A G E N D A JAMES CITY COUNTY WETLANDS BOARD REGULAR MEETING

County Government Center, Building F 101 Mounts Bay Road, Williamsburg, VA 23185 April 10, 2019 5:00 PM

- A. CALL TO ORDER
- B. ROLL CALL
- C. MINUTES
 - 1. Minutes from March 13, 2019, regular meeting
- D. PUBLIC HEARINGS
 - 1. WJPA 19-0011 / VMRC 19-0033 : 1636 Harbor Road
- E. BOARD CONSIDERATIONS
- F. MATTERS OF SPECIAL PRIVILEGE
- G. ADJOURNMENT

AGENDA ITEM NO. C.1.

ITEM SUMMARY

DATE: 4/10/2019

TO: Wetlands Board

FROM: Wetlands Board Secretary

SUBJECT: Minutes from March 13, 2019, regular meeting

ATTACHMENTS:

Description Type
Minutes Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	4/4/2019 - 8:54 AM
Wetlands Group	Small, Toni	Approved	4/4/2019 - 9:05 AM
Publication Management	Burcham, Nan	Approved	4/4/2019 - 9:16 AM
Wetlands Group	Secretary, Wetland	Approved	4/4/2019 - 9:21 AM

M I N U T E S JAMES CITY COUNTY WETLANDS BOARD REGULAR MEETING

County Government Center, Building F 101 Mounts Bay Road, Williamsburg, VA 23185 March 13, 2019 5:00 PM

A. CALL TO ORDER

The Wetlands Board meeting for March 13, 2019, was Called to Order.

The responsibility of this Board is to carry out locally the Commonwealth policy to preserve the wetlands and to accommodate economic activity so as to prevent its despoliation.

B. ROLL CALL

Board Members Present:

John Hughes, Chair William Apperson, Vice Chair David Gussman Charles Roadley Robert Lukens, alternate

Board Members Absent:

Larry Waltrip

County Staff Present:

Michael Woolson, Secretary to the Board, Senior Watershed Planner Toni Small, Director, Stormwater and Resource Protection Liz Parman, Assistant County Attorney Trevor Long, Watershed Planner Janice Petty, Stormwater Assistant

C. MINUTES

1. December 12, 2018, Regular Meeting Minutes

Approved as written.

D. PUBLIC HEARINGS

1. WJPA 19-0001 : VMRC 19-0044 - 704 Arlington Island Road

Watershed Planner, Trevor Long, presented the permit request submitted by Daniel Winall, Water's Edge Construction, on behalf of Kenneth Latimer to protect the shoreline by installing a rip rap revetment on the property located at 704 Arlington Island Road, within the Diascund Creek watershed. The property is further identified as James City County Parcel No. 0931100006. Mr. Long's presentation described the current site conditions, proposed construction and proposed mitigation. Staff recommended approval of the permit with conditions.

The Board deliberated the pros and cons of this permit.

Mr. Hughes opened the Public Hearing.

A. Mr. Daniel Winall, Water's Edge Construction, outlined the project and was available to answer all questions from the Board.

Mr. Hughes closed the Public Hearing, as no one else wished to speak.

Mr. Apperson made a motion to adopt the Resolution to grant the permit for Wetlands Board Case No. WJPA 19-0001 / VMRC 19-0044 at 704 Arlington Island Road.

A motion to Approve w/Conditions was made by William Apperson, the motion result was: AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0 Ayes: Hughes, Apperson, Gussman, Roadley, Lukens

E. BOARD CONSIDERATIONS

Mr Apperson thanked Mr. Daniel Winall for the quality of the work he has seen his company, Water's Edge Construction, perform over the last ten years.

F. MATTERS OF SPECIAL PRIVILEGE

Ms. Toni Small, Director of Stormwater & Resource Protection for James City County was introduced.

G. ADJOURNMENT

The meeting adjourned at 5:15 p.m.

AGENDA ITEM NO. D.1.

ITEM SUMMARY

DATE: 4/10/2019

TO: Wetlands Board

FROM: Michael Woolson, Senior Watershed Planner

SUBJECT: WJPA 19-0011 : VMRC 19-0033 - 1636 Harbor Road

The Governor's Land Foundation has applied for a wetland permit to perform an emergency bulkhead repair at 1636 Harbor Rd, JCC Parcel No. 4320700001A.

ATTACHMENTS:

	Description	Type
ם	Staff Report	Staff Report
ם	Resolution	Resolution
ם	Presentation	Presentation
ם	Joint Permit Application	Backup Material
ם	Public Hearing Notice	Backup Material
ם	APO Notification Letter	Backup Material
ם	APO Notification List	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Wetlands Group	Woolson, Michael	Approved	4/4/2019 - 8:55 AM
Wetlands Group	Small, Toni	Approved	4/4/2019 - 9:04 AM
Publication Management	Burcham, Nan	Approved	4/4/2019 - 9:15 AM
Wetlands Group	Secretary, Wetland	Approved	4/4/2019 - 9:21 AM

WETLANDS BOARD CASE No. WJPA 19-0011/VMRC 19-0344. 1636 Harbor Road Staff Report for the April 10, 2019, Wetlands Board Public Hearing

This staff report is prepared by James City County Stormwater and Resource Protection to provide information to the Wetlands Board to assist them in making a recommendation on this assessment. It may be useful to members of the general public interested in this assessment.

EXISTING SITE DATA AND INFORMATION

Applicant: Ms. Lisa Smith, Governor's Land Foundation, Inc.

Agent: None

Location: 1636 Harbor Road

Parcel: Open Space, The Harbor, Governor's Land Marina

Parcel Identification No.: 4320700001A

Watershed: James River (JL30)

Floodplains: Zone A - The special flood hazard area subject to the 1% annual chance

flood. No base flood elevation determined.

Zone VE - The special flood hazard area subject to 1% annual chance flood.

Coastal flood zone with velocity hazard.

FEMA Coastal AE Zone

Proposed Activity: Replacement of a bulkhead

Wetland Impacts: Zero vegetated or non-vegetated wetlands subject to the Local Wetlands

Board jurisdiction.

