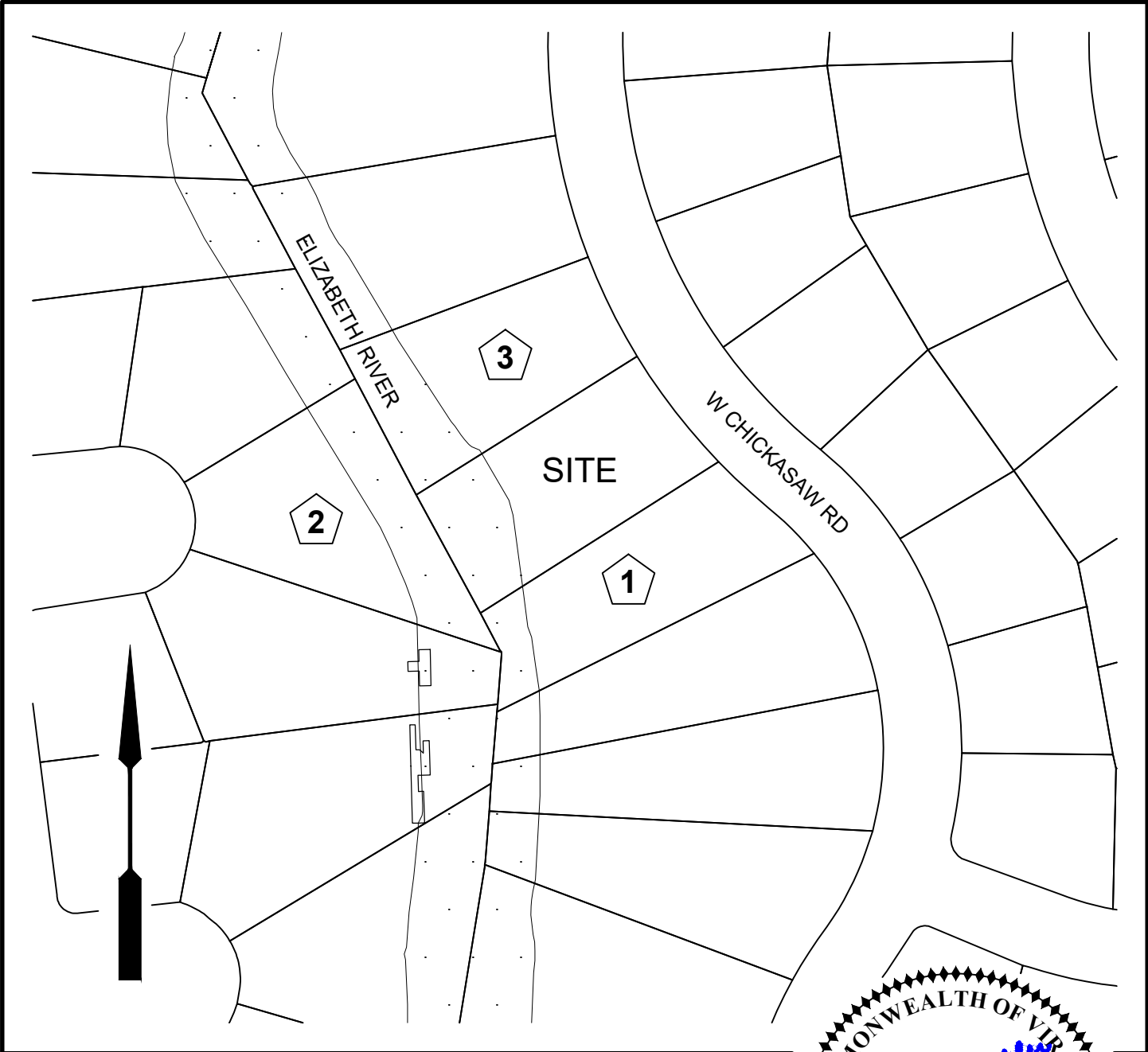
PROJECT: INSTALL RIP-RAP

REVISION SCHEDULE	
DATE	COMMENT

COVER SHEET

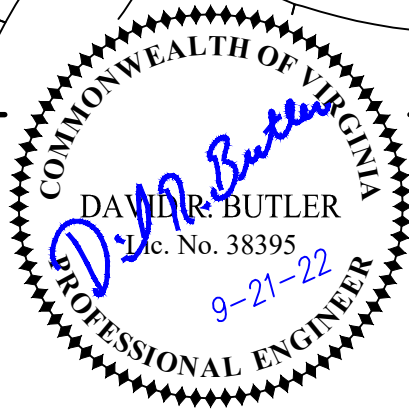
PROJECT: RIP-RAP
BY: GEORGE A. PREGEL
IN: ELIZABETH RIVER
DATE: SEPT. 21, 2022

SHEET: 1 OF 7



ADJACENT PROPERTY OWNERS:

- ① JOSE CABRAL & LAURA B. CABRAL
- ② MARGARET M. ROBERTSON, TRUSTEE
- ③ THOMAS M. BOSIO & BARBARA A. BOSIO

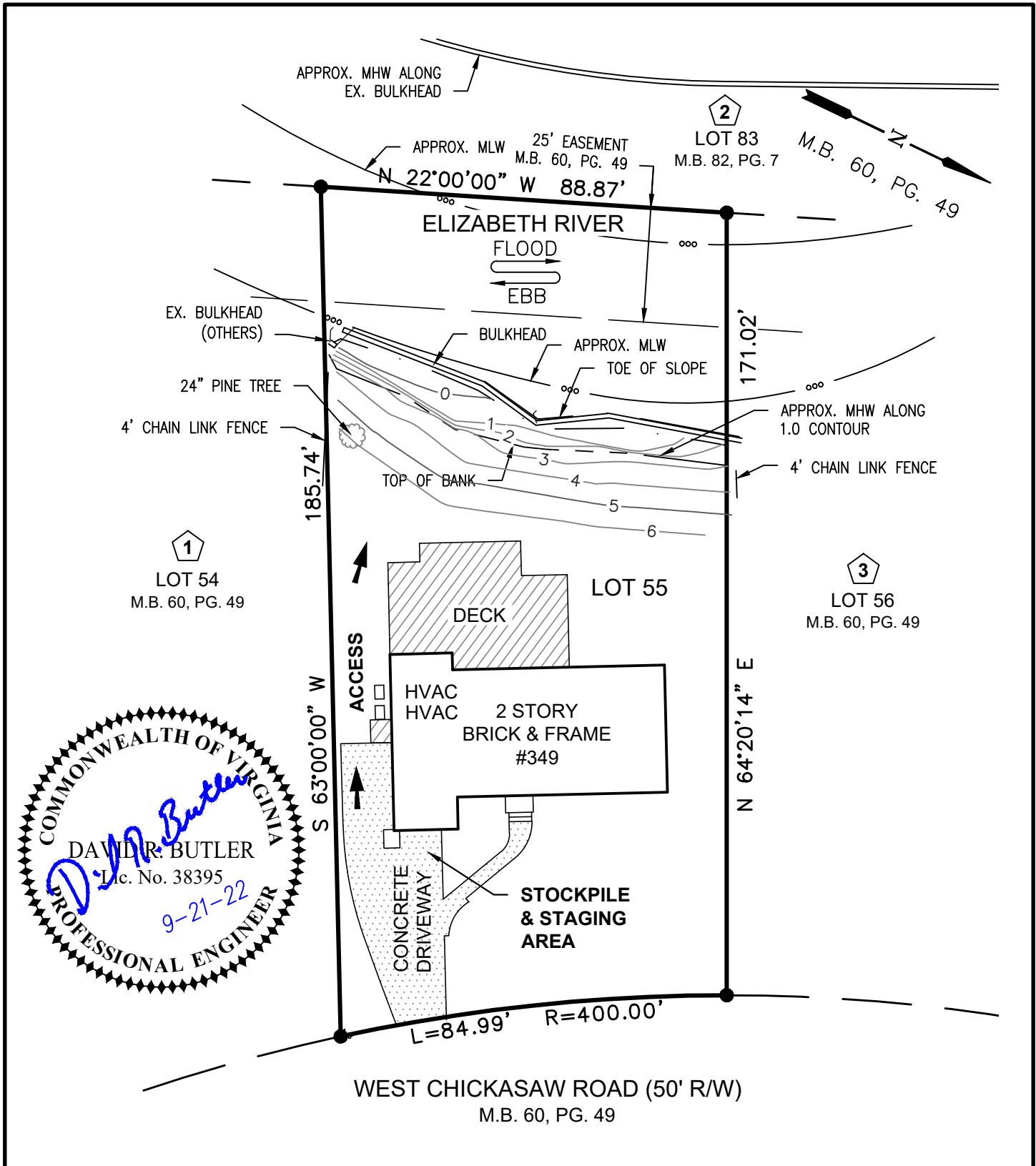


REVISION SCHEDULE	
DATE	COMMENT

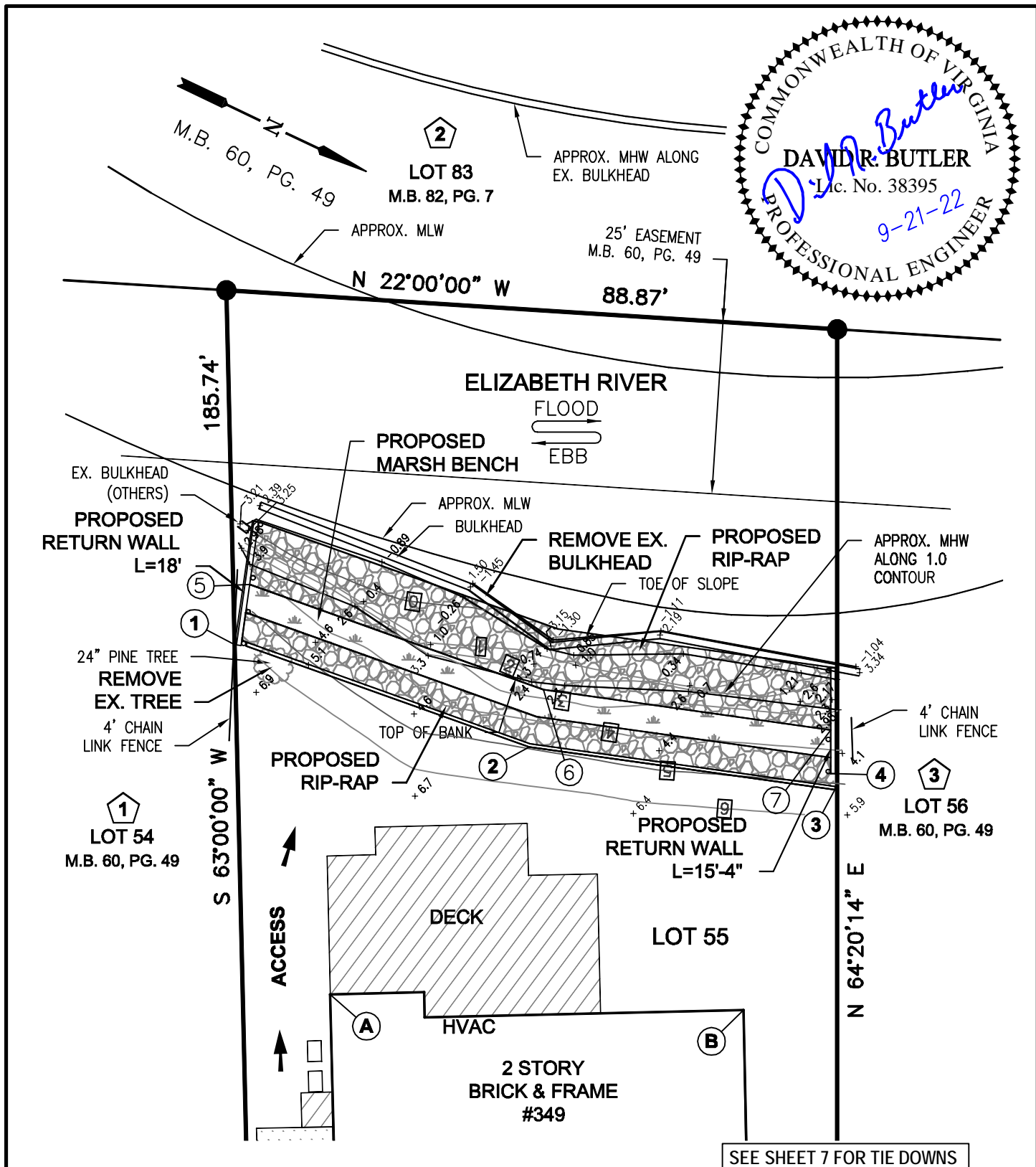
**ADJACENT OWNERS
MAP**
1" = 100'

PROJECT: RIP-RAP
BY: GEORGE A. PREGEL
IN: ELIZABETH RIVER
DATE: SEPT. 21, 2022

SHEET: 2 OF 7

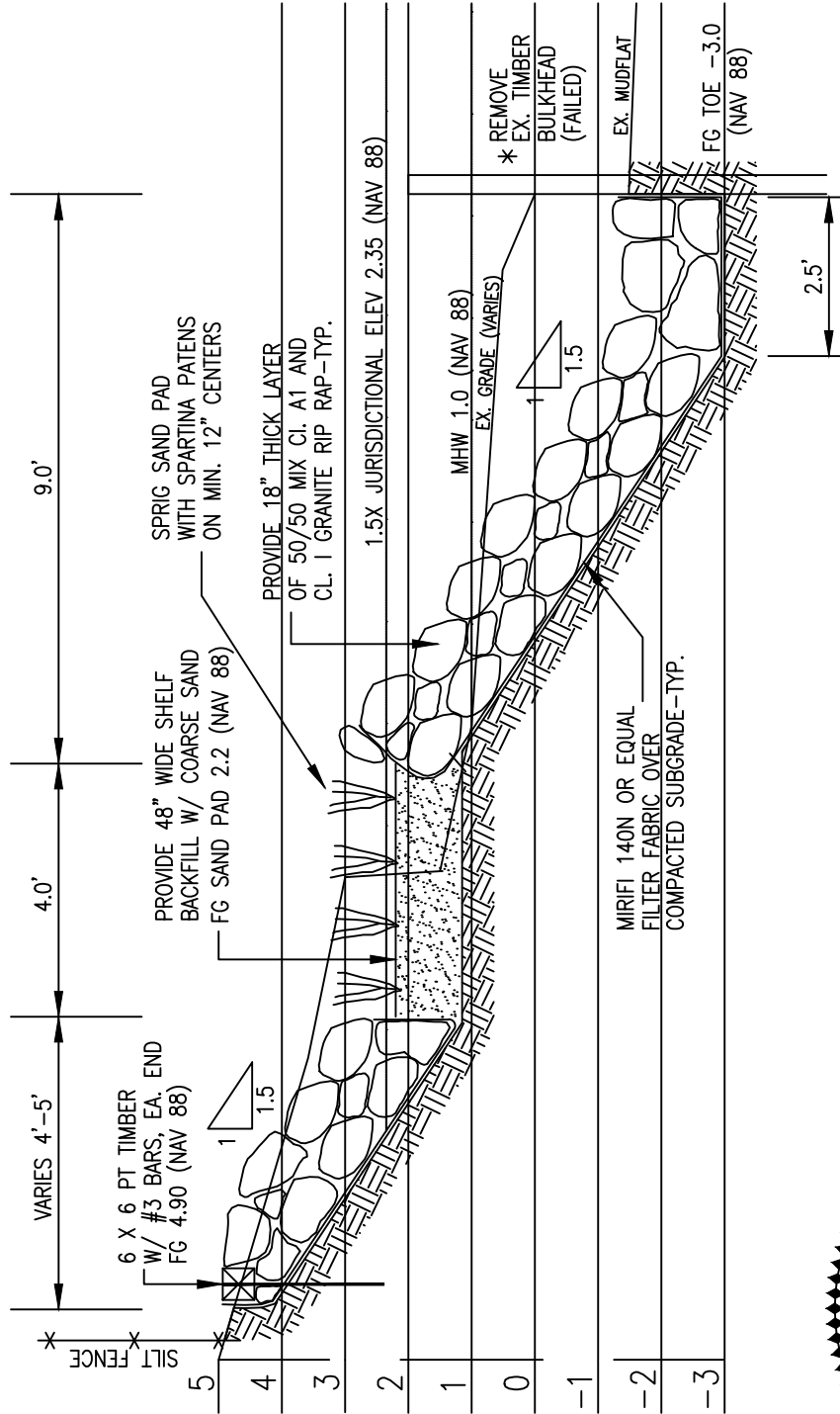


REVISION SCHEDULE		EXISTING CONDITIONS 1" = 30'	PROJECT: RIP-RAP BY: GEORGE A. PREGEL IN: ELIZABETH RIVER DATE: SEPT. 21, 2022
DATE	COMMENT		
			SHEET: 3 OF 7



REVISION SCHEDULE		ENLARGEMENT PLAN 1" = 20'	PROJECT: RIP-RAP BY: GEORGE A. PREGEL IN: ELIZABETH RIVER DATE: SEPT. 21, 2022
DATE	COMMENT		
9-1-23	ADD STONE LENGTHS		

SHEET: 4 OF 7



NOTES:

* EXISTING BULKHEAD LOCATION WITHIN THIS SECTION VARIES; SEE SHEET 4 FOR THE LOCATION OF THE RIP RAP TOE IN RELATION TO THE EXISTING BULKHEAD

FG DENOTES FINISHED GRADE (NAV 88)



REVISION SCHEDULE

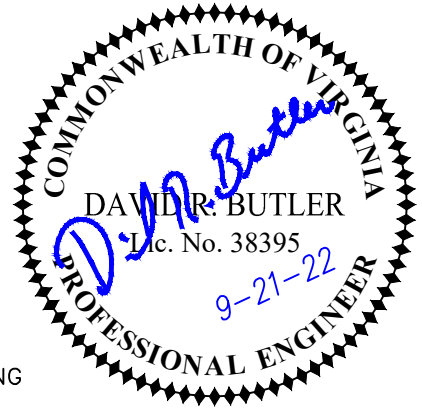
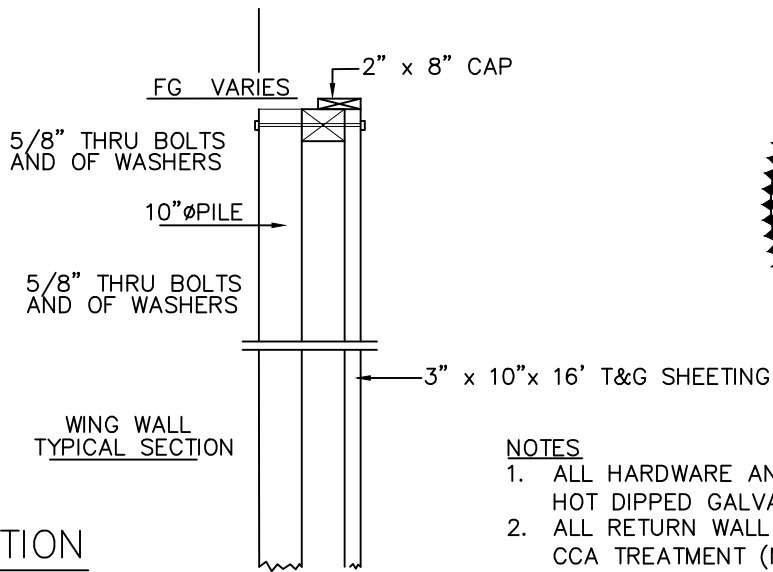
DATE	COMMENT

RIP-RAP SECTION

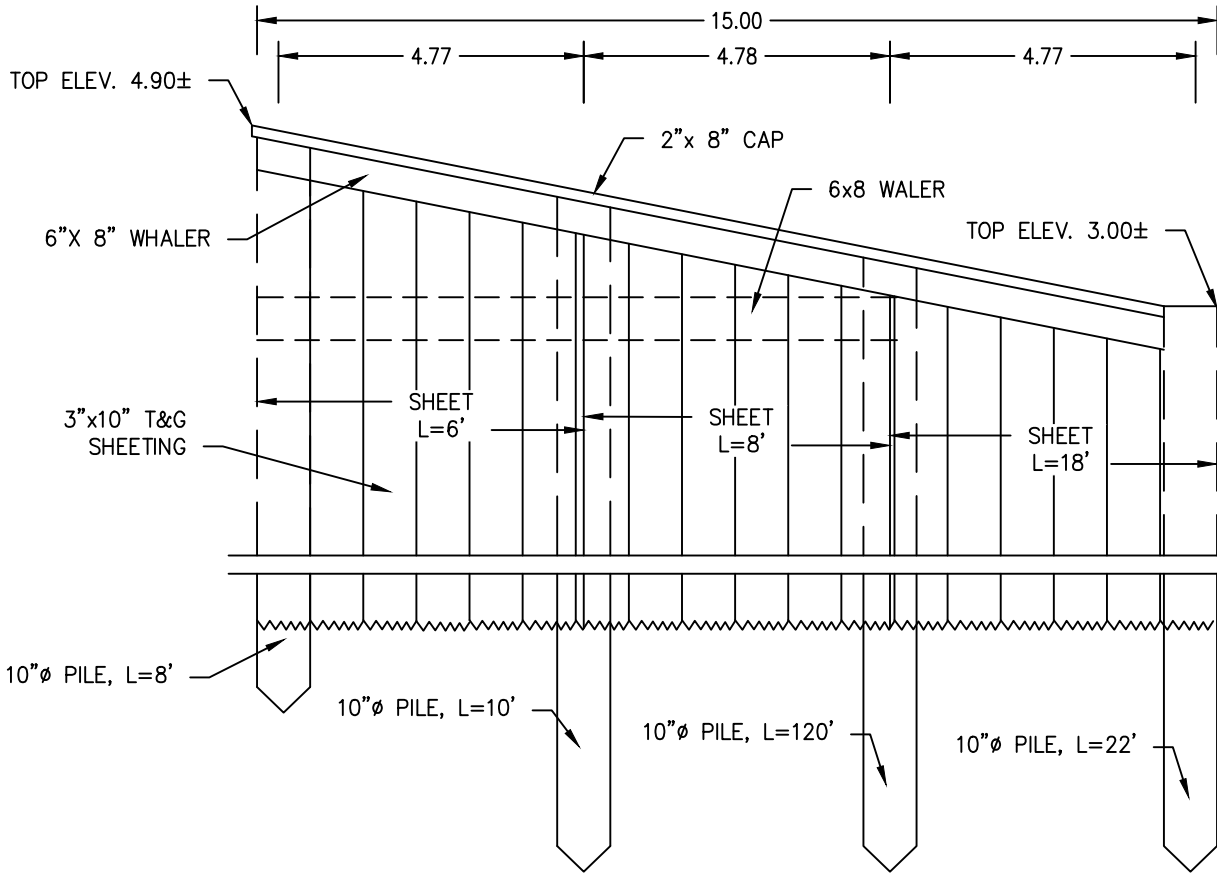
1" = 3'

PROJECT: RIP-RAP
 BY: GEORGE A. PREGEL
 IN: ELIZABETH RIVER
 DATE: SEPT. 21, 2022

SHEET: 5 OF 7



- NOTES**
1. ALL HARDWARE AND FASTENERS SHALL BE HOT DIPPED GALVANIZED (ASTM: A153)
 2. ALL RETURN WALL TIMBER SHALL HAVE 2.5# CCA TREATMENT (MLP-80)



REVISION SCHEDULE		RETURN WALL DETAIL NTS	PROJECT: RIP-RAP BY: GEORGE A. PREGEL IN: ELIZABETH RIVER DATE: SEPT. 21, 2022
DATE	COMMENT		

SHEET: 6 OF 7

CONSTRUCTION SEQUENCE

1. OBTAIN ALL REQUIRED PERMITS.
2. INSTALL SAFETY FENCE
3. INSTALL RIP-RAP
4. INSTALL SILT FENCE
5. SEED & MULCH DISTURBED AREAS

IMPACTS:

VEGETATED = 221 SF
 NON-VEGETATED = 428 SF
 TOTAL - 649 SF

NON-VEGETATED CONVERTED TO ROCK
 HABITAT = 428 SF
 NON-VEGETATED CONVERTED TO
 VEGETATED = 221 SF
 UPLANDS CONVERTED TO
 NON-VEGETATED (ROCK) = 159 SF
 UPLANDS CONVERTED TO VEGETATED
 WETLANDS = 351 SF

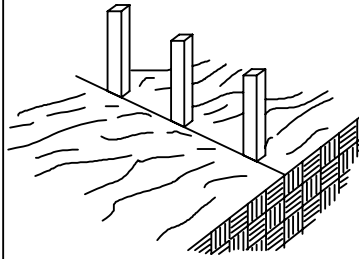
NOTE:

ALL EXCAVATED MATERIAL SHALL
 BE DISPOSED OF IN A LAWFUL MANNER

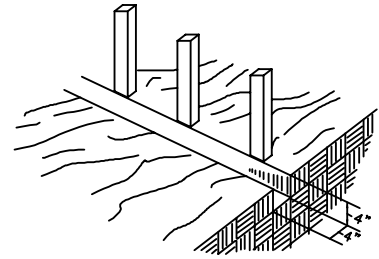
CONSTRUCTION OF FILTER BARRIER

SILT FENCE MUST BE A MINIMUM OF 36" IN HEIGHT,
 WITH SUPPORTS PLACED EVERY SIX FEET.

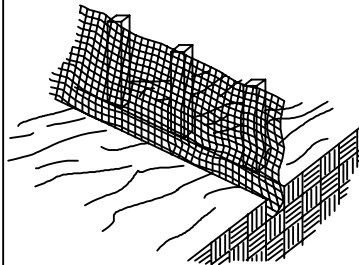
1.) SET THE STAKES



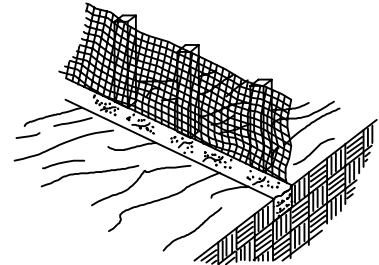
2.) EXCAVATE A 4"x4" TRENCH UPSLOPE ALONG THE LINE OF STAKES.



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



4.) BACKFILL AND COMPACT THE EXCAVATED SOIL.



LENGTHS (RIP-RAP)

1-2 45.23'
 2-3 44.79'
 5-6 45.29'
 6-7 42.12'

TIE DOWNS

A-1 52.64' B-1 90.93'
 A-2 46.06' B-2 49.23'
 A-3 79.03' B-3 34.63'
 A-4 80.01' B-4 36.83'
 A-5 60.63' B-5 94.63'
 A-6 53.97' B-6 54.84'
 A-7 82.18' B-7 42.63'

TURFGRASS PLANTING SPECIFICATIONS

TURF TYPE	TIME OF YEAR TO SEED	SEEDING RATE	COMMENTS
KENTUCKY 31 FESCUE	9-16 - 4-30 (OR SOD ANY SEASON WITH ADEQUATE WATER PROVIDED)	8 LB. PER 1000 SQ. FT.	MIX WITH ANNUAL RYE FOR QUICK STABILIZATION
NARROW LEAFED FESCUES	9-16 - 4-30 (OR SOD ANY SEASON WITH ADEQUATE WATER PROVIDED)	6 LB. PER 1000 SQ. FT.	IMPROVED FESCUES. MIX WITH ANNUAL RYE FOR QUICK STABILIZATION
BERMUDA (HULLED)	5-1 - 9-15 (OR SOD DURING THIS SAME TIME PERIOD)	2 LB. PER 1000 SQ. FT.	



REVISION SCHEDULE

DATE	COMMENT
9-1-23	ADD STONE LENGTHS

NOTES & DETAILS

PROJECT: RIP-RAP
BY: GEORGE A. PREGEL
IN: ELIZABETH RIVER
DATE: SEPT. 21, 2022

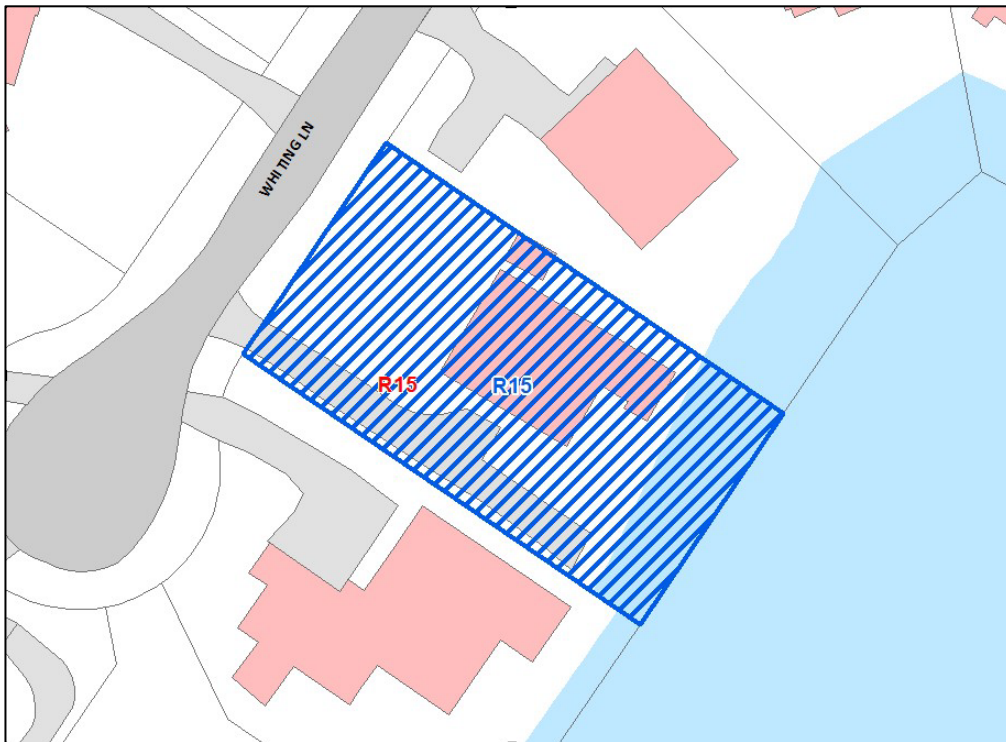
SHEET: 7 OF 7

5. 2023-WTRA-00190
Frank R. & Judy L. Marsh
[Applicants & Owners]

357 Whiting Lane
GPIN 2433-30-3962
City Council District: District 2

Waterway – North Bay
Subdivision – Back Bay Meadows

Request: To construct a bulkhead, return walls, and boat ramp 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 Frank R. Marsh

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-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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-sub subsidiary 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.

Dollar Bank

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.

Coastal Financial

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.

Agent - Robert Simon, Waterfront Consulting, Inc. Engineer - Gregory O. Milstead, P.E. of Chesapeake Bay Site Solutions

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.**

DocuSigned by:

 83546703EC38406...
Applicant Signature
 Frank R. Marsh

Print Name and Title

7/13/2023

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 # 23-1872

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"/>	Regional Permit 17 (RP-17) <input checked="" type="checkbox"/>			
NWP # _____ (For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)				
County or City in which the project is located: <u>Virginia Beach</u>				
Waterway at project site: <u>North 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	1984-0220	03/13/84	

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:

Frank R. Marsh
1733 Lovetts Pond Lane
Virginia Beach, VA 23454

Home () _____
Work () _____
Fax () _____
Cell (757) 459-3683
e-mail judymarsh1@cox.net

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):

Waterfront Consulting, Inc.
2589 Quality Court, Ste. 323
Virginia Beach, VA 23454

Contact Information:
Home () _____
Work (757) 425-8244
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 pier & portions of the existing bulkhead and return walls, construct a 20'x20' private pier, replace a portion of the existing concrete boat ramp, and construct 94 LF of vinyl bulkhead with a 23 LF & 28 LF return as shown in the permit drawings.

The bulkhead will use (30) 8" timber piles and the pier will use (12) 10" timber piles that will all be driven via a vibratory hammer mounted to 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) 357 Whiting Lane

Lot/Block/Parcel# Lot 46, Section 1, Back Bay Meadows

Subdivision Back Bay Meadows

City / County Virginia Beach ZIP Code 23456

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
36.71759 / -75.93933 (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: Shoreline Stabilization

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.*
A living shoreline and riprap were not proposed at this site due to the proximity of the upland structures to the existing bulkhead and the fetch from Back Bay that the shoreline has. A bulkhead is proposed in place and is to be built in line for a portion of the project. There are 6 SF of NVW impacts from a small washout behind the existing wall in the NE corner that will be mitigated for with an in-lieu fee. There are 302 SF of NVW impacts from replacing the boat ramp in the same footprint that are self-mitigating.
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.

Bradley L. Beach	6304 Studley Road	Mechanicsville, VA 23116
Charles D. Griffith, Jr.	6039 Edgewood Terrace	Alexandria, VA 22307
Edward C. Irby, Jr. Spousal Limited Access Trust	361 Whiting Lane	Virginia Beach, VA 23456

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.

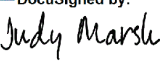
CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site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

Frank R. Marsh

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:

83546703EC38406...
Applicant's Signature

(Use if more than one applicant)

7/13/2023

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), Frank R. Marsh, 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.

Robert E. Simon, V.P.

(Agent's Signature)

(Use if more than one agent)

7/13/2023

(Date)

DocuSigned by:

Judy Marsh

83546703EC38406...

(Applicant's Signature)

(Use if more than one applicant)

7/13/2023

(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), Frank R. Marsh, 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

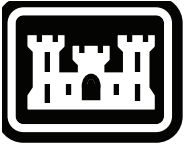
Contractor's signature and title

Contractor's License Number

Applicant's signature

(use if more than one applicant)

Date



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 ≤ 700 square feet and/or is the open sided roof structure or gazebo structure designed to shelter a pier ≤ 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.

Robert E. Simon, V.P.

Proposed work to be located at:
357 Whiting Lane, Virginia Beach, VA 23456

Signature of Property Owner(s) or Agent

Date _____

Part 3 – Appendices

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

Appendix A: (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 pier, construct a 20'x20' private pier, and replace a portion of the existing concrete boat ramp as shown in the permit drawings.

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? 20 feet.

Channelward of Mean High Water? 20 feet.

Channelward of Mean Low Water? 20 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 400 square feet.

What is the total size of any and all L- or T-head platforms? 400 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? 36 feet.
 From Mean High Water? 22 feet.
 From Mean Low Water? 4 feet.

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

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

Part 3 – Appendices (continued)

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

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

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

The project is to remove portions of the existing bulkhead and return walls and construct 94 LF of vinyl bulkhead with a 23 LF & 28 LF return as shown in the permit drawings.

There will be 0.003 acres of aquatic impact and approximately 20 CYs of fill placed below the plane of MHW.

2. 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.
3. Please calculate the square footage of encroachment over:

• Vegetated wetlands	<u>0</u>	square feet
• Non-vegetated wetlands	<u>308</u>	square feet
• Subaqueous bottom	<u>146</u>	square feet
• Dune and/or beach	<u>N/A</u>	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.

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

REVISED 10-09-03

PROJECT LOCATION: 357 Whiting Lane

APPLICANT'S NAME: Frank R. Marsh

APPLICANT'S ADDRESS: 1733 Lovetts Pond Lane

Virginia Beach, VA 23454

ENGINEER OF RECORD: Sean Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR

CERTIFYING PROJECT

CONSTRUCTION: Bulkhead, Pier, & Boat Ramp

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.



SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

8-8-23

DATE

Sean Green, P.E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:



7/13/2023

83546703EC38406...
SIGNATURE OF APPLICANT

DATE

SIGNATURE OF COASTAL ZONE ADMINISTRATOR

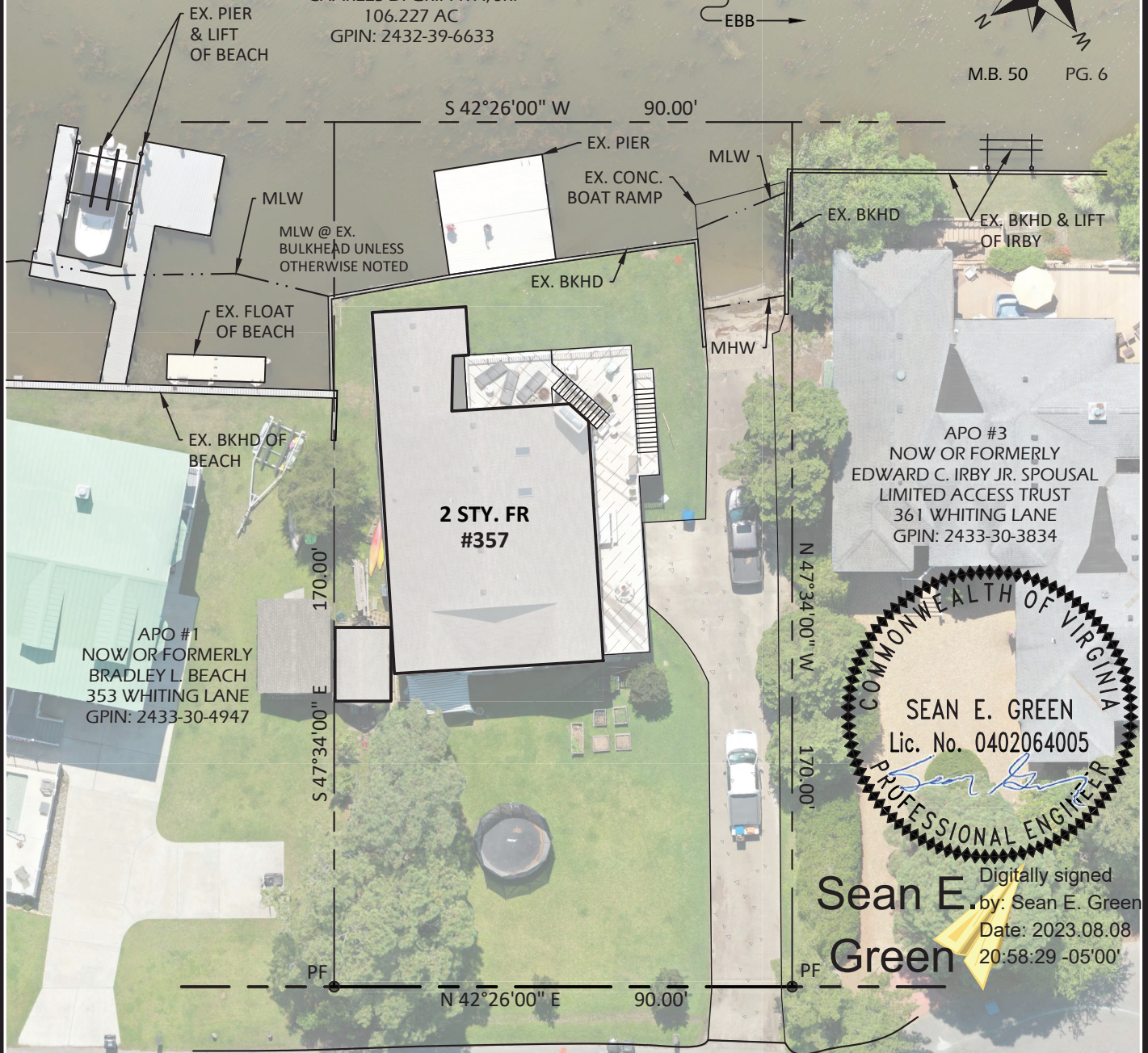
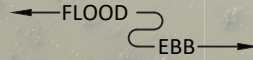
DATE