Staff Contact: Michael D. Woolson, Senior Watershed Planner Phone: 253-6823

PROJECT DISCUSSION

Ms. Lisa Smith, Governor's Land Foundation, Inc., has applied for a Wetlands Permit to install an emergency bulkhead repair on property located at 1636 Harbor Road, within the James River and Gordon Creek watershed. The property is further identified as James City County Tax Map Parcel No. 4320700001A.

The original bulkhead was constructed in 1994 and remained functional until 2017 when staff was approached due to a blowout in the bulkhead near the fuel pumps. This bulkhead failure was repaired immediately. In 2018, staff was approached again about another bulkhead blowout located behind a citizen's property, which was also repaired. The Governor's Land Foundation is proposing to replace the entirety of the marina bulkhead.

Even though there are no wetland impacts within this Board's jurisdiction, the commercial nature of the application is not a permitted use. Therefore, an application for a permit must be submitted through the Virginia Marine Resources Commission and processed by the local Wetlands Board. It is for this reason Case No. WJPA-19-0011 appears before the Board.

MITIGATION DISCUSSION

As published in the *Virginia Register* on July 11, 2005, the revised Wetland Mitigation Compensation Policy and Supplemental Guidelines, Regulation 4VAC 20-390-10 et seq., Virginia, as a Chesapeake Bay Program partner, is committed to "achieve a no-net loss of existing wetlands acreage and function in the signatories' regulatory programs." In order for a proposed project to be authorized to impact wetlands and compensate for the wetland loss in some prescribed manner, the following three criteria must be met:

- 1. All reasonable mitigative efforts, including alternative siting, which would eliminate or minimize wetland loss or disturbance must be incorporated in the proposal;
- 2. The proposal must clearly be water dependent in nature; and
- 3. The proposal must demonstrate clearly its need to be in the wetlands and its overwhelming public and private benefits.

If the proposed project cannot meet one or more of the above criteria, the project must be denied or must occur in areas outside of wetlands. Should it satisfy all three criteria, however, compensation for the wetland loss is required. The sequence of acceptable mitigation options should be as follows: on-site, offsite within the same watershed, mitigation bank(s) in the same watershed or a payment of an in lieu fee. If compensation is required, it should be a condition of the permit.

Staff has reviewed this application against the mitigation policy and finds that this project meets the three criteria outlined in the policy and there will not be a loss of any vegetated tidal wetlands.

STAFF RECOMMENDATIONS

Staff recommends approval of the application. Should the Board wish to approve the application, staff suggests the following conditions be incorporated into the approval:

- 1. The applicant must obtain all other necessary local, state, and/or federal permits required for the project;
- 2. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities;
- 3. The Wetlands Permit for this project shall expire on April 10, 2020 if construction has not begun;
- 4. If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

MDW/nb WJPA19-0011-VMRC19-0344

Attachment:

1. Joint Permit Application

RESOLUTION

CASE NO. WJPA 19-0011/VMRC 19-0344. 1636 HARBOR ROAD

JAMES CITY COUNTY WETLANDS PERMIT

- WHEREAS, Ms. Lisa Smith (the "Applicant"), has applied to the Wetlands Board of James City County (the "Board") to request a permit to use and develop in areas designated as wetlands on property identified as James City County Real Estate Tax Map Parcel No. 4320700001A and further identified as 1636 Harbor Road (the "Property") as set forth in the application WJPA 19-0011/VMRC 19-0344; and
- WHEREAS, the Board has listened to the arguments presented and has carefully considered all evidence entered into the record.
- NOW, THEREFORE, BE IT RESOLVED that the Wetlands Board of James City County, Virginia, following a public hearing, by a majority vote of its members FINDS that:
 - 1. The anticipated public and private benefit of the proposed activity in the wetlands exceeds its anticipated public and private detriment.
 - 2. The proposed development conforms to the standards prescribed in Section 28.2-1308 of the Code of Virginia, and the guidelines promulgated pursuant to Section 28.2-1301 of the Code of Virginia.
 - 3. The proposed activity does not violate the purpose and intent of Chapter 22 of the James City County Code or Section 28.2-1300 et. seq. of the Code of Virginia.
 - 4. In granting this Wetlands Permit, the following conditions are hereby imposed:
 - a. The applicant must obtain all other necessary local, state, and/or federal permits required for the project; and
 - b. All development activities located in the special flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinance and receive all required approvals and permits prior to commencement of such activities; and
 - c. The Wetlands Permit for this project shall expire on April 10, 2020, if construction has not begun; and
 - d. If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020, six weeks prior to the expiration date.

John Hughes	Michael D. Woolson
Chair, Wetlands Board	Secretary to the Board
Adopted by the Wetlands Board of Jar	mes City County, Virginia, this 10th day of April, 2019.
	WAS ACKNOWLEDGED BEFORE ME THIS DAY OF COMMONWEALTH OF VIRGINIA, IN THE COUNTY OF
NOTARY PUBLIC	
MY COMMISSION EXPIRES:	
WJPA19-0011-VMRC19-0344-res	



Wetlands Board of James City County, Virginia

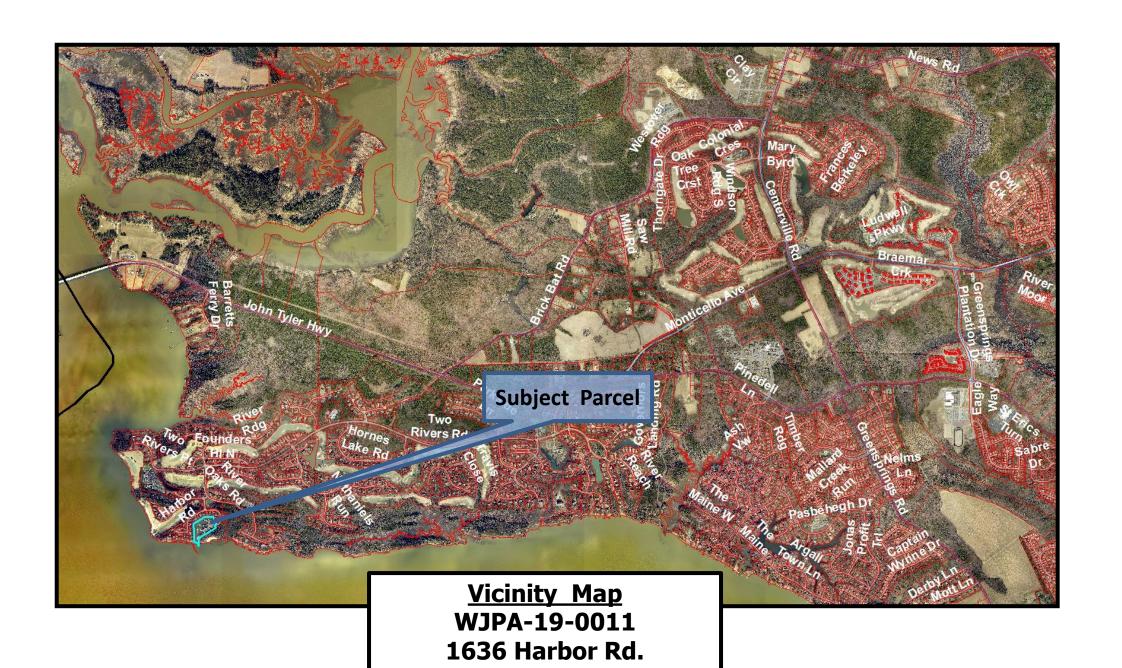
April 10, 2019

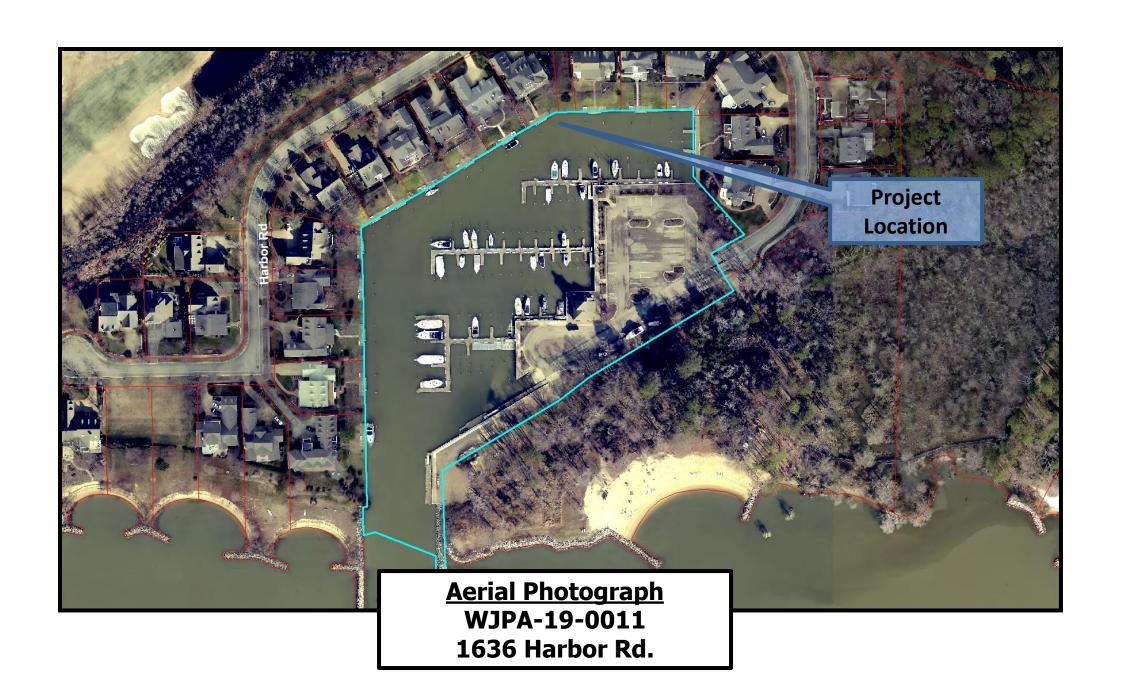
WJPA-19-0011
Governor's Land Foundation
1636 Harbor Rd.