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

APPLICATION NO. _____

APO #2
NOW OR FORMERLY
CHARLES D. GRIFFITH, JR.
106.227 AC
GPIN: 2432-39-6633

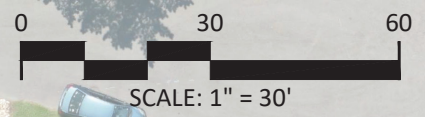
NORTH BAY



Sean E. Green
Digitally signed by: Sean E. Green
Date: 2023.08.08 20:58:29 -05'00'

EXISTING CONDITIONS

WHITING LANE
50' RIGHT-OF-WAY



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PURPOSE: SHORELINE STABILIZATION
DATUM: MLW = 0.0'
APOS:
1. BRADLEY L. BEACH
2. CHARLES D. GRIFFITH, JR.
3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST
REV:



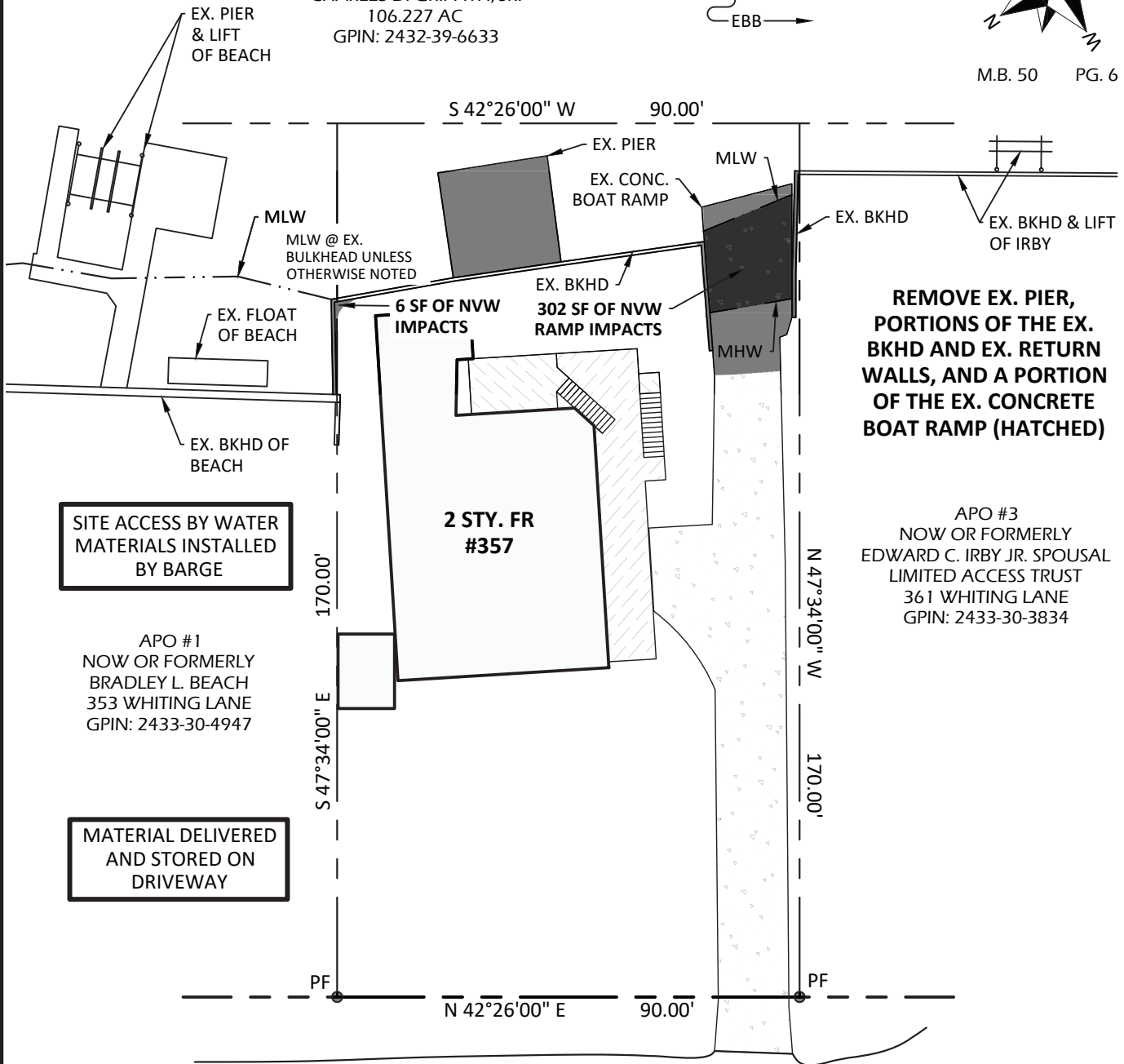
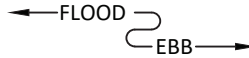
WATERFRONT CONSULTING, INC.
2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302
ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: BULKHEAD, PIER, & CONCRETE BOAT RAMP
IN: NORTH BAY
AT: 357 WHITING LANE
VIRGINIA BEACH, VA 23456
APPLICATION BY:
FRANK & JUDY MARSH
SHEET: 1 OF 11
DATE: JULY 12, 2023



APO #2
NOW OR FORMERLY
CHARLES D. GRIFFITH, JR.
106.227 AC
GPIN: 2432-39-6633

NORTH BAY



SITE ACCESS BY WATER
MATERIALS INSTALLED
BY BARGE

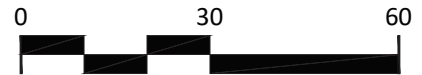
APO #1
NOW OR FORMERLY
BRADLEY L. BEACH
353 WHITING LANE
GPIN: 2433-30-4947

MATERIAL DELIVERED
AND STORED ON
DRIVEWAY

APO #3
NOW OR FORMERLY
EDWARD C. IRBY JR. SPOUSAL
LIMITED ACCESS TRUST
361 WHITING LANE
GPIN: 2433-30-3834

SITE ACCESS & DEMOLITION

WHITING LANE
50' RIGHT-OF-WAY



SCALE: 1" = 30'

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PURPOSE: SHORELINE STABILIZATION
DATUM: MLW = 0.0'
APOS:
1. BRADLEY L. BEACH
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3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST



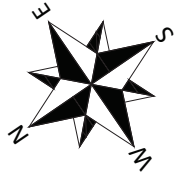
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VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

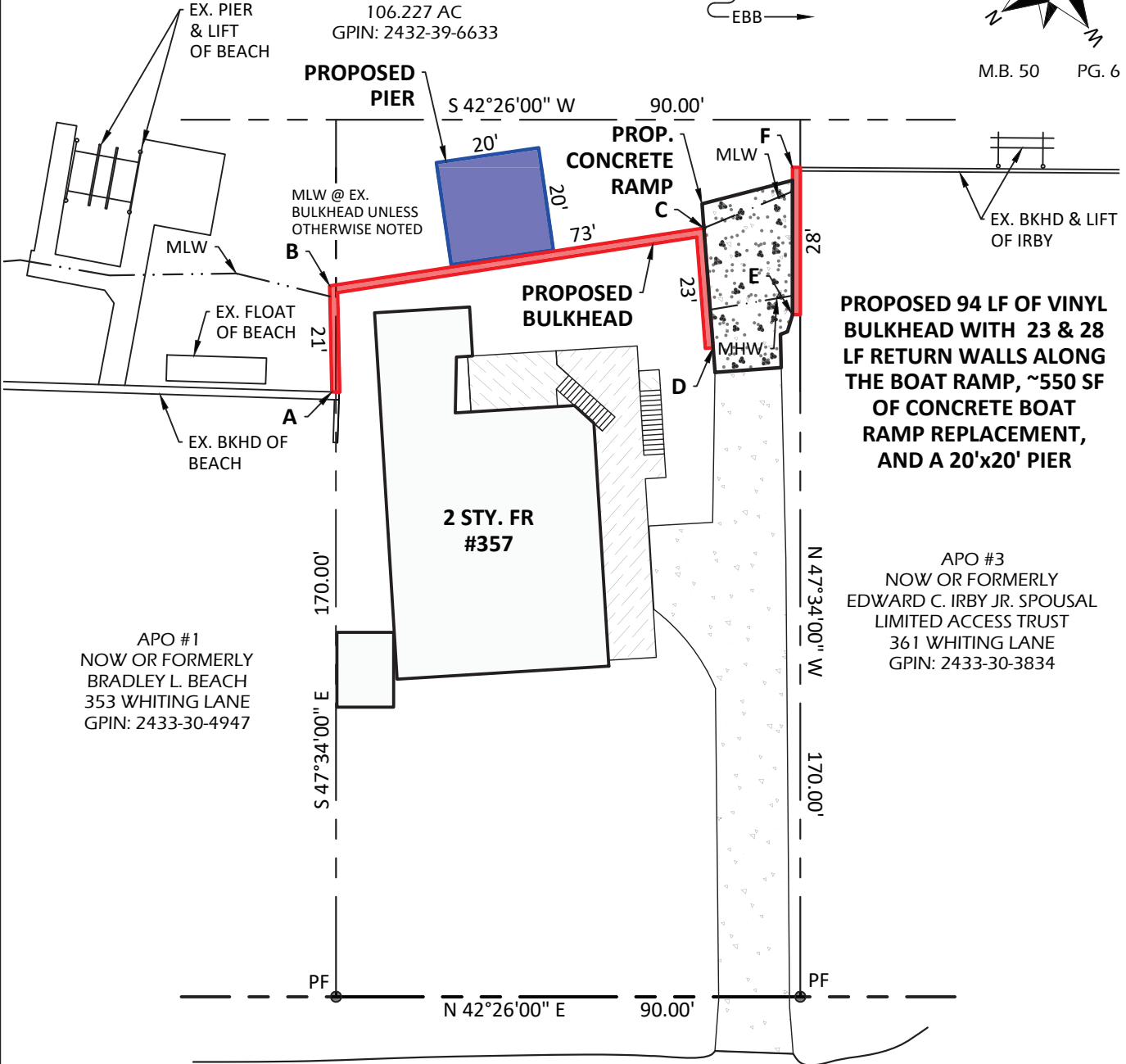
ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: BULKHEAD, PIER, & CONCRETE BOAT RAMP
IN: NORTH BAY
AT: 357 WHITING LANE
VIRGINIA BEACH, VA 23456
APPLICATION BY:
FRANK & JUDY MARSH
SHEET: 2 OF 11
DATE: JULY 12, 2023

REV:



APO #2
NOW OR FORMERLY
CHARLES D. GRIFFITH, JR.
106.227 AC
GPIN: 2432-39-6633



PROPOSED 94 LF OF VINYL BULKHEAD WITH 23 & 28 LF RETURN WALLS ALONG THE BOAT RAMP, ~550 SF OF CONCRETE BOAT RAMP REPLACEMENT, AND A 20'x20' PIER

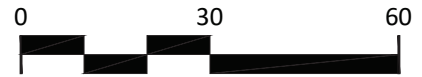
APO #3
NOW OR FORMERLY
EDWARD C. IRBY JR. SPOUSAL
LIMITED ACCESS TRUST
361 WHITING LANE
GPIN: 2433-30-3834

APO #1
NOW OR FORMERLY
BRADLEY L. BEACH
353 WHITING LANE
GPIN: 2433-30-4947

2 STY. FR
#357

PROPOSED SITE IMPROVEMENTS

WHITING LANE
50' RIGHT-OF-WAY



SCALE: 1" = 30'

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PURPOSE: SHORELINE STABILIZATION
DATUM: MLW = 0.0'
APOS:
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2. CHARLES D. GRIFFITH, JR.
3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST



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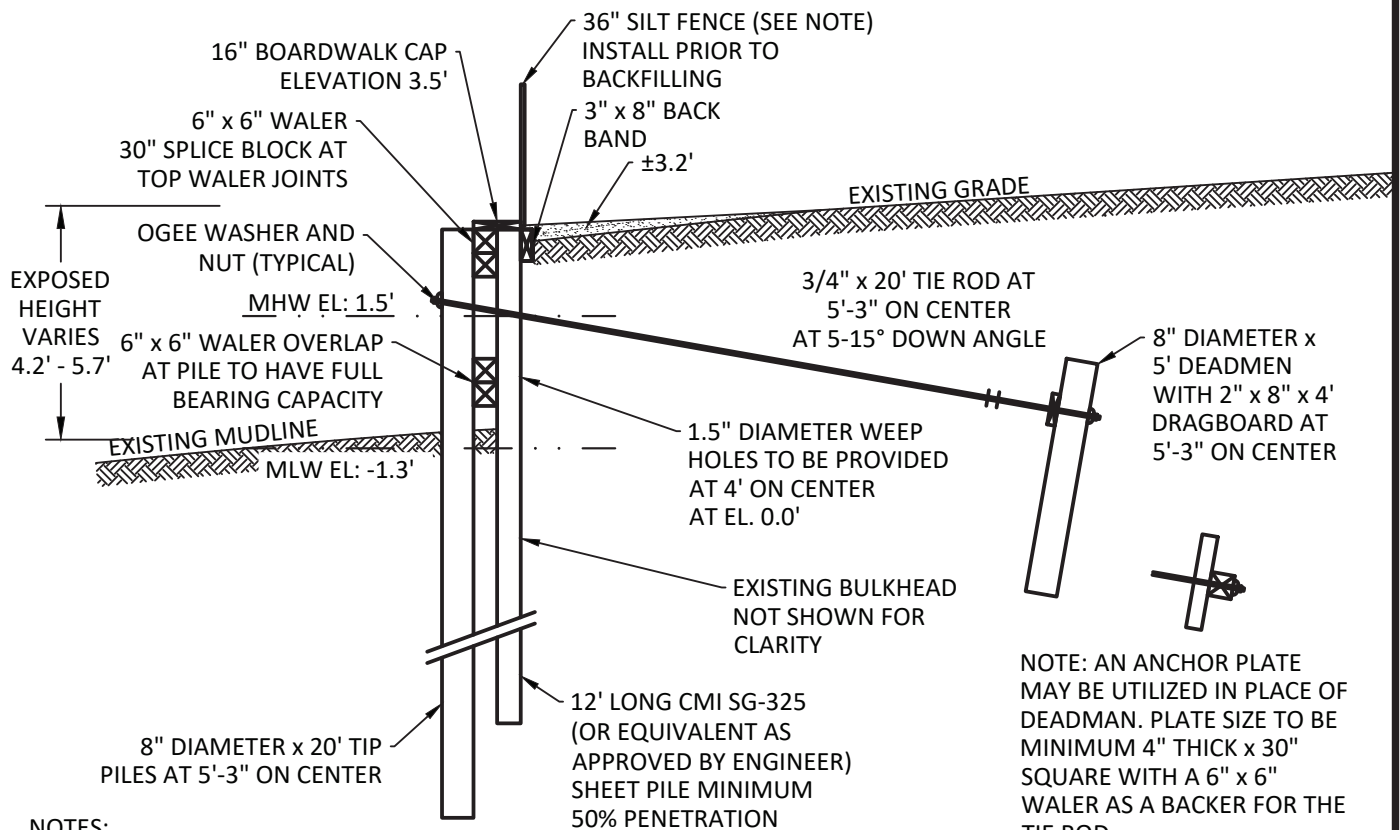
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VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

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(330) 883-2117

PROPOSED: BULKHEAD, PIER, & CONCRETE BOAT RAMP
IN: NORTH BAY
AT: 357 WHITING LANE
VIRGINIA BEACH, VA 23456
APPLICATION BY:
FRANK & JUDY MARSH
SHEET: 3 OF 11
DATE: JULY 12, 2023

REV:

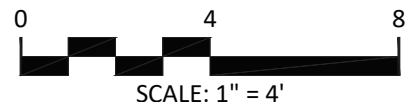
PROPOSED BULKHEAD CROSS SECTION POINTS A-B, C-D, E-F



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: SHORELINE STABILIZATION
 DATUM: MLW = 0.0'
 APOS:
 1. BRADLEY L. BEACH
 2. CHARLES D. GRIFFITH, JR.
 3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST
 REV:



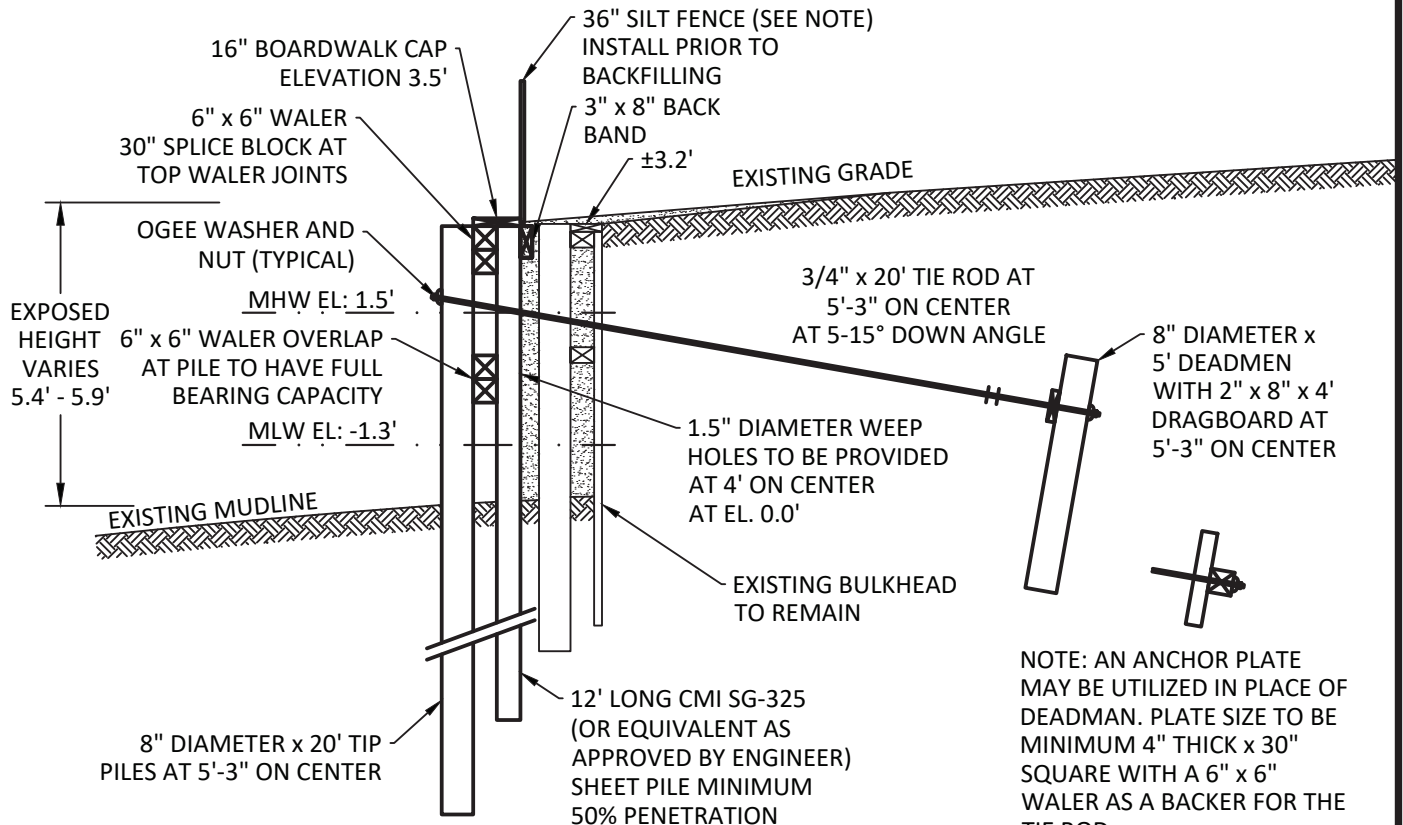
**WATERFRONT
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2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: BULKHEAD, PIER, &
 CONCRETE BOAT RAMP
 IN: NORTH BAY
 AT: 357 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 FRANK & JUDY MARSH
 SHEET: 4 OF 11
 DATE: JULY 12, 2023

PROPOSED BULKHEAD CROSS SECTION POINTS B-C

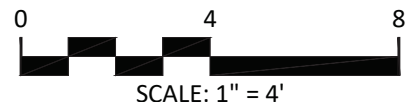


NOTES:

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.