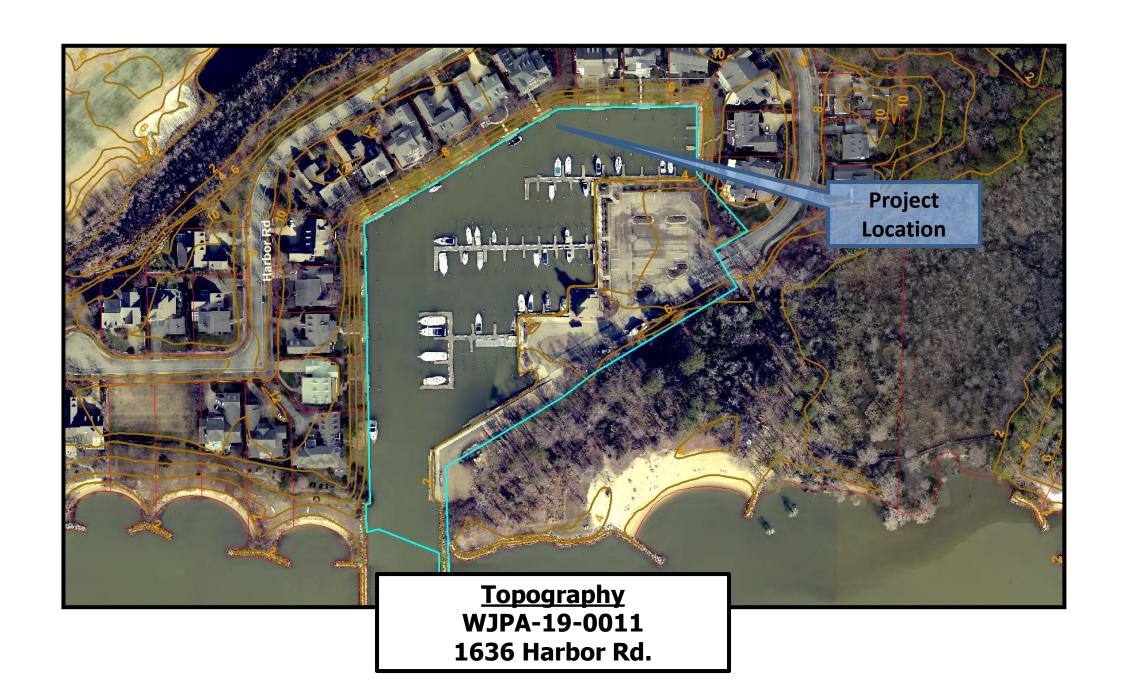


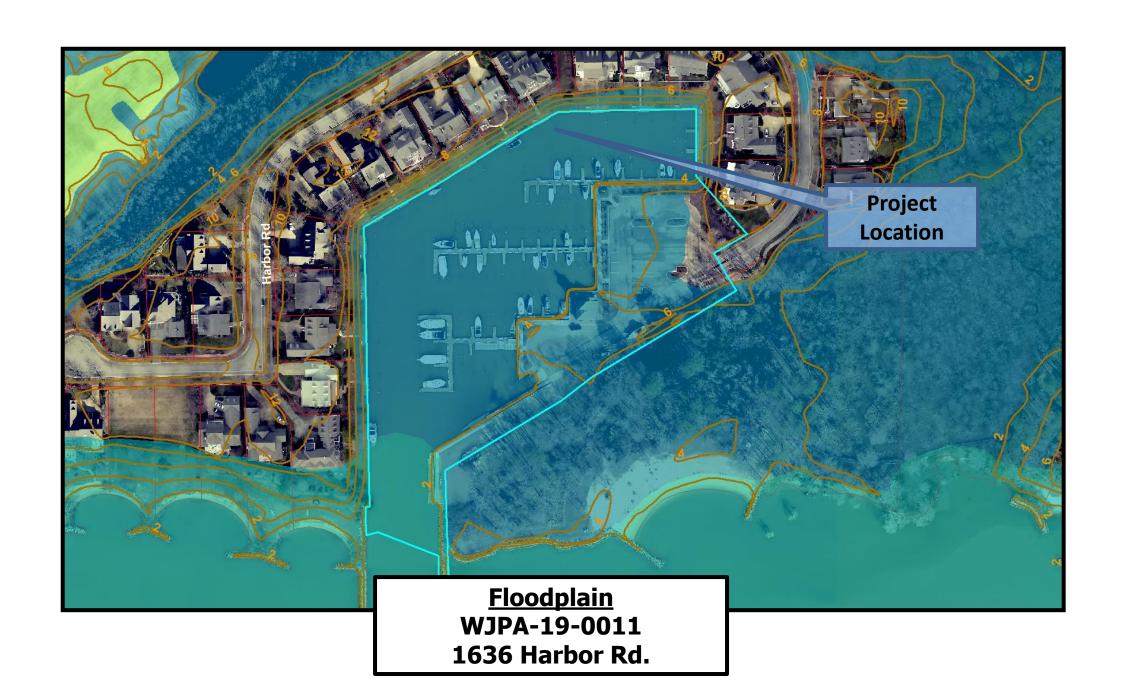
Applicant Request

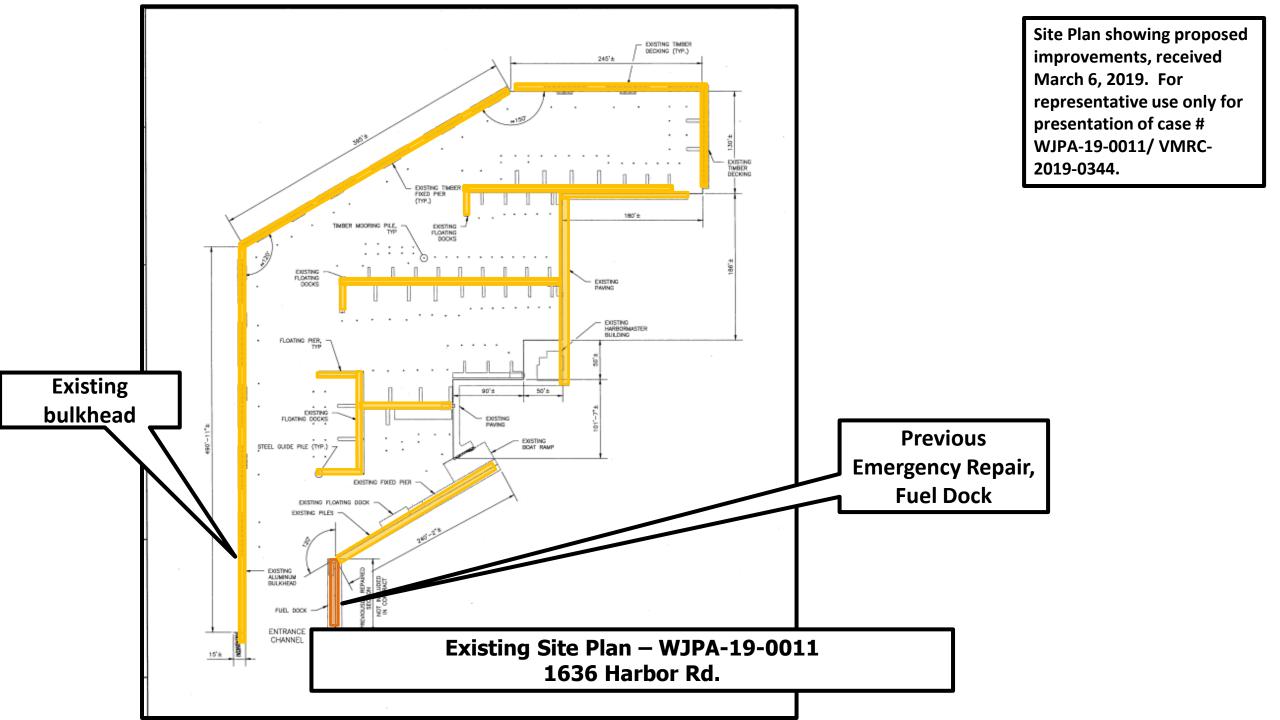
✓ To replace a bulkhead.

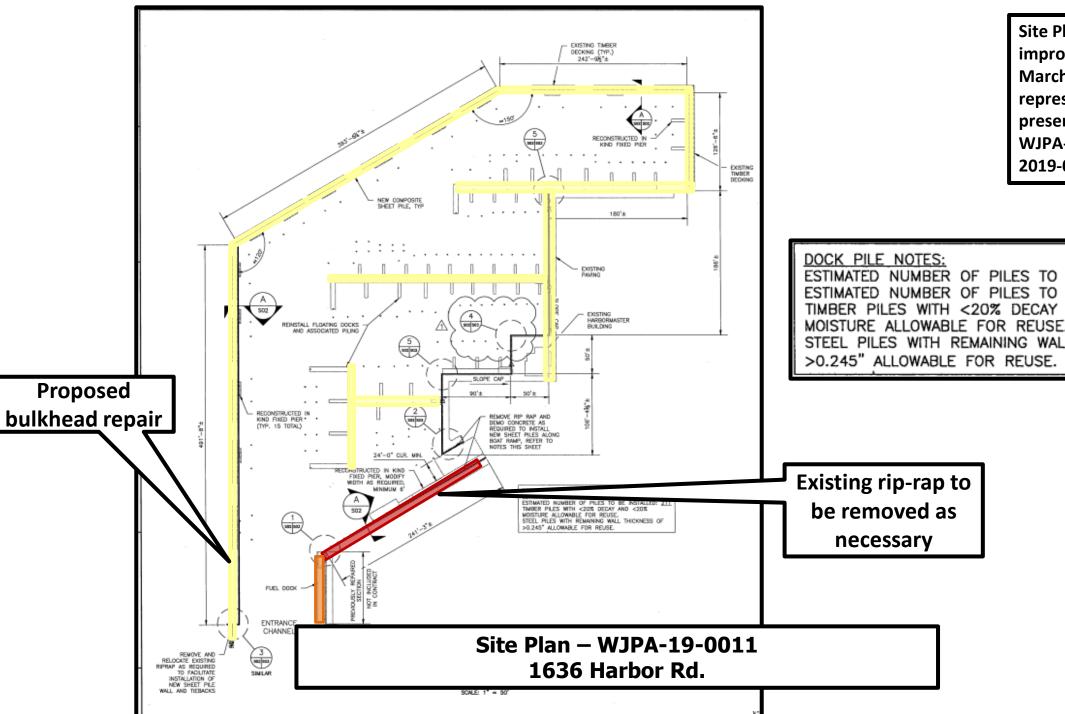








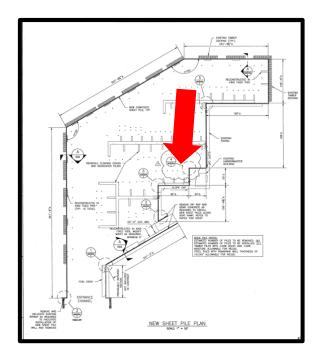




Site Plan showing proposed improvements, received March 6, 2019. For representative use only for presentation of case # WJPA-19-0011/ VMRC-2019-0344.

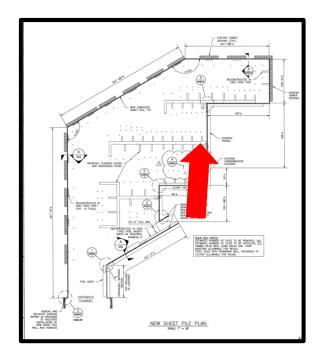
ESTIMATED NUMBER OF PILES TO BE REMOVED: 191 ESTIMATED NUMBER OF PILES TO BE INSTALLED: 211 TIMBER PILES WITH <20% DECAY AND <20% MOISTURE ALLOWABLE FOR REUSE. STEEL PILES WITH REMAINING WALL THICKNESS OF





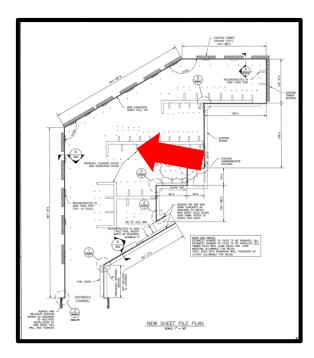
1636 Harbor Rd.





1636 Harbor Rd.

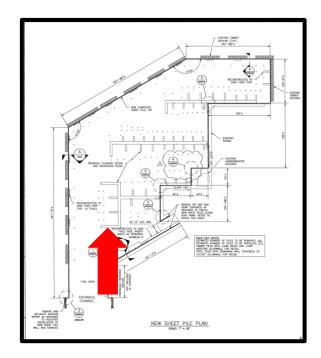




Site Photograph #3 – WJPA-19-0011 1636 Harbor Rd.

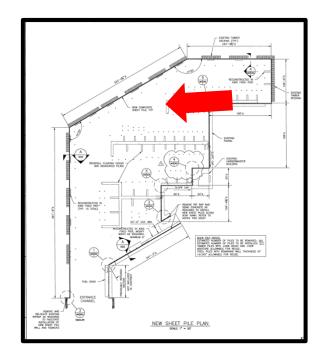


Site Photograph #4 – WJPA-19-0011 1636 Harbor Rd.

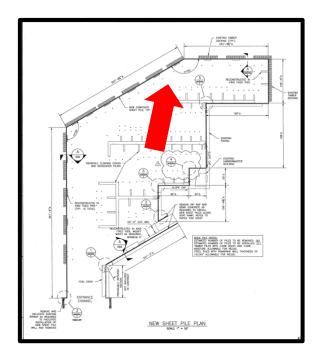




Site Photograph #5 — WJPA-19-0011 1636 Harbor Rd.

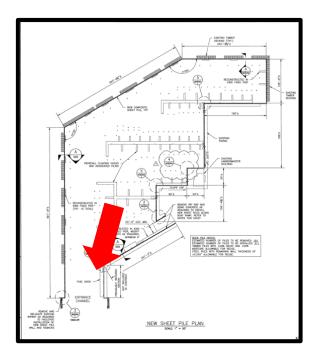






Site Photograph #6 – WJPA-19-0011 1636 Harbor Rd.





Site Photograph #7 — WJPA-19-0011 1636 Harbor Rd.