NOTE: AN ANCHOR PLATE MAY BE UTILIZED IN PLACE OF DEADMAN. PLATE SIZE TO BE MINIMUM 4" THICK x 30" SQUARE WITH A 6" x 6" WALER AS A BACKER FOR THE TIE ROD



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PURPOSE: SHORELINE STABILIZATION
 DATUM: MLW = 0.0'
 APOS:
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 3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST
 REV:



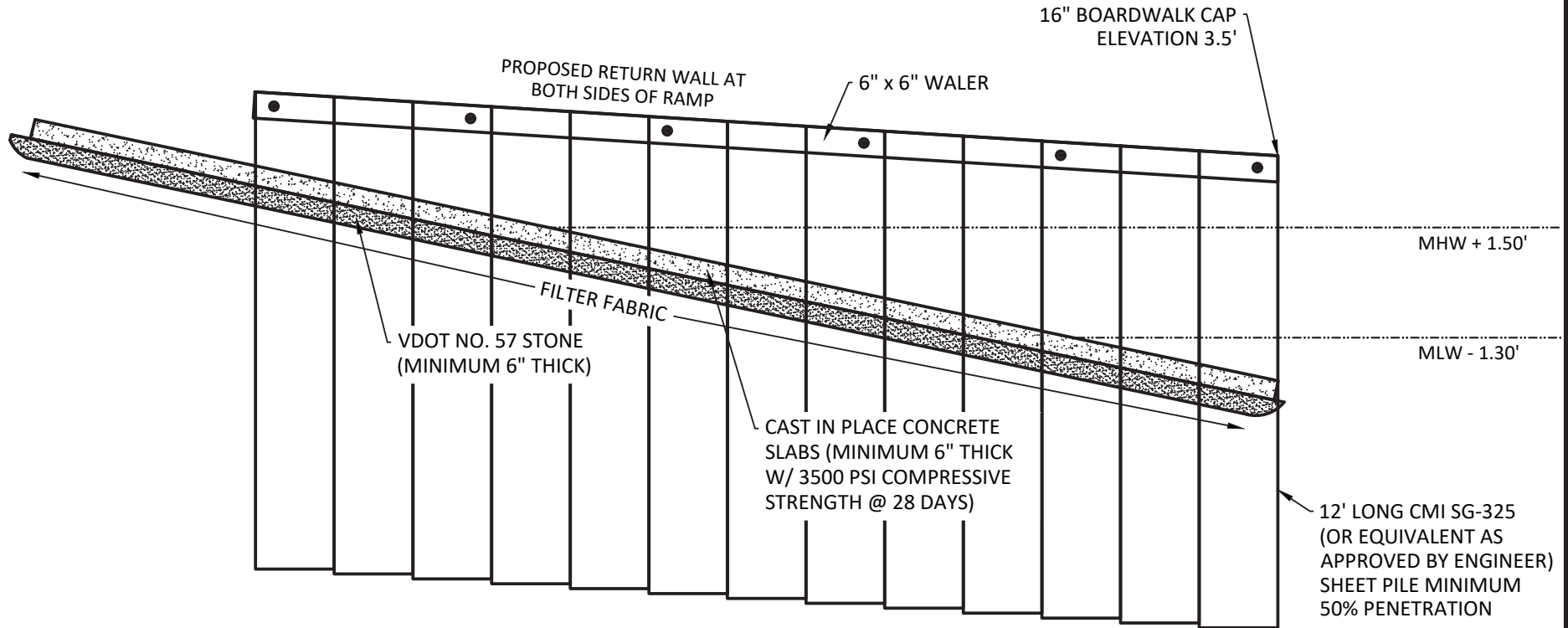
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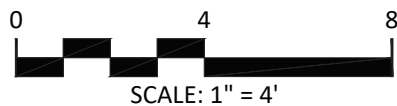
ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117

PROPOSED: BULKHEAD, PIER, & CONCRETE BOAT RAMP
 IN: NORTH BAY
 AT: 357 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 FRANK & JUDY MARSH
 SHEET: 5 OF 11
 DATE: JULY 12, 2023

PROPOSED RAMP & RETURN WALL CROSS SECTION



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PURPOSE: SHORELINE STABILIZATION
 DATUM: MLW = 0.0'
 APOS:
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 3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST

REV:



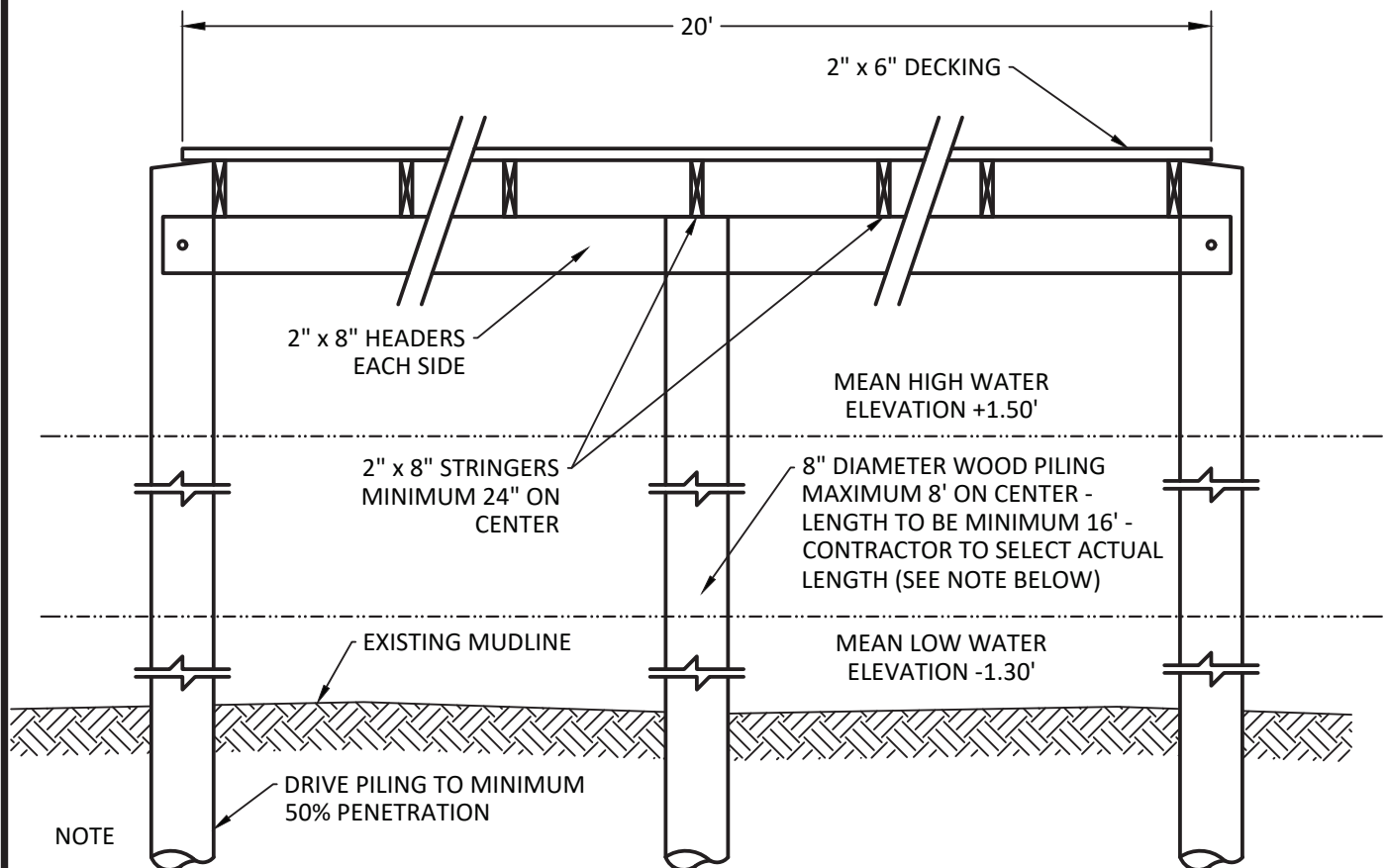
WATERFRONT CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

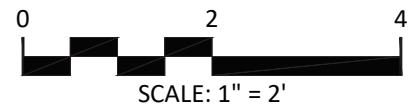
ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: BULKHEAD, PIER, & CONCRETE BOAT RAMP
 IN: NORTH BAY
 AT: 357 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 FRANK & JUDY MARSH
 SHEET: 6 OF 11
 DATE: JULY 12, 2023

PROPOSED PIER CROSS SECTION



1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION).
5. PIER LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION.
6. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



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PURPOSE: SHORELINE STABILIZATION
 DATUM: MLW = 0.0'
 APOS:
 1. BRADLEY L. BEACH
 2. CHARLES D. GRIFFITH, JR.
 3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST

REV:



**WATERFRONT
CONSULTING, INC.**

2589 QUALITY COURT, SUITE 323
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 IN: NORTH BAY
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 APPLICATION BY:
 FRANK & JUDY MARSH
 SHEET: 7 OF 11
 DATE: JULY 12, 2023

NLAA COMPLIANCE

ITEM	8"PILE	10" PILE	12" PILE		
BULKHEAD	30				
PIER		12			

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: SHORELINE STABILIZATION
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 LIMITED ACCESS TRUST

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**WATERFRONT
 CONSULTING, INC.**

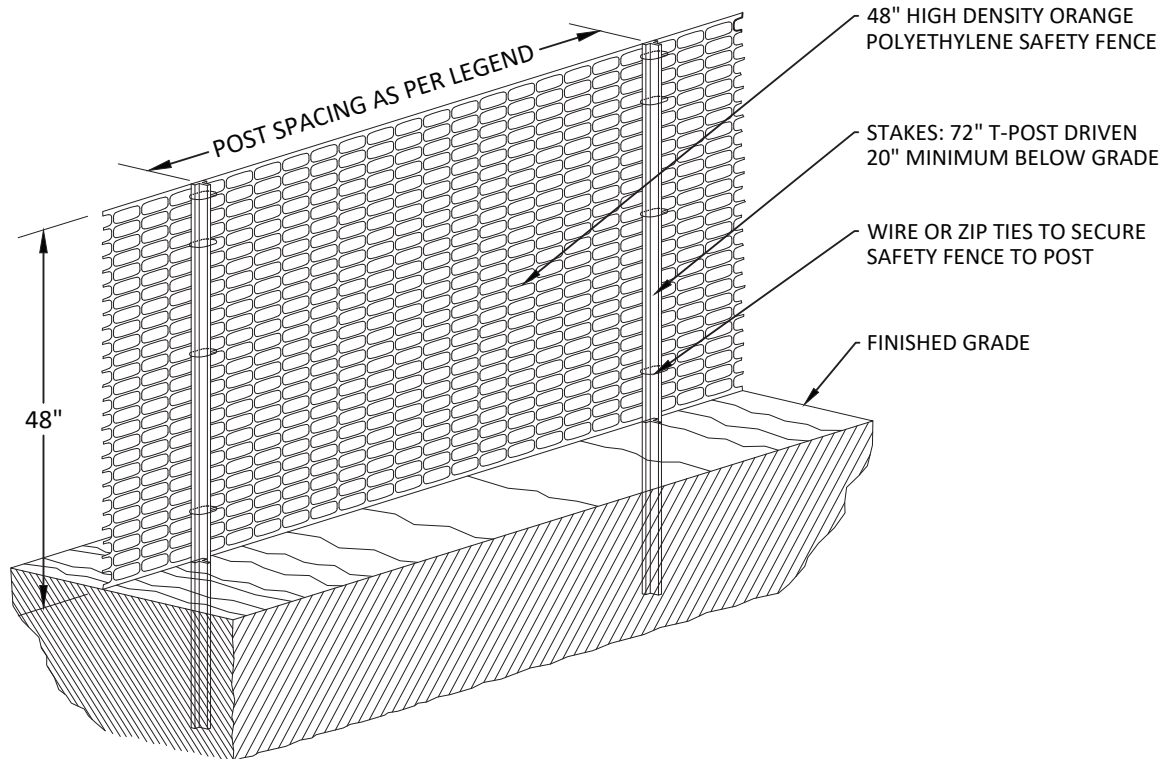
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 APPLICATION BY:
 FRANK & JUDY MARSH
 SHEET: 8 OF 11
 DATE: JULY 12, 2023

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: SHORELINE STABILIZATION
 DATUM: MLW = 0.0'
 APOS:
 1. BRADLEY L. BEACH
 2. CHARLES D. GRIFFITH, JR.
 3. EDWARD C. IRBY, JR. SPOUSAL
 LIMITED ACCESS TRUST

REV:



**WATERFRONT
CONSULTING, INC.**

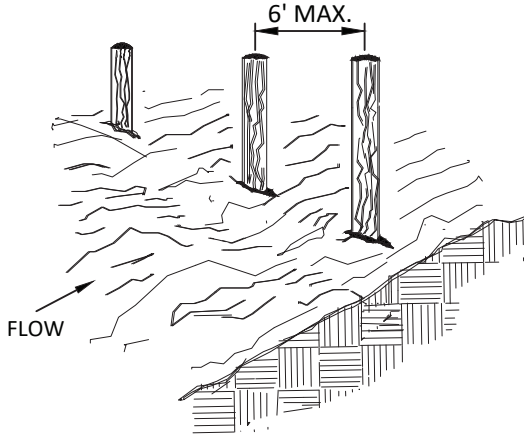
2589 QUALITY COURT, SUITE 323
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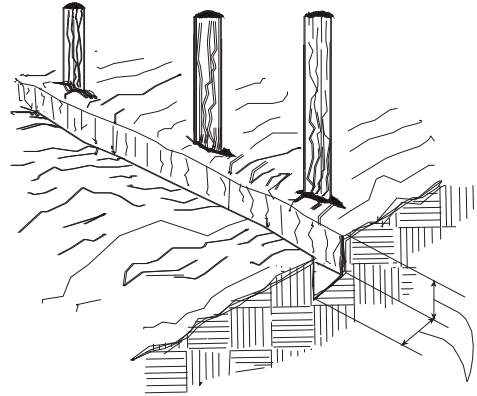
PROPOSED: BULKHEAD, PIER, &
 CONCRETE BOAT RAMP
 IN: NORTH BAY
 AT: 357 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 FRANK & JUDY MARSH
 SHEET: 9 OF 11
 DATE: JULY 12, 2023

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

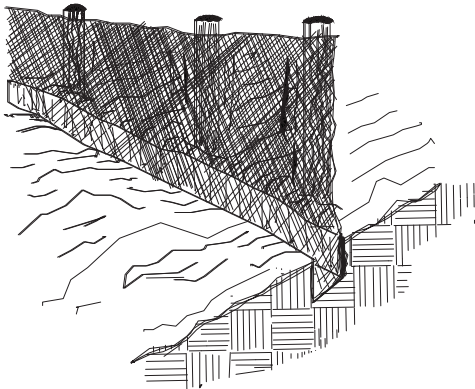
1. SET THE STAKES



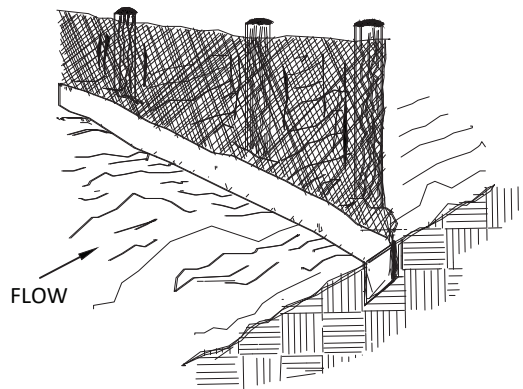
2. EXCAVATE A 4" x 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES



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 PLATE 3.05-2

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PURPOSE: SHORELINE STABILIZATION
 DATUM: MLW = 0.0'
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 1. BRADLEY L. BEACH
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 3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST

REV:



WATERFRONT CONSULTING, INC.

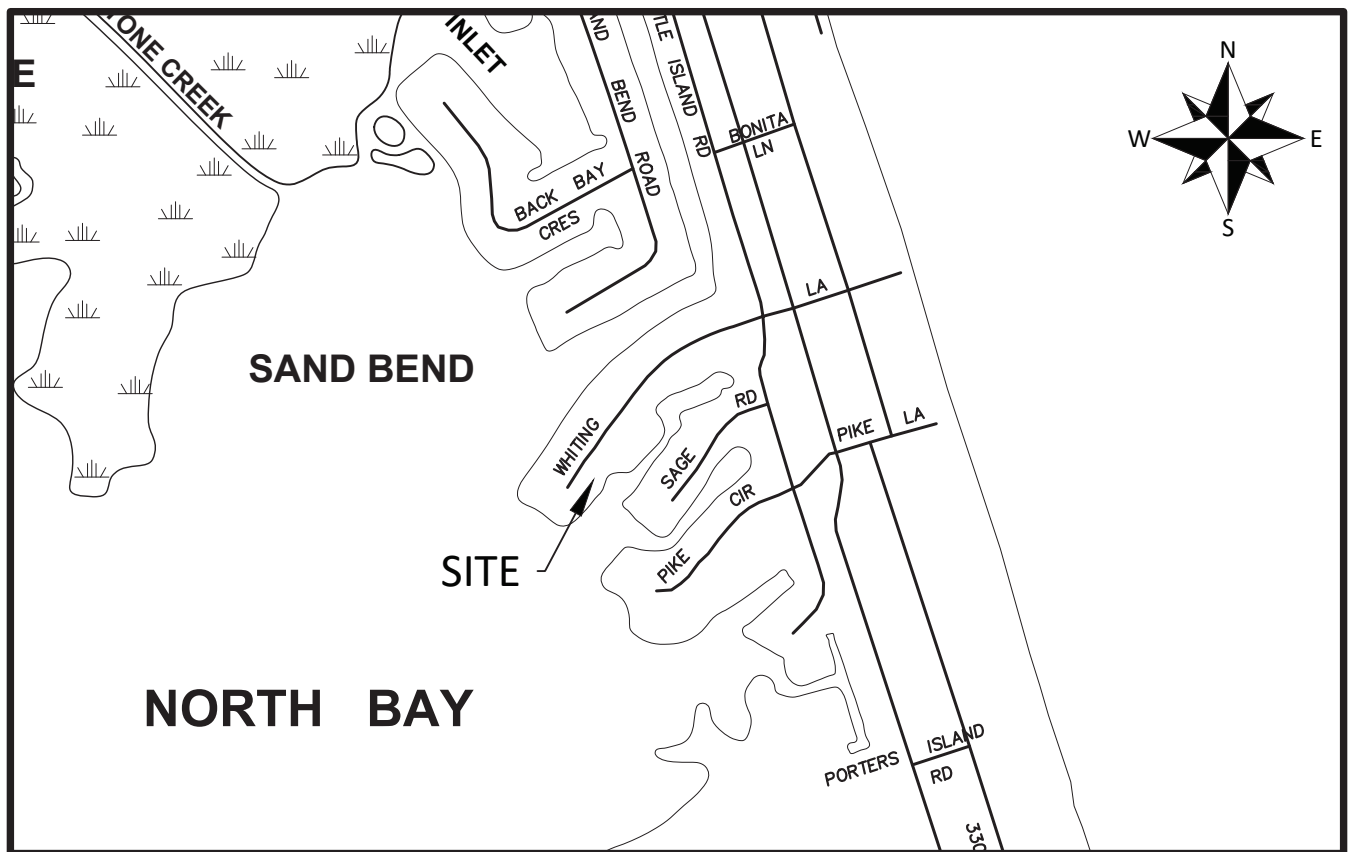
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 IN: NORTH BAY
 AT: 357 WHITING LANE
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 FRANK & JUDY MARSH
 SHEET: 10 OF 11
 DATE: JULY 12, 2023

SITE INFORMATIONLEGAL DESCRIPTION: **LOT 46, SECTION 1, BACK BAY MEADOWS**REFERENCE: **MAP BOOK 50, PAGE 6, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA**GPIN: **2433-30-3962**ZONING: **R-15 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

©2023 WATERFRONT CONSULTING, INC. ALL RIGHTS RESERVED

PURPOSE: SHORELINE STABILIZATION

DATUM: MLW = 0.0'

APOS:

1. BRADLEY L. BEACH
2. CHARLES D. GRIFFITH, JR.
3. EDWARD C. IRBY, JR. SPOUSAL LIMITED ACCESS TRUST

REV:


**WATERFRONT
CONSULTING, INC.**

 2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454

PHONE: (757) 425-8244, MOBILE: (757) 619-7302

 ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117
PROPOSED: BULKHEAD, PIER, &
CONCRETE BOAT RAMP

IN: NORTH BAY

AT: 357 WHITING LANE
VIRGINIA BEACH, VA 23456

APPLICATION BY:

FRANK & JUDY MARSH

SHEET: 11 OF 11

DATE: JULY 12, 2023



WATERFRONT CONSULTING, INC.
"Specializing in Permit Processing"

Bradley L. Beach
6304 Studley Road
Mechanicsville, VA 23116

**RE: Proposed Bulkhead, Pier, & Boat Ramp
Located at 357 Whiting Lane, Virginia Beach, VA 23456**

Dear Bradley L. Beach

This letter is to notify you that your neighbor(s), Frank R. Marsh 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: Frank R. Marsh , Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

Received by VMRC August 11, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Bradley L. Beach, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Frank R. Marsh.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated July 12, 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.