Permit Conditions



Staff Recommendation – Approval

- ✓ All other necessary federal, state, and local permits as required for project
- All Development activities located in the special flood hazard area shall comply with Article VI Division 3 Floodplain Area Regulations
- ✓ The wetlands permit for this project shall April 10, 2020 if construction has not begun
- ✓ If an extension of the permit is needed, a written request shall be submitted to the Stormwater and Resource Protection Division no later than February 27, 2020.

Beth Howell

From:

Lisa Smith

Sent:

Tuesday, March 5, 2019 2:53 PM JPA.permits@mrc.virginia.gov

To: Subject:

Emergency Repairs at Governor's Land Foundation's Marina Basin

Attachments:

JPA Permit Emergency Bulkhead.pdf; Plot of Two rivers Marina at Governors Land -

Exhibit A (1).pdf; Collins Engineering drawings - Exhibit B (1).pdf; Proposed Electrical

Work - Exhibit C (1).docx

Good Afternoon,

Please find attached the Tidewater Joint Permit Application for emergency repairs in the marina basin located within Governor's Land Foundation.

I can be contacted by email or at 757-253-6976 if you have any questions regarding this matter.

Sincerely, Lisa Smith, AMS, LSM, PCAM Governor's Land Foundation General Manager



- ❖ 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
RECEIVED	Notes:
1MAR 0 5 2019	JPA#
MARINE RESOURCES	19-0344
COMMISSION	

APPLICANTS Pout 1 Congrel Information

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.

		eject is located: <u>James City County</u> n-made, inland channel off the Jam	es River	*
	US ACTIONS RELATED TO	THE PROPOSED WORK (Include all fede vious permits, or applications whether issue	eral, state, an	
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
James City County	Building Permit	Permit #17-2729	11/20/17	
VMRC	Application Review	VMRC#17-1889	11/2/17	

1. Applicant's legal name* and complete mailing address: ContactInformation: Lisa Smith

The Governor's Land Foundation, Inc.

2700 Two Rivers Road

Williamsburg, VA 23185

Work (757) 253-6976

Fax (757) 253-0320

Email: lisa@govlandhoa.hrcoxmail.com

State Corporation Commission Name and ID Number (if applicable) The <u>Governor's Land Foundation Corp. #0369621-8</u>

Home ()	
Work ()	
Fax ()	
Cell ()	·
e-mail	·

Part 1 - General Information (continued)

3.	Authorized agent name* and complete mailing	Contact Information:		
	address (if applicable):	Home ()		
		Work ()		
		Fax ()		
		Cell ()		
		e-mail		
	State Corporation Commission Name and ID Number	er (if applicable)		
	f multiple applicants, property owners, and/or agents, each n nature page.	nust be listed and each must sign the applicant		
4.		ace below including the type of project, its		
	dimensions, materials, and method of construction. I			
	be accessed and whether tree clearing and/or grading	and the second s		
	the project requires pilings, please be sure to include			
	diameter, and method of installation (e.g. hammer, v			
	needed, provide a separate sheet of paper with the pr			
	Emergency replacement of a failed bulkhead at the n			
	marina basin. The total acreage of the basin is 6.758			
	around the approximately 2,100 lineal feet of bulkhe			
	includes the installation of a new composite material			
	water side) of the existing bulkhead against the exist			
	to the remaining bulkhead sections. See attached Co			
	Proposed Electrical scope of work (Exhibit C).	Linguis Carrier and Carrier an		
	To accomplish this in the most cost-effective and tin	nely fashion, existing niles/niers, as well as		
	existing floating and fixed docks will be removed an			
	materials are not reusable, new dock and pile/pier m	* · · · · · · · · · · · · · · · · · · ·		
	will be performed from the waterside of the existing bulkhead consisting of the installation of the			
	composite sheet pile within 2-feet of the existing bulkhead and strengthen by helical anchors every 5-			
	feet. The marina basin will remain open during the c			
	sections during the construction period anticipated to			
5	Have you obtained a contractor for the project?	Ves* No *If your answer is		
9,	"Yes" complete the remainder of this question and s			
	Acknowledgment Form	domit the Applicant 3 and Contractor 3		
	Contractor's name* and complete mailing address:	Contact Information:		
	WWH Enterprise, Inc.			
	14912 Laurel Point Lane			
	Spotsylvania, VA 22551	Work (504) 308-5425		
		Fax		
		Email: Wallyhayden@msn.com		
	State Corporation Commission Name and ID Numb	· · · · · · · · · · · · · · · · · · ·		
*1	f multiple contractors, each must be listed and each must sig	n 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			
	Name and complete mailing address:			
	Virginia Gazette	Telephone number (757) 220-1736		
	216 Ironbound Rd.	S 1 M 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		
	Williamsburg, VA 23188			
Ä	Application Revised: May 2017 5			

Part 1 - General Information (continued)

7. Give the following project location information:

Street Address (911 address if available): 1636 Harbor Road

Lot/Block/Parcel#: 4320700001B

Subdivision: Governors Land

City / County: Williamsburg

ZIP Code: <u>23185</u>

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

37.242921 /-76.884646

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. NA (Exhibit A)

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

The primary purpose of this emergency repair project is to reduce/eliminate the potential for additional failures of the existing bulkhead within the marina basin which could result in a larger bulkhead failure and potentially impact adjacent properties and/or structures. The secondary purpose is to improve the structural integrity of the remaining bulkhead from ongoing wave and tidal surge action; reduce/eliminate safety concerns around the marina basin; and reduce/eliminate the potential impact to the properties located on the marina basin bulkhead.

9.	Proposed use (check one):
	Single user (private, non-commercial, residential)
	Multi-user (community, commercial, industrial, government)

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

The proposed project does not impact wetlands or buffer zones. Most of the work will be performed from the waterside of the marina. Work will be done from the landside (non-wetlands and buffer areas) from the parking lot. All safeguards will be instituted by the contractor while performing the repair work including booming the area around the tugs while in the marina channel. No submerged lands or buffer zones will be impacted by the project. Further, no clearing, grading, or excavation is anticipated in the project for the replacement of the existing bulkhead.

Part 1 - General Information (continued)

- 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.): \$4,300,000

 Approximate cost of that portion of the project that is channel ward of mean low water: \$0
- 13. Completion date of the proposed work: Based on a start date of August 1, 2019 completion date is May 1, 2020
- 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.