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Charles D. Griffith, Jr.
6039 Edgewood Terrace
Alexandria, VA 22307

RE: Proposed Bulkhead, Pier, & Boat Ramp
Located at 357 Whiting Lane, Virginia Beach, VA 23456

Dear Charles D. Griffith, Jr.

This letter is to notify you that your neighbor(s), Frank R. Marsh 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.

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Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: Frank R. Marsh, Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

Received by VMRC August 11, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Charles D. Griffith, Jr., own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Frank R. Marsh.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated July 12, 2023
(Date)

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I HAVE NO COMMENT ABOUT THE PROJECT.

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I OBJECT TO THE PROJECT.

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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.



WATERFRONT CONSULTING, INC.
"Specializing in Permit Processing"

Edward C. Irby, Jr. Spousal
Limited Access Trust
361 Whiting Lane
Virginia Beach, VA 23456

**RE: Proposed Bulkhead, Pier, & Boat Ramp
Located at 357 Whiting Lane, Virginia Beach, VA 23456**

Dear Edward C. Irby, Jr. Spousal
Limited Access Trust

This letter is to notify you that your neighbor(s), Frank R. Marsh 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.

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Robert E. Simon

Robert E. Simon, Vice President

CC: Frank R. Marsh, Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

Received by VMRC August 11, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

Edward C. Irby, Jr. Spousal
I (we), Limited Access Trust, own land next to (across the water
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from/on the same cove as) the land of Frank R. Marsh.
(Print applicant's name(s))

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(Date)

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

I HAVE NO COMMENT ABOUT THE PROJECT.

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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

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6. 2023-WTRA-00203

Frederick Perkins

[Applicant & Owner]

1048 Ducking Point Trail

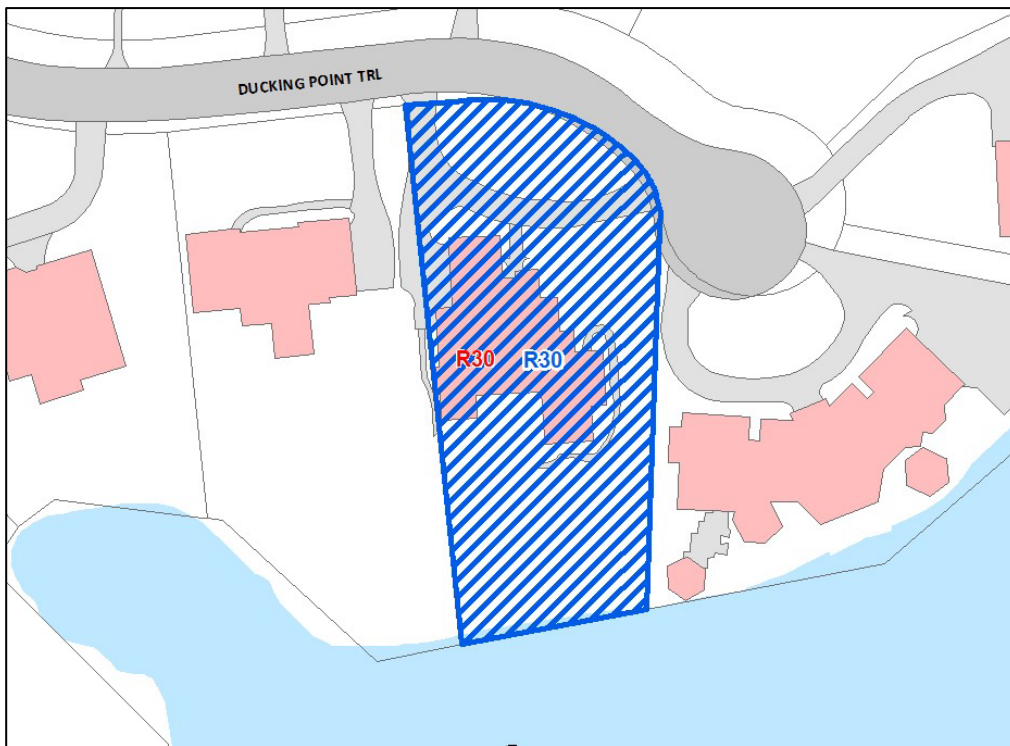
GPIN 1488-03-3777

City Council District: District 8

Waterway – Western Branch Lynnhaven River

Subdivision – Saw Pen Point

Request: To construct a rip rap revetment 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 Frederick Perkins

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?

N/a

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.

Chase

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.

N/a

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.

Agent - Robert Simon, Waterfront Consulting, Inc. Engineer - Sean Green, P.E.

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.**

DocuSigned by:
Frederick Perkins
4BB47C2D7ABB4A1...

Applicant Signature

Frederick Perkins

Print Name and Title

9/6/2023

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 type="checkbox"/>			
County or City in which the project is located: Virginia Beach _____				
Waterway at project site: Lynnhaven River (Western Branch) _____				
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:

Frederick Perkins

1048 Ducking Point Trail

Virginia Beach, VA 23455

Home () _____

Work () _____

Fax () _____

Cell () _____

e-mail fred.perkins90@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):

Waterfront Consulting, Inc.

2589 Quality Court, Ste. 323

Virginia Beach, VA 23454

Contact Information:

Home () _____

Work (757) 425-8244

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 proposed project involves the placement of 100 LF of quarry stone rip rap revetment seaward of the existing bulkhead. The existing bulkhead will remain.

Site access for this project will begin on the property of John Lewis (APO#2)

There will be 8 SF of Non Vegetated Wetlands impacts, 910 Subaqueous impacts.

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

(757) 622-1455 _____

150 W. Brambleton Avenue

Norfolk, VA 23510

7. Give the following project location information:

Street Address (911 address if available) 1048 Ducking Point Trail

Lot/Block/Parcel# Section 2 PT 2 lot 26

Subdivision Saw Pen Point

City / County Virginia Beach ZIP Code 23455

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

36d51'59"n / -76d06'56"w (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: Erosion Prevention

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.*

This project involves 8 SF of non-vegetated impacts that will be converted to non-vegetated rock habitat.

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.): \$ <500,000 _____
Approximate cost of that portion of the project that is channelward of mean low water:
\$ _____

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.

Tian Fei	1052 Ducking Point Trail	Virginia Beach, VA 23455
John Lewis	1044 Ducking Point Trail	Virginia Beach, VA 23455

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.

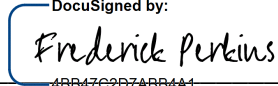
In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons 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.

Frederick Perkins

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:



4BB47C2D7ABB4A1...

Applicant's Signature

(Use if more than one applicant)

9/6/2023

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), Frederick Perkins, 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.

Robert E. Simon, V.P.

(Agent’s Signature)

(Use if more than one agent)

(Date) _____
DocuSigned by:
Frederick Perkins
4BB47C2D7ABB4A1...
(Applicant’s Signature)
9/6/2023

(Use if more than one applicant)

(Date)

3. Applicant’s having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), Frederick Perkins, 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

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

REVISED 10-09-03

PROJECT LOCATION: 1048 Ducking Point Trail

APPLICANT'S NAME: Frederick Perkins

APPLICANT'S ADDRESS: 1048 Ducking Point Trail

Virginia Beach, VA 23455

ENGINEER OF RECORD: Sean Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR
CERTIFYING PROJECT

CONSTRUCTION: Rip Rap Revetment

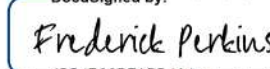
AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE 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.


SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

9-7-23
DATE

Sean Green, P.E.
TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:

4BB47C2D7ABB4A1...
SIGNATURE OF APPLICANT

9/6/2023
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. _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Tian Fei
1052 Ducking Point Trail
Virginia Beach, VA 23455

RE: Proposed Rip Rap Revetment
Located at: 1048 Ducking Point Trail, Virginia Beach, VA 23455

Dear Tian Fei

This letter is to notify you that your neighbor(s), Frederick Perkins 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: Frederick Perkins, Applicant

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER’S ACKNOWLEDGEMENT FORM

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

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

I have reviewed the applicant’s project drawings dated _____
(Date)

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

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

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

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

Adjacent/nearby property owner’s signature(s)

Date

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



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

John Lewis
1044 Ducking Point Trail
Virginia Beach, VA 23455

RE: Proposed Rip Rap Revetment
Located at: 1048 Ducking Point Trail, Virginia Beach, VA 23455

Dear John Lewis

This letter is to notify you that your neighbor(s), Frederick Perkins 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.

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Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: Frederick Perkins , Applicant

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), John Lewis, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Frederick Perkins.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated _____
(Date)

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

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

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

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

Adjacent/nearby property owner's signature(s)

Date

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

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, 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 proposed project involves the placement of 100 LF of quarry stone rip rap revetment seaward of the existing bulkhead. The existing bulkhead will remain.

Site access for this project will begin on the property of John Lewis (APO#2)

There will be 8 SF of Non Vegetated Wetlands impacts, 910 Subaqueous impacts.
No fill will be used for this project.

2. What is the maximum encroachment channelward of mean high water? 9' feet.
Channelward of mean low water? 9' feet.
Channelward of the back edge of the dune or beach? n/a feet.
3. Please calculate the square footage of encroachment over:
 - Vegetated wetlands 0 square feet
 - Non-vegetated wetlands 8 square feet
 - Subaqueous bottom 910 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.

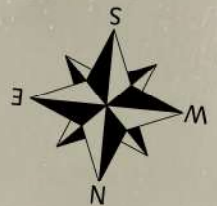
If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? Yes No.

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

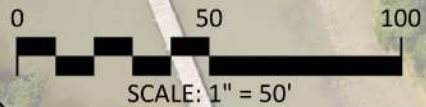
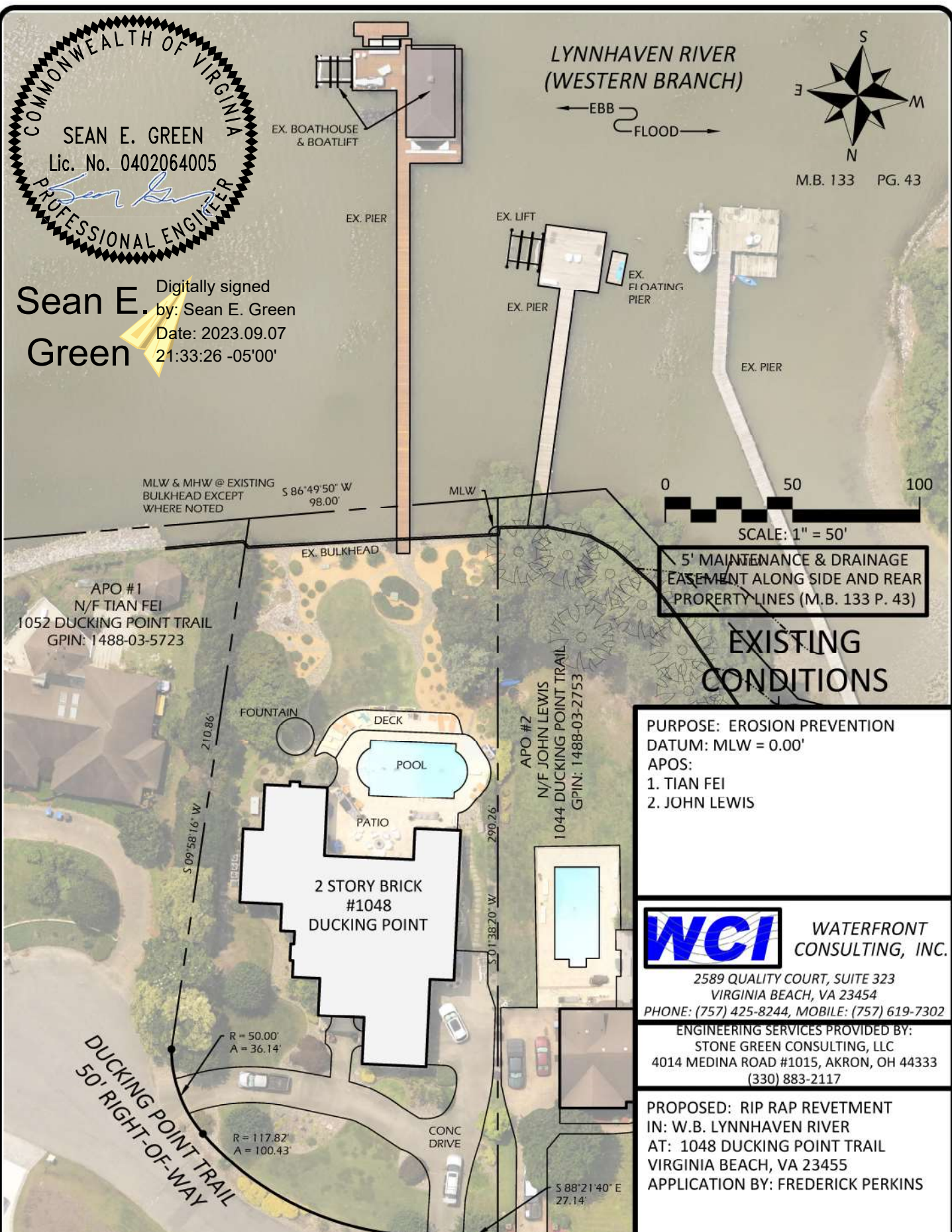


Sean E. Green
 Digitally signed by: Sean E. Green
 Date: 2023.09.07 21:33:26 -05'00'

LYNNHAVEN RIVER
 (WESTERN BRANCH)



M.B. 133 PG. 43



SCALE: 1" = 50'
 5' MAINTENANCE & DRAINAGE EASEMENT ALONG SIDE AND REAR PROPERTY LINES (M.B. 133 P. 43)

EXISTING CONDITIONS

PURPOSE: EROSION PREVENTION
 DATUM: MLW = 0.00'
 APOS:
 1. TIAN FEI
 2. JOHN LEWIS

WCI WATERFRONT CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

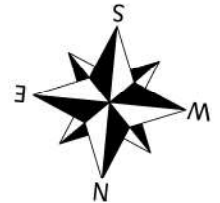
PROPOSED: RIP RAP REVETMENT
 IN: W.B. LYNNHAVEN RIVER
 AT: 1048 DUCKING POINT TRAIL
 VIRGINIA BEACH, VA 23455
 APPLICATION BY: FREDERICK PERKINS

SHEET: 1 OF 6
 DATE: AUGUST 31, 2023

NOTES:

- MATERIAL DELIVERED AND STORED ON DRIVEWAY OF LEWIS
- TOTAL AREA OF DISTURBANCE FOR ACCESSWAY & PROJECT AREA = 1,350 SF ON PERKINS PROPERTY
- SUBAQUEOUS IMPACTS = 910 SF

LYNNHAVEN RIVER (WESTERN BRANCH)



M.B. 133 PG. 43

WETLAND IMPACTS	
NON VEGETATED	8 SF

PROPOSED 100 LF OF QUARRY STONE RIP RAP REVETMENT

SEPARATE RIP RAP JPA APPLIED FOR BY LEWIS

MLW & MHW @ EXISTING BULKHEAD EXCEPT WHERE NOTED

S 86°49'50" W
98.00'

MLW

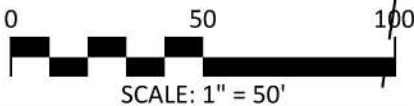
MLW

APO #1
N/F TIAN FEI
1052 DUCKING POINT TRAIL
GPIN: 1488-03-5723

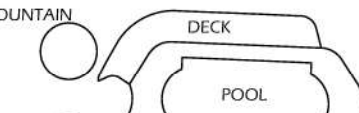
EROSION & SEDIMENT CONTROL LEGEND

(SAF) TEMPORARY PLASTIC SAFETY FENCE STANDARD & SPEC. 3.01

REFER TO VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, THIRD EDITION, 1992.



5' MAINTENANCE & DRAINAGE EASEMENT ALONG SIDE AND REAR PROPERTY LINES (M.B. 133 P. 43)



2 STORY BRICK #1048
DUCKING POINT

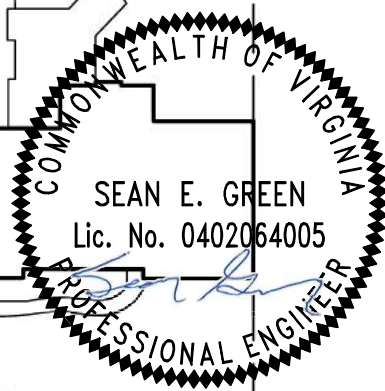
APO #2
N/F JOHN LEWIS
1044 DUCKING POINT TRAIL
GPIN: 1488-03-2753

PROPOSED IMPROVEMENTS

R = 50.00'
A = 36.14'

R = 117.82'
A = 100.43'

CONC DRIVE



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PURPOSE: EROSION PREVENTION
DATUM: MLW = 0.00'
APOS:
1. TIAN FEI
2. JOHN LEWIS



WATERFRONT CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: RIP RAP REVETMENT
IN: W.B. LYNNHAVEN RIVER
AT: 1048 DUCKING POINT TRAIL
VIRGINIA BEACH, VA 23455
APPLICATION BY: FREDERICK PERKINS

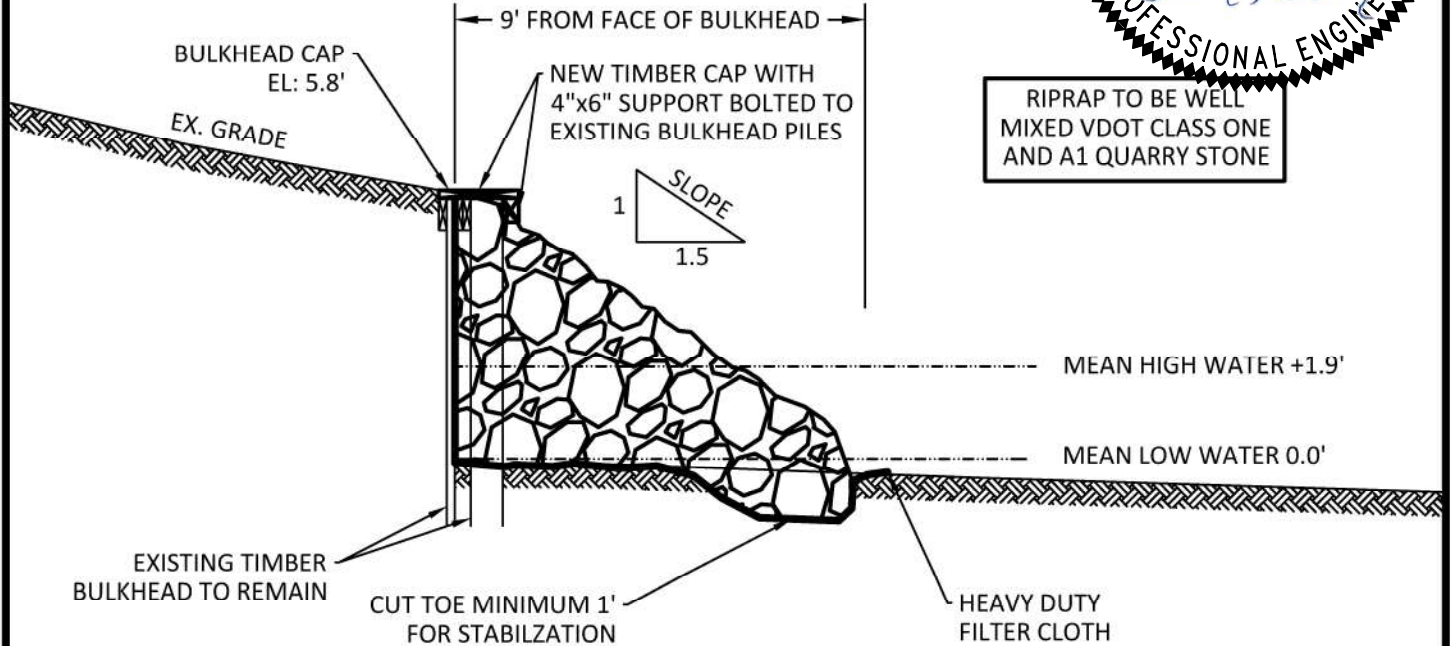
SHEET: 2 OF 6
DATE: AUGUST 31, 2023

PERKINS JPA

PROPOSED RIPRAP CROSS SECTION



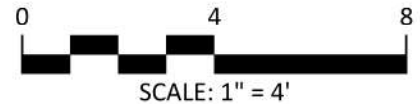
RIPRAP TO BE WELL
MIXED VDOT CLASS ONE
AND A1 QUARRY STONE



NOTES:

1. RIPRAP LAYOUT IS BASED ON VISUAL ON SITE INSPECTION.
2. ADDITIONAL STONE MAY BE REQUIRED THAN SHOWN DUE TO SETTLEMENT DURING CONSTRUCTION.
3. DIMENSIONS SHOWN ARE DIMENSIONS UPON COMPLETION OF THE PROJECT AFTER INITIAL CONSTRUCTION SETTLEMENT.
4. ANY SHELLFISH IMPACTED BY CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE REMOVED FROM THE STRUCTURE(S), PRESERVED IN THE WATER COLUMN, AND RETURNED/PLACED ON THE COMPLETED OR EXISTING RIP RAP ON SITE APPLICABLE AT A SIMILAR PLACE IN THE WATER COLUMN.