Adjacent Property Owners:

Governor's Land Foundation

2700 Two Rivers Road

Williamsburg, VA 23185

Mr. & Mrs. Stephen Anderson

1619 Harbor Road

Williamsburg, VA 23185

Marina Basin addresses but not deem adjacent property owners to project. Provided at the request of VMRC:

Mr. & Mrs. Daniel Shultz	1556 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Bill Donohue	1560 Harbor Road	Williamsburg, VA 23185
Ms. Joni Whitwell	1564 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Robert Thompson	1568 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Mike Pierson	1572 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Garry Maynor	1576 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Tom Wilkinson	1580 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Bob Trumble	1584 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. George Smith	1588 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Dave Trickey	1592 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Andy Murphie	1596 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Stuart Morris-Hopkins	1600 Harbor Road	Williamsburg, VA 23185
Mr.& Mrs. Tom Huddleston	1604 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Charles Peters	1608 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Sterling Nichols	1612 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Richard Webb	1616 Harbor Road	Williamsburg, VA 23185
Mr. & Mrs. Ken McLennan	1620 Harbor Road	Williamsburg, VA 23185
		·

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.

The Governor's Land Foundation Inc.	
Applicant's Legal Name (printed/typed)	(Use if more than one applicant)
Applicant's Signature	(Use if more than one applicant)
03/05/2019 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 , hereby certify that I (we) have authorized (Agent's name(s)) (Applicant's legal name(s)) to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached. We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge. (Agent's Signature) (Use if more than one agent) (Date) (Applicant's Signature) (Use if more than one applicant) (Date) 3. Applicant's having contractors (if applicable) CONTRACTOR ACKNOWLEDGEMENT I (we), Two Rivers Country Club, lessee to Governor's Land Foundation have contracted WWH Enterprises Inc. to perform the work described in this Joint Permit Application, signed and dated March 5, 2019 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. 14912 Laurel Point Lane, Spotsylvania, VA 22551 WWH Enterprises Inc. Contractor's name or name of firm Contractor's or firms address Class A 2705113911 Contractor's License Number Contractor's signature and title Applicant's signature (use if more than one applicant) Date

Application Revised: May 2017

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 <u>The Governor's Land Foundation Corporation Inc.</u> (Print applicant's name(s))
I have reviewed the applicant's project drawings from Collins Engineering dated August 1, 2018 and updated February 26, 2019, and Proposed Electrical scope of work dated November 13, 2018 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.



Regional Permit 17 Certificate of Compliance Form

Please obtain and read a copy of the 13-RP-17 prior to completion of this form. Copies can be obtained by contacting the U.S. Army Corps of Engineers Regulatory Branch (Corps) at (757) 201-7652 or on our website at: http://www.nao.usace.army.mil/Missions/Regulatory/RBregional.aspx.

YES NO	Is the proposed pier for private use ONLY?
YESXNO	Does the proposed pier extend <u>LESS</u> than % the width of the waterway as measured from Mi-fW to Mi-fW or OHW to OHW (including channelward wetlands) based on the narrowest distance across the waterway regardless of the orientation of the proposed pier (MI-fW = mean high water line; OHW = ordinary high water line)?
YESE NO[Does the proposed pier and/or mooring structure(s) extend <u>LESS</u> than 300 feet from the mean high water line or ordinary high water line?
YES NO NA	If the proposed structure crosses wetland vegetation, is it of 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 NAK	If the proposed pier is to include an attached open-sided roof designed to provide shelter, is the cumulative roof square footage less than 700 square feet?
YES NO NA	is the total number of boat slips on the property less than or equal to two boat slips?
YESIX NO	Have you confirmed that the proposed construction will not take place in one of the reaches which serve as habitat for federally threatened and endangered species, Federal Navigation Channels, and/or does not meet any of the requirements listed in the "V. NOTIFICATION REQUIREMENTS #1-7" section of this permit?
YES NO NA	If the proposed work is in portions of any waterways listed in Special Condition 6, have you obtained an easement to cross government property from the Army Corps of Engineers Real Estate Office?
IF YOU HAVE ANSWERED "NO" TO ANY OF THE QUESTIONS ABOVE, THE REGIONAL PERMIT 17 WILL NOT APPLY AND YOU <u>WILL</u> <u>NEED</u> TO SUBMIT A JOINT PERMIT APPLICATION AND OBTAIN A SEPARATE PERMIT FROM THE CORP'S BEFORE COMMENCING CONSTRUCTION.	
YOU ARE IN COMPLIA SUBMIT WITH YOUR OAS YOUR LETTER OF WRITTEN AUTHORIZE	RED "YES" (OR "NIA", WHERE APPLICABLE) TO ALL OF THE QUESTIONS ABOVE, ANCE WITH THE REGIONAL PERMIT 17. PLEASE SIGN BELOW, ATTACH, AND COMPLETED JOINT PERMIT APPLICATION. THIS SIGNED CERTIFICATE SERVES AUTHORIZATION FROM THE CORPS. YOU WILL NOT RECEIVE ANY OTHER ATION FROM THE CORPS. HOWEVER, YOU MAY NOT PROCEED WITH LYOU HAVE OBTAINED ALL OTHER NECESSARY STATE AND LOCAL PERMITS.
I CERTIFY THAT I HAV	E READ AND UNDERSTAND ALL CONDITIONS OF THE REGIONAL PERMIT 17 (13-

RP-17), DATED AUGUST 14 2013, ISSUED BY THE US ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT REGULATORY BRANCH (CENAO-WR-R), NORFOLK, VIRGINIA.

Signature of Property Owner(s) or Agent

Revision Date: August 2013

Proposed work to be located at:

1636 Harbor Road, Williamsburg, VA 23185

Part 3 – Appendices

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

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

1. Briefly describe your proposed project.

2.

Existing docks will be temporarily moved during the installation of the new bulkhead. After the bulkhead installation the docks be reinstalled in approximately the same location. All the docks but one, will be refurbished with new composite deck material and updated electrical pedestals. One dock requires emergency repair due to the lack of structural integrity, will be replaced and relocated in the same location and have the same number of slips.