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 DESIGN. 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.



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PURPOSE: EROSION PREVENTION
 DATUM: MLW = 0.00'
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CONSULTING, INC.**

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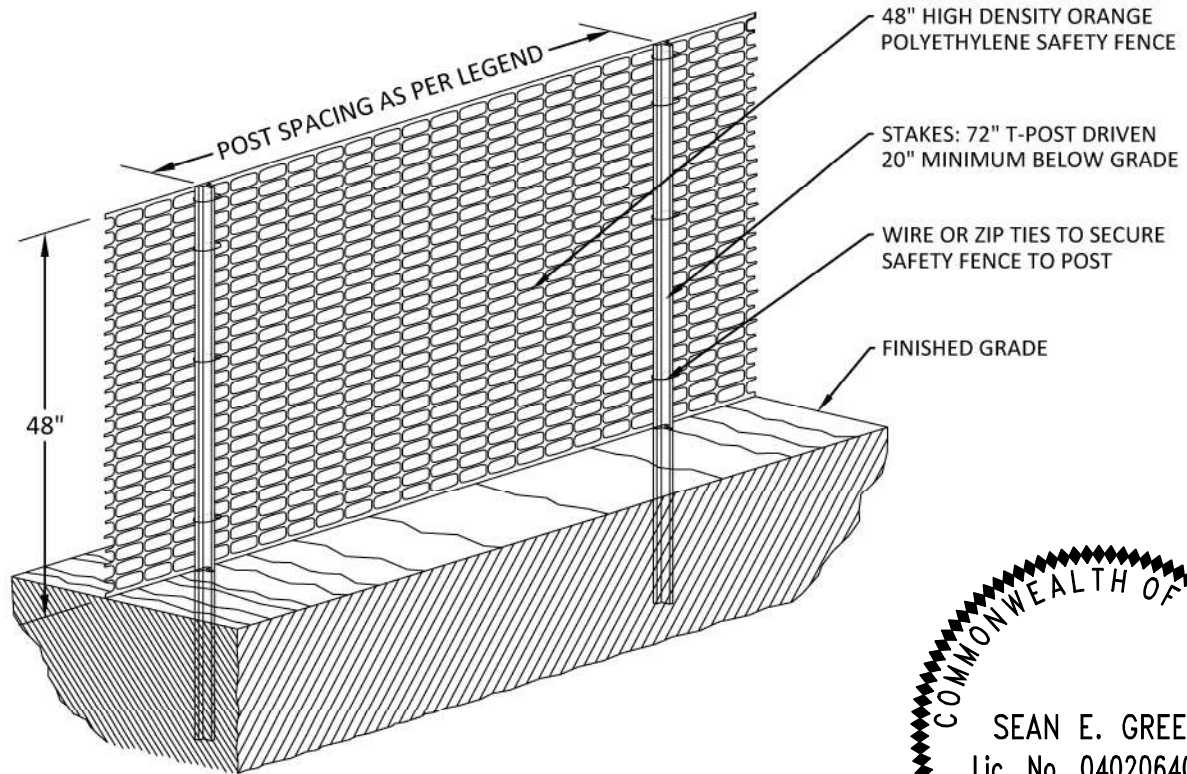
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 AT: 1048 DUCKING POINT TRAIL
 VIRGINIA BEACH, VA 23455
 APPLICATION BY: FREDERICK PERKINS

SHEET: 3 OF 6
 DATE: AUGUST 31, 2023

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: EROSION PREVENTION
 DATUM: MLW = 0.00'
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 1. TIAN FEI
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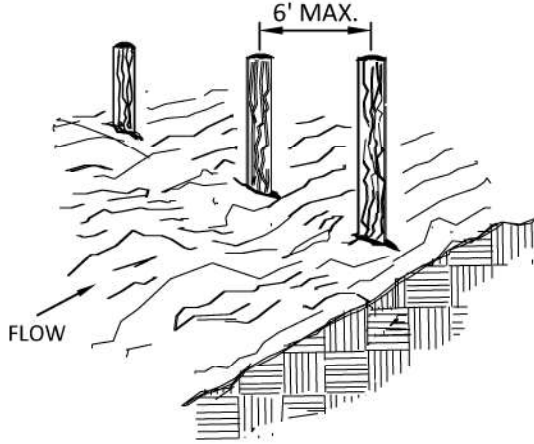
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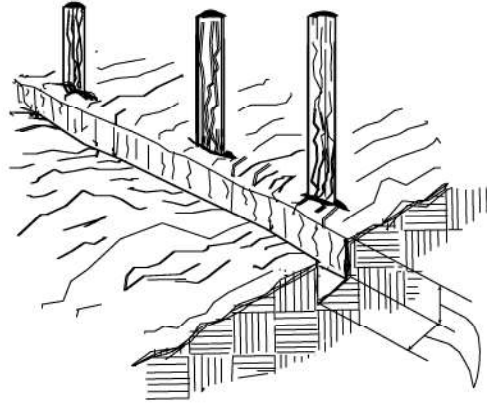
SHEET: 4 OF 6
 DATE: AUGUST 31, 2023

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

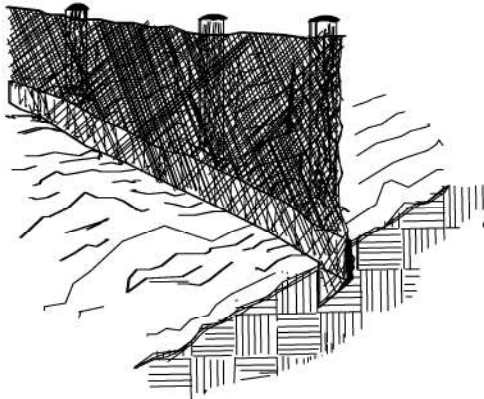
1. SET THE STAKES



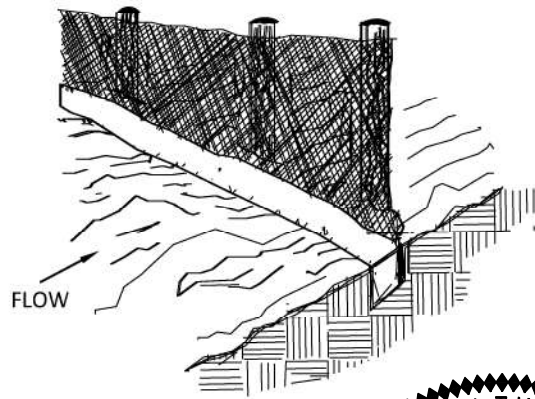
2. EXCAVATE A 4" x 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES



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

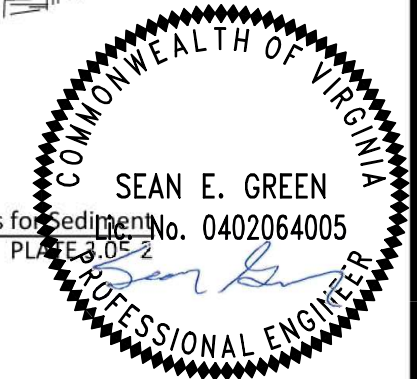


4. BACKFILL AND COMPACT THE EXCAVATED SOIL



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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 (330) 883-2117

PROPOSED: RIP RAP REVETMENT
 IN: W.B. LYNNHAVEN RIVER
 AT: 1048 DUCKING POINT TRAIL
 VIRGINIA BEACH, VA 23455
 APPLICATION BY: FREDERICK PERKINS

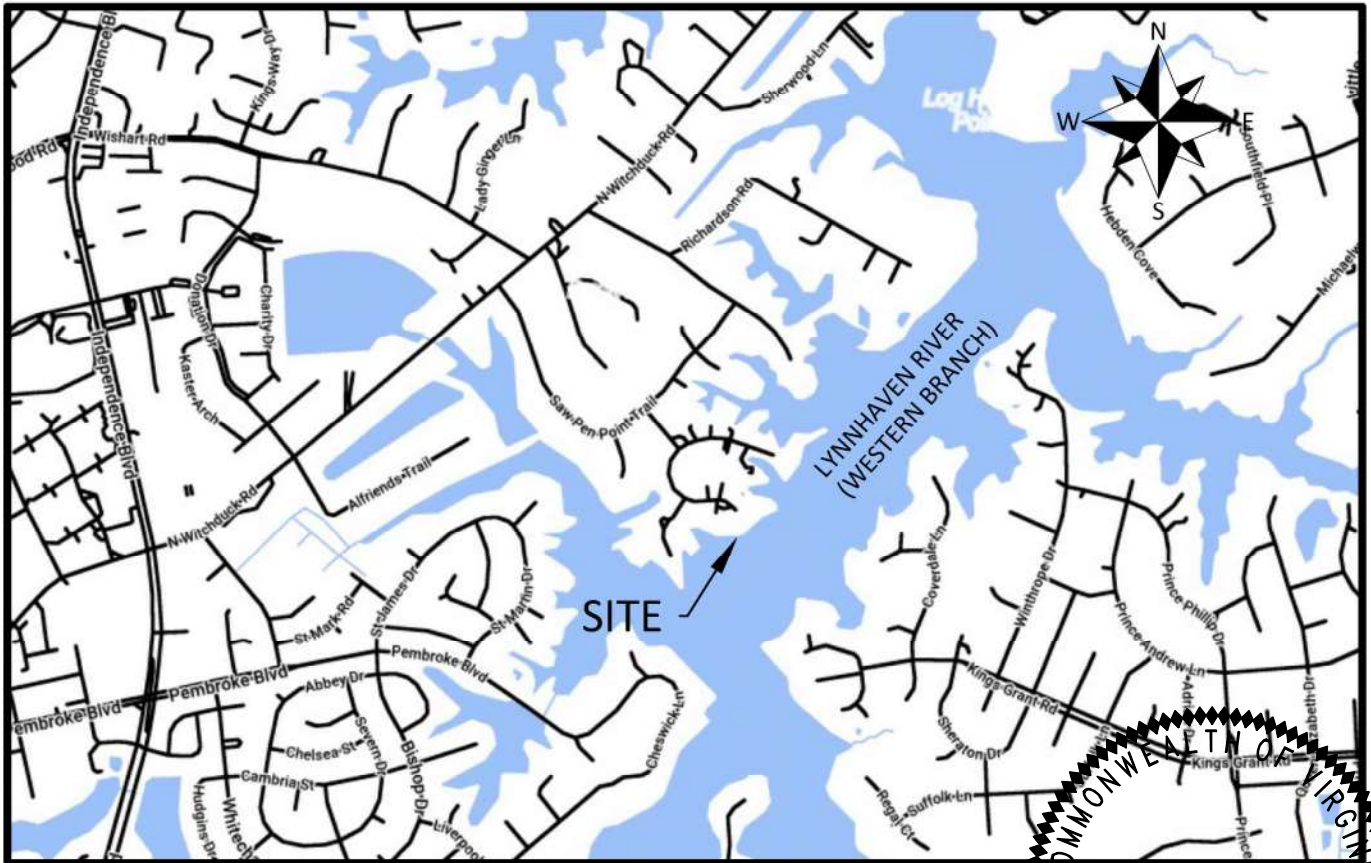
SHEET: 5 OF 6
 DATE: AUGUST 31, 2023

SITE INFORMATION

LEGAL DESCRIPTION: SECTION 2 PT 2 LOT 26
 REFERENCE: MAP BOOK 133, PAGE(S) 43, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
 GPIN: 1488-03-3777
 ZONING: R30

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



© 2023 WATERFRONT CONSULTING, INC. ALL RIGHTS RESERVED

PURPOSE: EROSION PREVENTION
 DATUM: MLW = 0.00'
 APOS:
 1. TIAN FEI
 2. JOHN LEWIS

WCI WATERFRONT CONSULTING, INC.
 2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302
 ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

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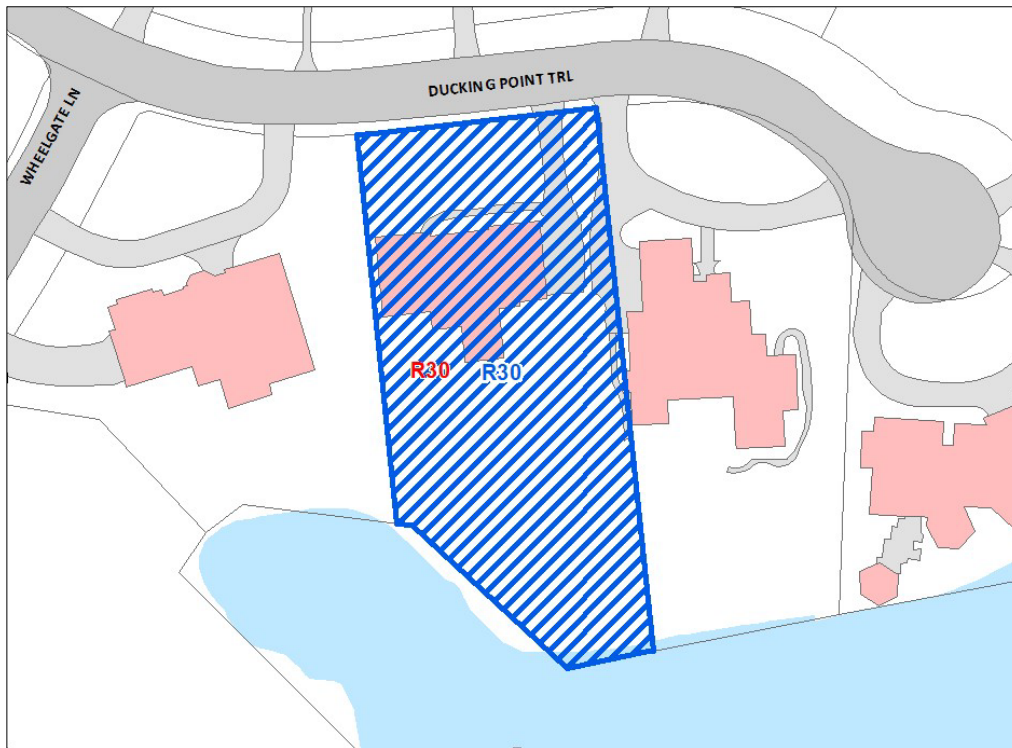
SHEET: 6 OF 6
 DATE: AUGUST 31, 2023

7. 2023-WTRA-00204
John A. Lewis & Jenny J. Lee
[Applicants & Owners]

1044 Ducking Point Trail
GPIN 1488-03-2753
City Council District: District 8

Waterway – Western Branch Lynnhaven River
Subdivision – Saw Pen Point

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



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 John Lewis

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)

N/A

- If **yes**, list the businesses that have a parent-sub subsidiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-sub subsidiary 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-sub subsidiary 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.

Wells Fargo

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.

N/A

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.

N/A

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.

Agent - Robert Simon, Waterfront Consulting, Inc. Engineer - Sean Green, P.E.

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.**

DocuSigned by:
John Lewis
46A371782FB3429...

Applicant Signature

John Lewis

Print Name and Title

9/1/2023

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 # 23-2057

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 # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
County or City in which the project is located: <u>Virginia Beach</u>				
Waterway at project site: <u>Lynnhaven River (Western Branch)</u>				
<i>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)</i>				
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:
 John Lewis Home (____)_____
 1044 Ducking Point Trail Work (____)_____
 Virginia Beach, VA 23455 Fax (____)_____
 Cell (757) 975-7046
 e-mail lewisj_3680@yahoo.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 proposed project involves the placement of 150' of quarry stone rip rap revetment seaward of the existing bulkhead. The existing bulkhead will remain.

A catwalk and boathouse will be constructed onto the existing pier as shown on the attached drawings.

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 (757) 622-1455
 150 W. Brambleton Avenue
 Norfolk, VA 23510

- 7. Give the following project location information:
 Street Address (911 address if available) 1048 Ducking Point Trail
 Lot/Block/Parcel# Section 2 PT 2 lot 25
 Subdivision Saw Pen Point
 City / County Virginia Beach ZIP Code 23455
 Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
36d52'00"n / -76d06'58"w (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: Erosion Prevention
 Secondary Purpose: Dry watercraft storage

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.*
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.): \$ _____
Approximate cost of that portion of the project that is channelward of mean low water:
\$ _____
13. Completion date of the proposed work: _____ - _____
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.

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.

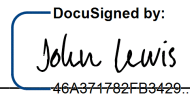
CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site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

John Lewis

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:

46A371782FB3429...

Applicant's Signature

(Use if more than one applicant)

9/1/2023

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), John Lewis, 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.

Robert E. Simon, V.P.

(Agent’s Signature)

(Use if more than one agent)

(Date)

DocuSigned by:

John Lewis

48A371782FB3429

(Applicant’s Signature)

(Use if more than one applicant)

9/1/2023

(Date)

3. Applicant’s having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), John Lewis, 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

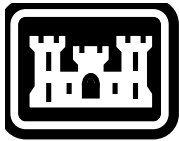
Contractor’s signature and title

Contractor’s License Number

Applicant’s signature

(use if more than one applicant)

Date



**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.

Robert E. Simon, V.P.

Proposed work to be located at:
1048 Ducking Point Trail, Virginia Beach, VA 23455

Signature of Property Owner(s) or Agent

Date _____

Part 3 – Appendices

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

Appendix A: (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.

A catwalk and boathouse will be constructed onto the existing pier as shown on the attached drawings.

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? 35 feet.

Channelward of Mean High Water? 123 feet.

Channelward of Mean Low Water? 123 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 739 square feet.

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

For boathouses, what is the overall size of the roof structure? 420 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)

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 proposed project involves the placement of 150' of quarry stone rip rap revetment seaward of the existing bulkhead. The existing bulkhead will remain.

Site access for this project will begin on the property of John Lewis (APO#2)

No fill will be used for this project.

2. What is the maximum encroachment channelward of mean high water? 9' feet.
Channelward of mean low water? 9' feet.
Channelward of the back edge of the dune or beach? n/a feet.

3. Please calculate the square footage of encroachment over:

- Vegetated wetlands 40 square feet
- Non-vegetated wetlands 200 square feet
- Subaqueous bottom 530 square feet
- Dune and/or beach n/a square feet

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

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

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

Part 3 – Appendices (continued)

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

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

Rip Rap - Class 1 & A1 quarry stone, heavy duty filter cloth, upland fill

- 6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:
 Core (inner layer) material 75-150 pounds per stone Class size 1 & A1
 Armor (outer layer) material 75-150 pounds per stone Class size 1 & A1
- 7. For **beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

- Volume of material _____ cubic yards channelward of mean low water
 _____ cubic yards landward of mean low water
 _____ cubic yards channelward of mean high water
 _____ cubic yards landward of mean high water

- Area to be covered _____ square feet channelward of mean low water
 _____ square feet landward of mean low water
 _____ cubic yards channelward of mean high water
 _____ cubic yards landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay): _____
- Method of transportation and placement: _____

- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at <http://www.vims.edu/about/search/index.php?q=planting+guidelines>:

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

REVISED 10-09-03

PROJECT LOCATION: 1048 Ducking Point Trail

APPLICANT'S NAME: John Lewis

APPLICANT'S ADDRESS: 1044 Ducking Point Trail

Virginia Beach, VA 23455

ENGINEER OF RECORD: Sean Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR

CERTIFYING PROJECT

CONSTRUCTION: Rip Rap Revetment, Boathouse and Catwalk

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.

SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DATE

Sean Green, P.E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:


SIGNATURE OF APPLICANT

9/1/2023

DATE

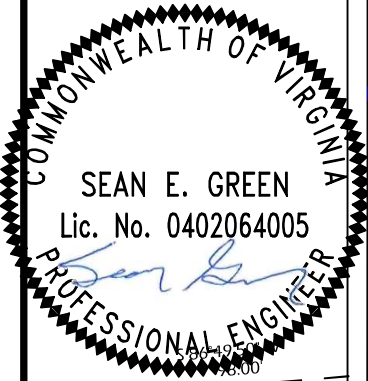
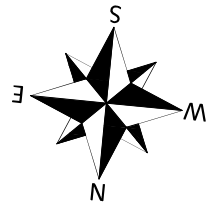
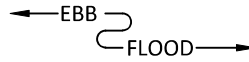
SIGNATURE OF COASTAL ZONE ADMINISTRATOR

DATE

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

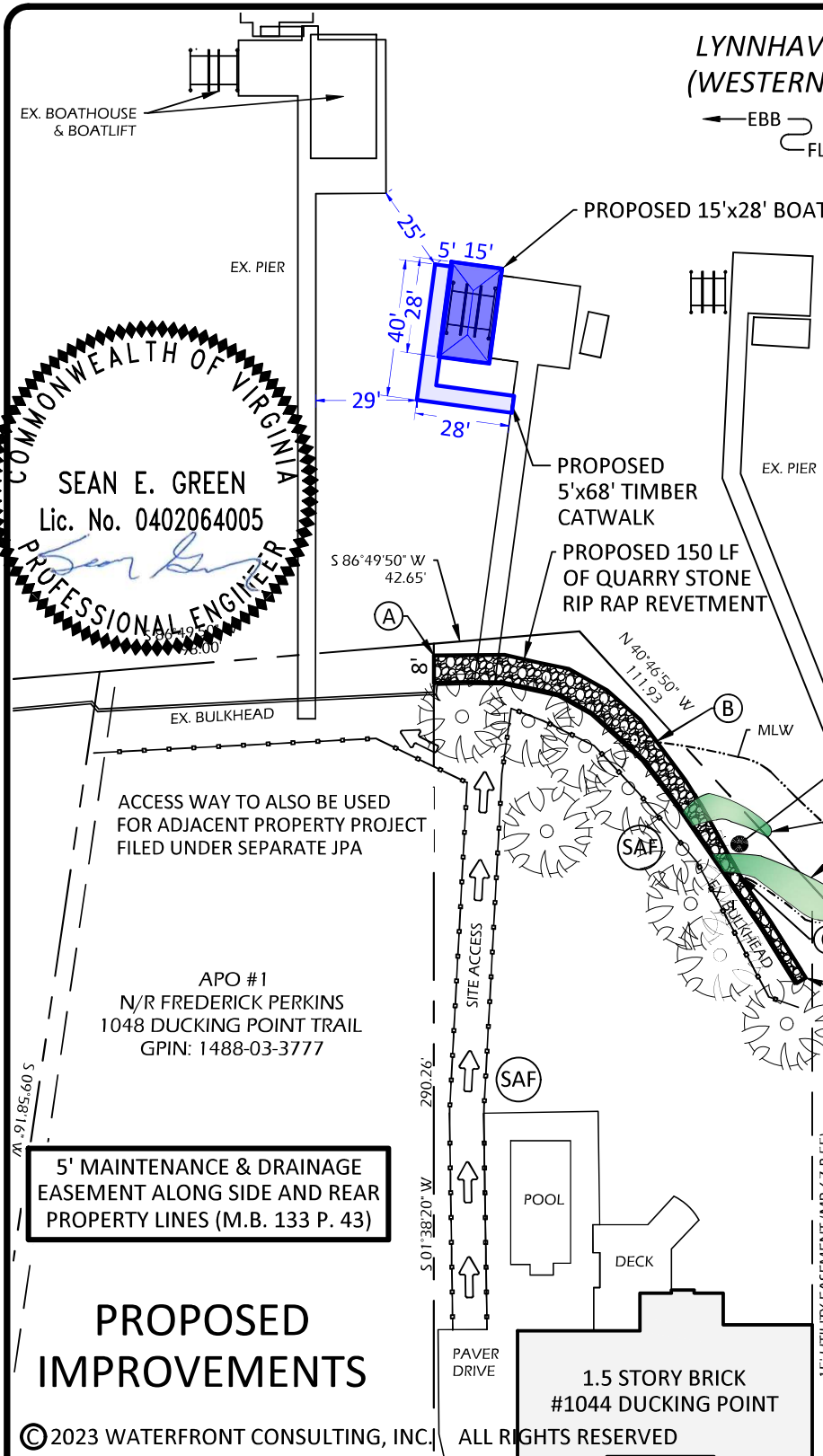
APPLICATION NO. _____

LYNNHAVEN RIVER (WESTERN BRANCH)



WETLAND IMPACTS	
NON VEGETATED	200 SF
VEGETATED	40 SF

- NOTES:
- MATERIAL DELIVERED AND STORED ON DRIVEWAY
 - PIER MATERIALS AND SITE ACCESS VIA BARGE
 - TOTAL AREA OF DISTURBANCE FOR ACCESSWAY & PROJECT AREA = 2,700 SF
 - SUBAQUEOUS IMPACTS = 530 SF



TREES TO BE LIMBED TO ALLOW FOR VEGETATED WETLANDS GROWTH

VEGETATED MARSH

N 74°07'06" W
7.74'

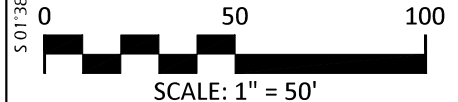
MHW

APO #2
N/F DANIEL SANTACRUZ
1040 DUCKING POINT TRAIL
GPIN: 1488-03-1709

EROSION & SEDIMENT CONTROL LEGEND

(SAF) TEMPORARY PLASTIC SAFETY FENCE STANDARD & SPEC. 3.01

REFER TO VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, THIRD EDITION, 1992.



5' MAINTENANCE & DRAINAGE EASEMENT ALONG SIDE AND REAR PROPERTY LINES (M.B. 133 P. 43)

PROPOSED IMPROVEMENTS

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PURPOSE:
DATUM: MLW = 0.00'
APOS:
1. FREDERICK PERKINS
2. DANIEL SANTACRUZ

WATERFRONT CONSULTING, INC.
2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

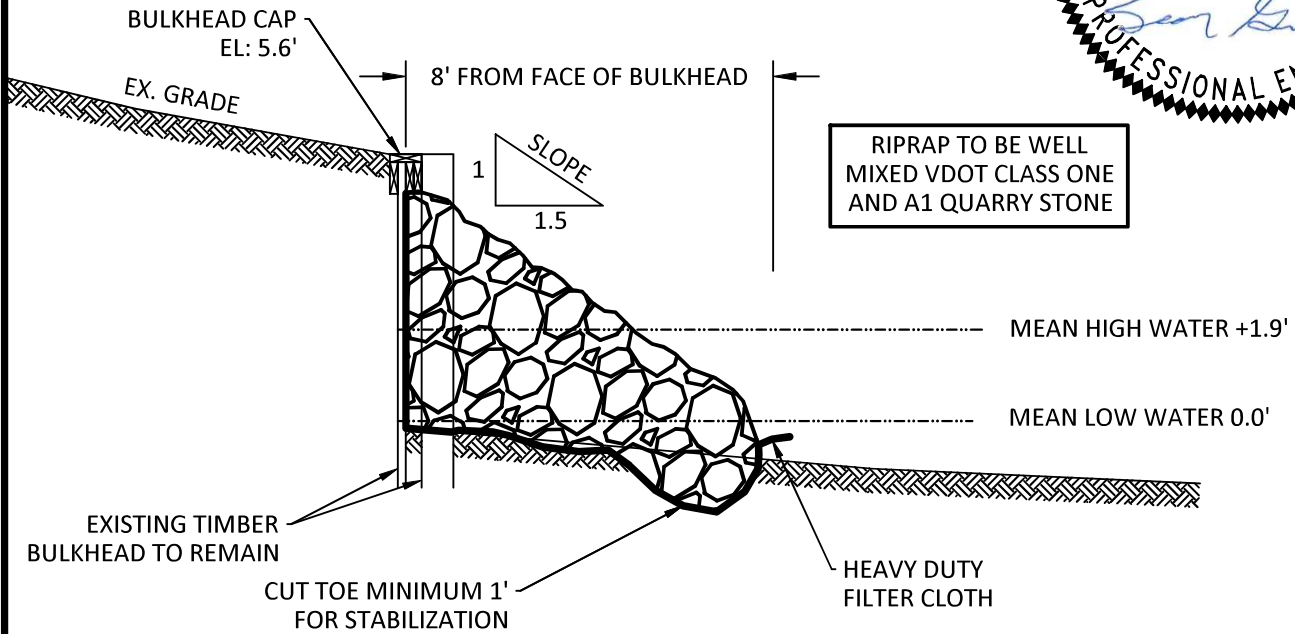
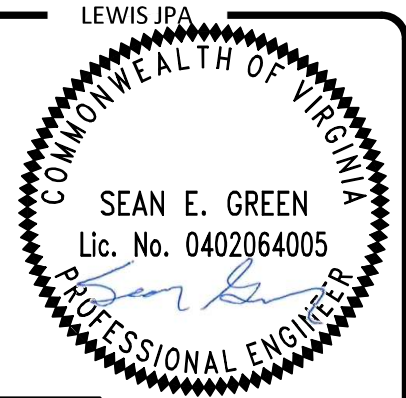
ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: RIP RAP REVETMENT, BOATHOUSE, CATWALK
IN: W.B. LYNNHAVEN RIVER
AT: 1044 DUCKING POINT TRAIL VIRGINIA BEACH, VA 23455
APPLICATION BY: JOHN LEWIS

SHEET: 2 OF 10
DATE: AUGUST 31, 2023

LEWIS JPA

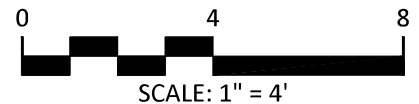
PROPOSED RIPRAP CROSS SECTION A-B



NOTES:

1. RIPRAP LAYOUT IS BASED ON VISUAL ON SITE INSPECTION.
2. ADDITIONAL STONE MAY BE REQUIRED THAN SHOWN DUE TO SETTLEMENT DURING CONSTRUCTION.
3. DIMENSIONS SHOWN ARE DIMENSIONS UPON COMPLETION OF THE PROJECT AFTER INITIAL CONSTRUCTION SETTLEMENT.
4. ANY SHELLFISH IMPACTED BY CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE REMOVED FROM THE STRUCTURE(S), PRESERVED IN THE WATER COLUMN, AND RETURNED/PLACED ON THE COMPLETED OR EXISTING RIP RAP ON SITE APPLICABLE AT A SIMILAR PLACE IN THE WATER COLUMN.

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 DESIGN. 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.



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PURPOSE:
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APOS:
1. FREDERICK PERKINS
2. DANIEL SANTACRUZ



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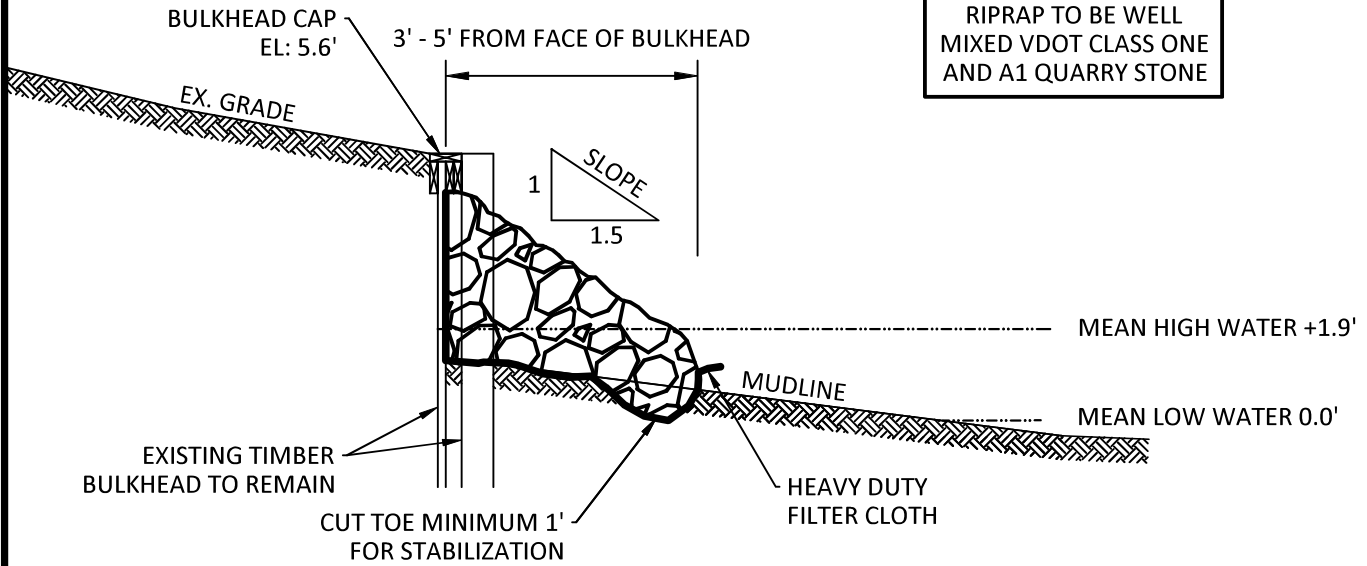
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VIRGINIA BEACH, VA 23455
APPLICATION BY: JOHN LEWIS

SHEET: 3 OF 10
DATE: AUGUST 31, 2023

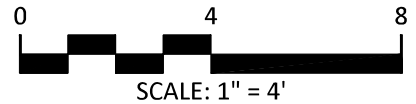
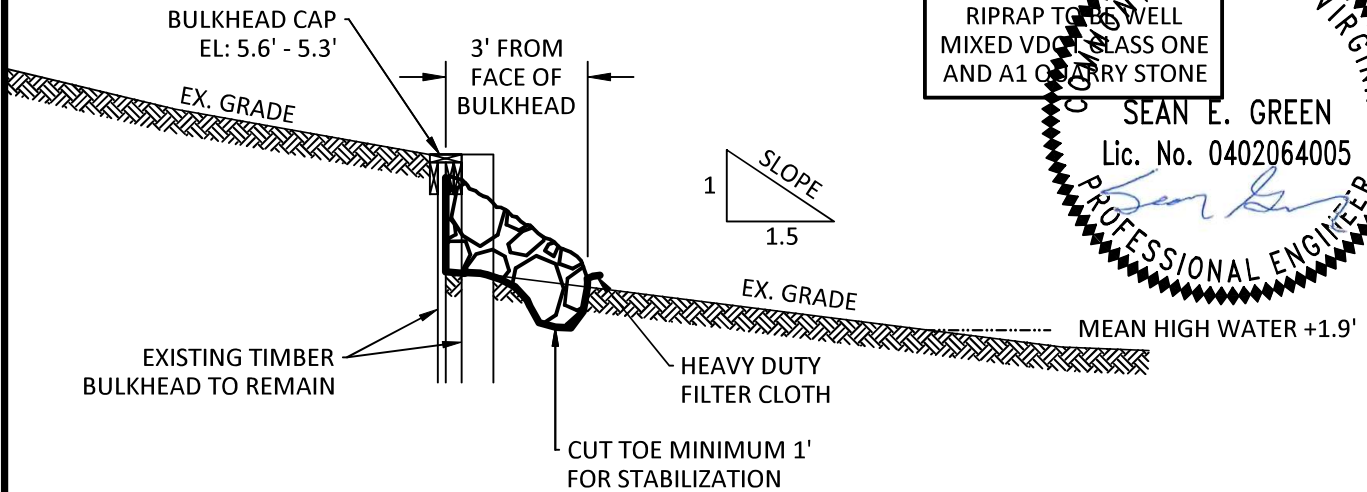
PROPOSED RIPRAP CROSS SECTION B-C

RIPRAP TO BE WELL MIXED VDOT CLASS ONE AND A1 QUARRY STONE



PROPOSED RIPRAP CROSS SECTION C-D

RIPRAP TO BE WELL MIXED VDOT CLASS ONE AND A1 QUARRY STONE



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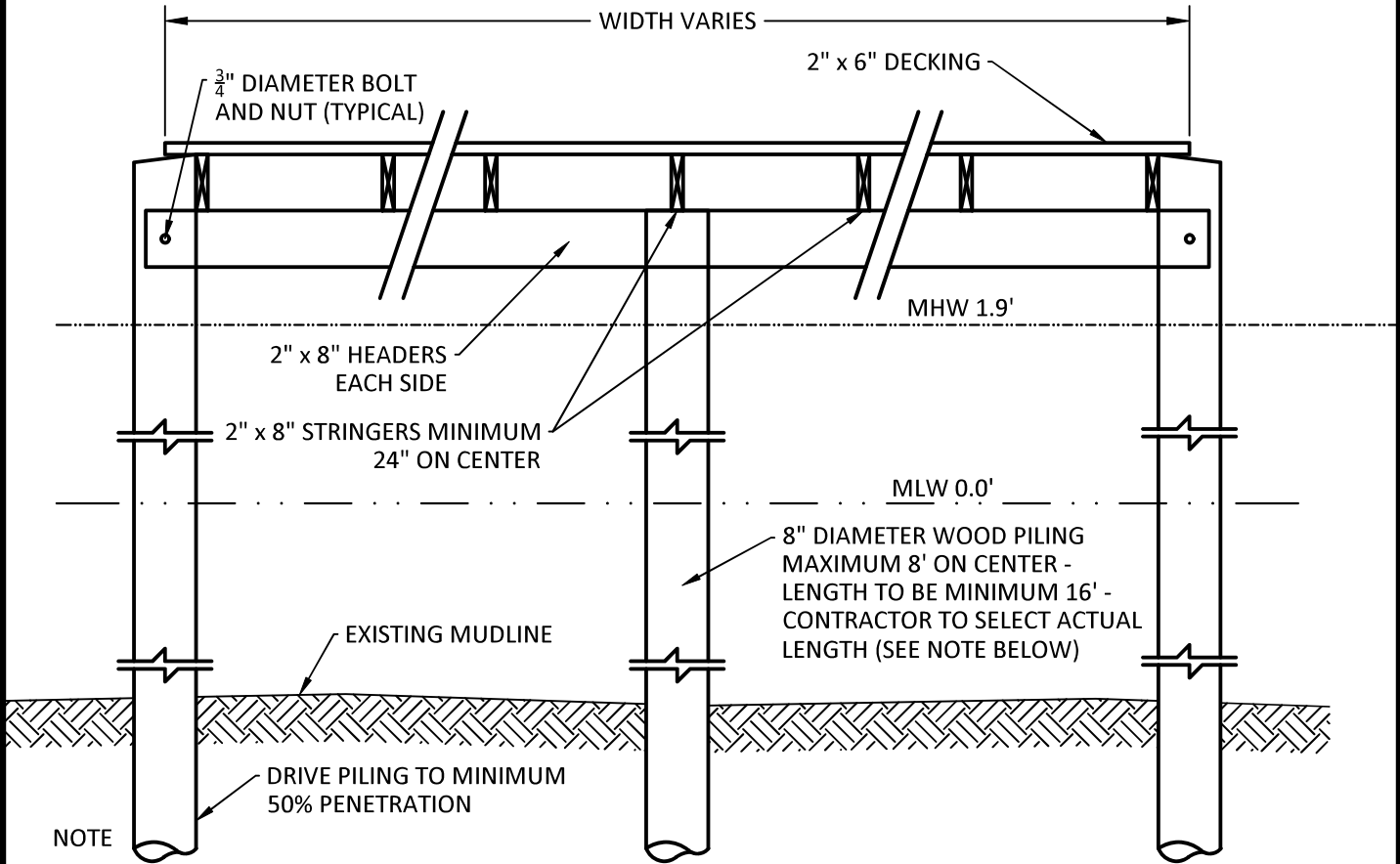
PURPOSE:
 DATUM: MLW = 0.00'
 APOS:
 1. FREDERICK PERKINS
 2. DANIEL SANTACRUZ

WCI WATERFRONT CONSULTING, INC.
 2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302
 ENGINEERING SERVICES PROVIDED BY:
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 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: RIP RAP REVETMENT,
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 AT: 1044 DUCKING POINT TRAIL
 VIRGINIA BEACH, VA 23455
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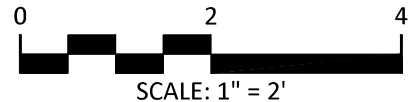
SHEET: 4 OF 10
 DATE: AUGUST 31, 2023

PROPOSED PIER CROSS SECTION



NOTE

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION).
5. PIER LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION.
6. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



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PURPOSE:
 DATUM: MLW = 0.00'
 APOS:
 1. FREDERICK PERKINS
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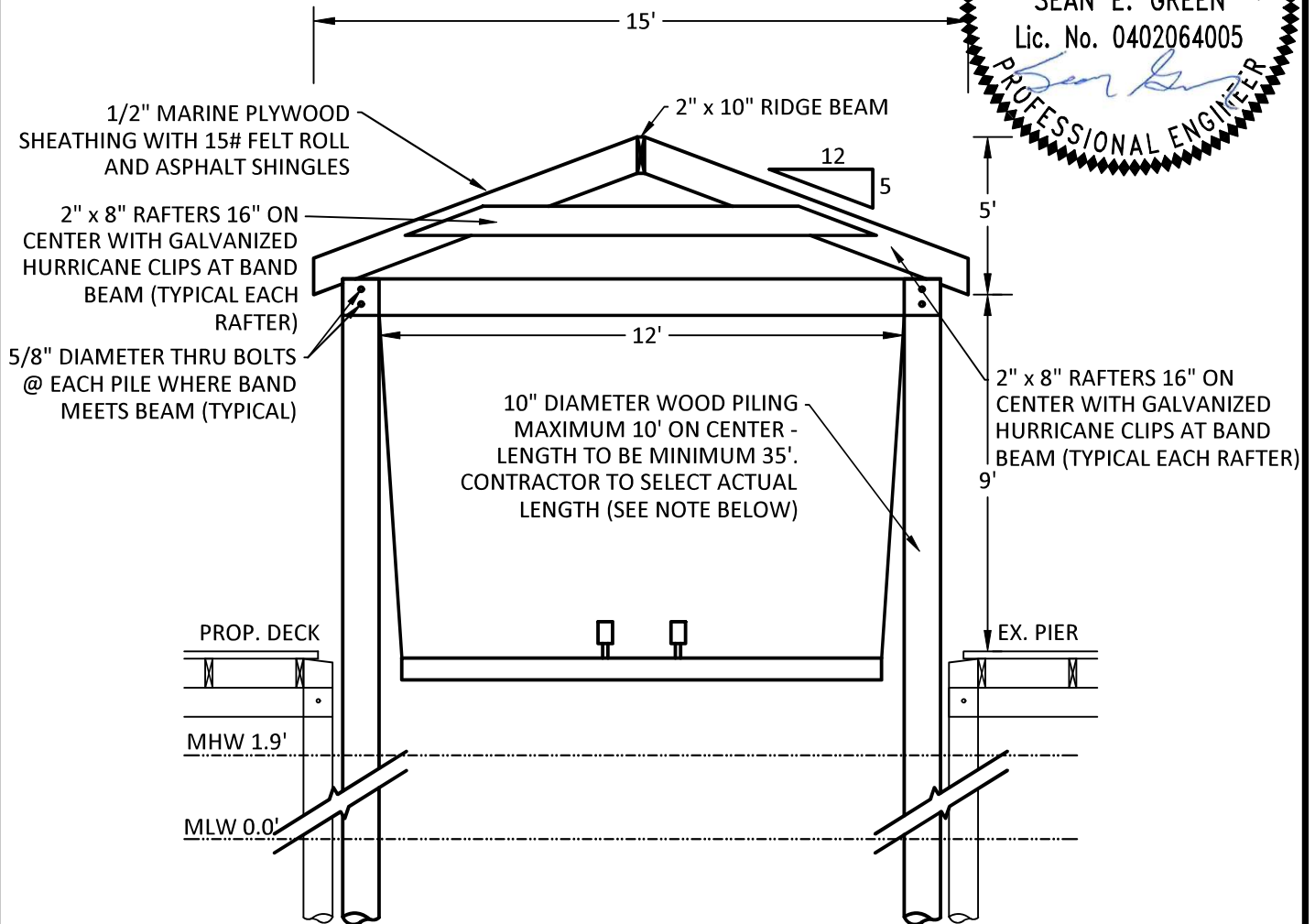
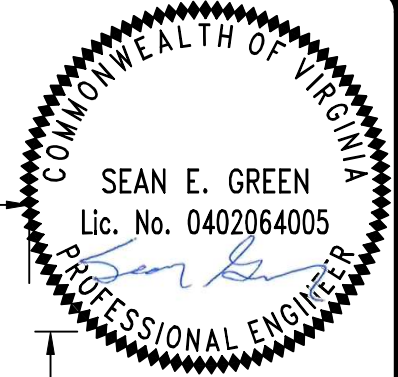
ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: RIP RAP REVETMENT,
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 IN: W.B. LYNNHAVEN RIVER
 AT: 1044 DUCKING POINT TRAIL
 VIRGINIA BEACH, VA 23455
 APPLICATION BY: JOHN LEWIS

SHEET: 5 OF 10
 DATE: AUGUST 31, 2023

LEWIS JPA

PROPOSED BOATHOUSE CROSS SECTION



NOTES:

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA.
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO DETERMINE DEPTH OF WATER AND SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION). PILE LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SOIL CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
5. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



SCALE: 1" = 4'

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PURPOSE:
DATUM: MLW = 0.00'
APOS:
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VIRGINIA BEACH, VA 23454
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APPLICATION BY: JOHN LEWIS

SHEET: 6 OF 10
DATE: AUGUST 31, 2023

NLAA COMPLIANCE

ITEM	8" PILE	10" PILE	12" PILE		
CATWALK	17				
BOATHOUSE		8			

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:
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 APOS:
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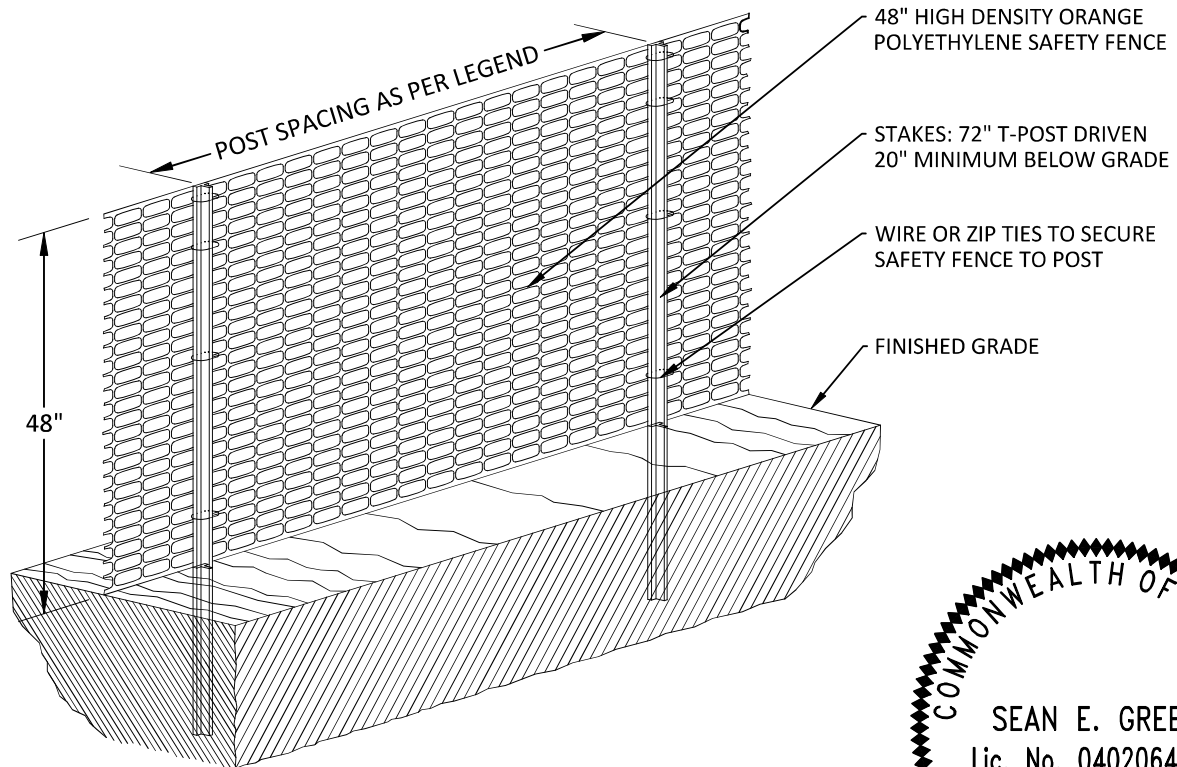
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 (330) 883-2117

PROPOSED: RIP RAP REVETMENT,
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 APPLICATION BY: JOHN LEWIS

SHEET: 7 OF 10
 DATE: AUGUST 31, 2023

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:
 DATUM: MLW = 0.00'
 APOS:
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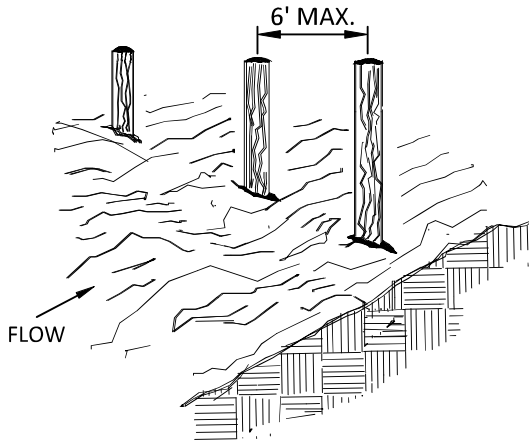
ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117

PROPOSED: RIP RAP REVETMENT,
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 APPLICATION BY: JOHN LEWIS

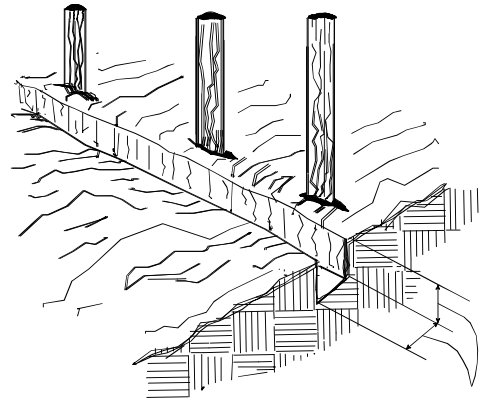
SHEET: 8 OF 10
 DATE: AUGUST 31, 2023

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

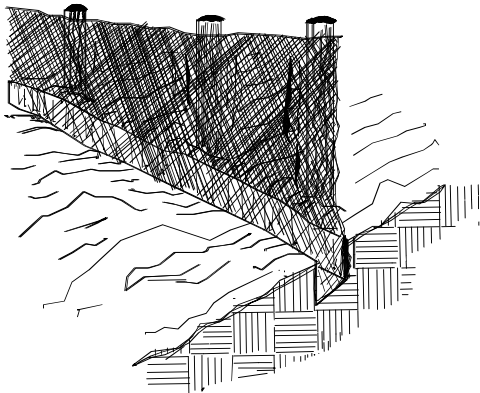
1. SET THE STAKES



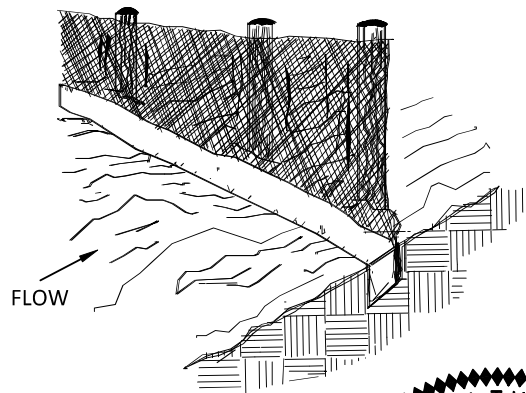
2. EXCAVATE A 4" x 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES



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
 License No. 0402064005
 PLATE 3.05-2



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PURPOSE:
 DATUM: MLW = 0.00'
 APOS:
 1. FREDERICK PERKINS
 2. DANIEL SANTACRUZ



**WATERFRONT
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 APPLICATION BY: JOHN LEWIS

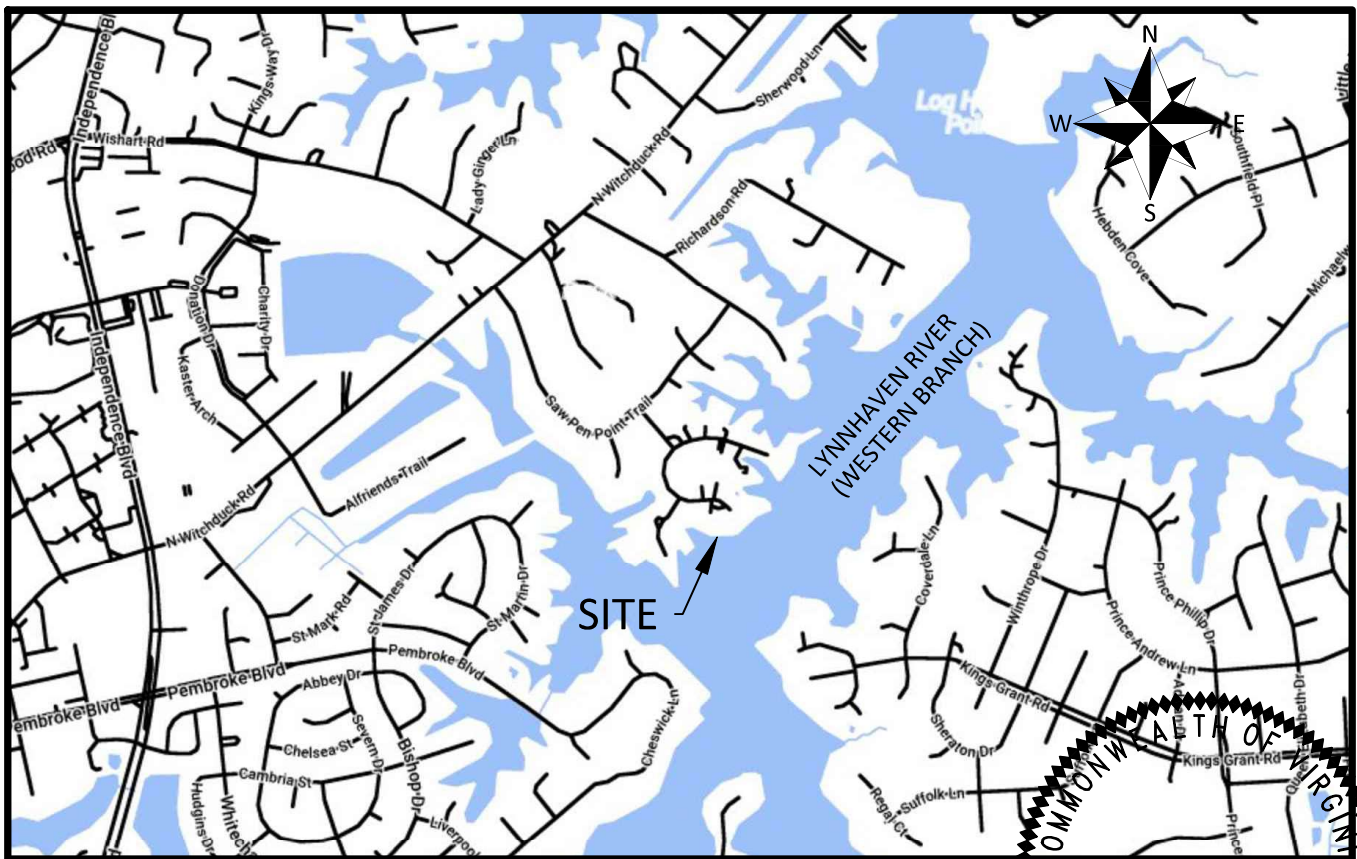
SHEET: 9 OF 10
 DATE: AUGUST 31, 2023

SITE INFORMATION

LEGAL DESCRIPTION: SECTION 2 PT 2 LOT 25
 REFERENCE: MAP BOOK 133, PAGE(S) 43, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
 GPIN: 1488-03-2753
 ZONING: R30

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:
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WCI WATERFRONT CONSULTING, INC.
 2589 QUALITY COURT, SUITE 323
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 APPLICATION BY: JOHN LEWIS

SHEET: 10 OF 10
 DATE: AUGUST 31, 2023

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

Building permit #: _____ DSC Plan # : _____

Location: 1048 Ducking Point Trail GPIN: 1488-03-2753

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:

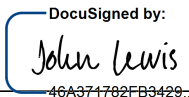
Select all that apply	Stormwater Management Control	Estimated installation date	Responsible party
	Post-development Stormwater Management controls provided by a Larger Common Plan of Development or Sale	NA	Common Plan Construction Activity Operator
	Rooftop Disconnection		Construction Activity Operator
	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: John Lewis

Signature of Permittee: _____ Print Name: _____

Date: _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

**RE: Proposed
Located**

Dear

This letter is to notify you that your neighbor(s), 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 the date of 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: _____, Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

ADDITIONAL INFORMATION/REVISIONS Received by VMRC September 12, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

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

from/on the same cove as) the land of _____.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated _____
(Date)

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

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

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

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

Adjacent/nearby property owner's signature(s)

Date

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



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