For private, noncommercial piers:	
Do you have an existing pier on your property? X Yes No	
If yes, will it be removed? X Yes No and then replaced	
in approximately the same location.	
Is your lot platted to the mean low water shoreline?X_YesNo	
What is the overall length of the proposed structure? 895 feet. Keep	
record	
Channelward of Mean High Water NA	
Channelward of Mean Low Water? NA	
What is the area of the piers and platforms that will be constructed over	
Tidal non-vegetated wetlands <u>0</u> square feet.	
Tidal vegetated wetlands <u>0</u> square feet.	
Submerged lands 0 square feet.	
What is the total size of any and all L- or T-head platforms? 486 sq. ft.	
For boathouses, what is the overall size of the roof structure? <u>0</u> sq. ft.	
Will your boathouse have sides? Yes No. X NA	

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.

15% KRUKORI I B. 1811 B. 1811-182 BALLS ORDING HIT LALINI BALL R. 1811 B. 18 35 or 18 MAINS OPEN SPACE \$23 JAMES RIVER CONTRACTOR DESCRIPTION 0403 CHILL SANIS 1154 AND TO 1154 AND TO 1241 MAY THE 1441 MAY CHILL 1547 MAY CHI MARINA BASIN PARKING AREA MINI Part and a 100 Marie 100 Ma AN PARTY AND PAR THE HARBOR AT TWO RIVERS CONTRIBUTED TO CONTRIBUTE TAND TO CONTRIBUTE TAND THE CONTRIBUTED THE MATCH TO SHEET 4 English Trans. ACIONA OUNCE TANK TERME MAJOR OPEN SPAJE (VIS -JAMES RIVER TOTAL 100 Miles W. Twith I flore, A -SPETTS SPETSHE DOXY OTHER BOTTS LAD FARMATAN PAR. F. P. 11-30 APRIL TO THE LEGO BOTTS LAD FARMATAN TO THE LEGO BOTTS LAD FARMATAN TO THE LEGO BOTTS LAD FARMATAN TO THE LEGO TO THE LAD FARMATAN TO THE L TAMBER SUC はいる。 COMPANION CABLLET - 1915 MAJOR OPEN SPACE 424

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110 Harwood Drive Newport News, Virginia 23603 Virginia License: 2705 053849A Federal Id.: 54-1894218 Telephone: 757-888-0900 Facsimile: 757-888-2322

> Proposal No: 1810-20N November 13, 2018

Two Rivers Marina 1636 Harbor Road Williamsburg, VA 23185

a

We hereby submit prices and specifications for the following:

Provide electrical materials and labor required to complete upgrades to the marina per the plans prepared by Collins Engineers Inc. dated 8/1/2018 with the following clarifications. The circuit that supplies the lighting connection at the existing pedestals at the bulkhead homeowner locations and back range light shall be shut off; disconnected and the conduit abandoned in place. The pedestal lights shall be connected to the individual homeowner supply circuits in each pedestal. The existing docks A, B and C shall be disconnected and power connections to the source on shore removed to allow the new bulkhead to be installed. New supply conductors to the floating docks shall be installed as unspliced runs of copper cable from the supply breakers to the first connection on the floating docks. Pedestals on Docks B & C shall be configured to provide only 30 Amp, 120 Volt shore power connections so that panels PB, PC and their existing supply transformers are retained while complying with NEC 555.19(A)(3). Dock A shall be provided with eleven new pedestals two of which shall contain one 50 Amp, 120/240 Volt shore power receptacle while the remainder contain two such receptacles. These receptacles shall be supplied via new sub-station equipment sized to comply with NEC 555.13 and 555.19 requirements. The substation equipment shall be mounted on the floating dock system. New pedestals and any parts required to refurbish the existing pedestals shall be furnished by owner. A new power substation equipped with six GFI type weather-proof receptacles shall be installed on the landscaped island near the flag pole. Pricing assumes that the existing cables between pedestals will be reconnected after new decking is installed and that the existing conduits below the paved areas can be reused. Pricing based on current copper commodity pricing of \$2.76/lb, and any increase in this index will be subject to a change order. Any additional floatation required beneath the floating dock system to support the substation equipment is not included. Preparation of plans as required for permitting is included.

All work shall meet applicable local and national codes. All applicable taxes are included. NOTE: This proposal may be withdrawn after 30 days from the above date. We hereby propose to furnish materials and labor - complete in accordance with the above specifications, for the sum of: One Hundred Eighty One Thousand Nine Hundred and 00/100------Dollars (\$181,900.00). TERMS: Net 30 for work completed and materials on hand. Standard AES Inc. terms to be included in final contract.

Authorized by:	Date: November 13, 2018
Neil Martin	Dure. November 13, 2010
	specifications and conditions are satisfactory and are hereby rk as specified. Payment will be made as outlined above.
Accepted by:	Date:

TWO RIVERS COUNTRY CLUB GOVERNORS LAND MARINA WATERFRONT BULKHEAD EMERGENCY REPAIRS/BULKHEAD REPLACEMENT

WILLIAMSBURG, VIRGINIA

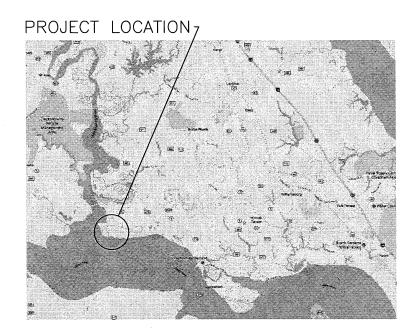
AUGUST 1, 2018

RECEIVED

MAR 0 5 2019

MARINE RESOURCES
COMMISSION



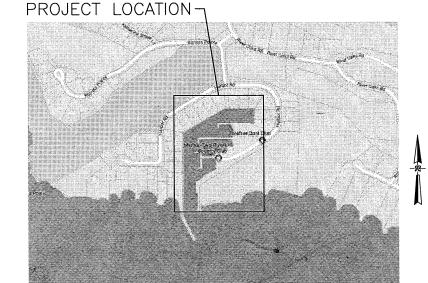


VICINITY MAP

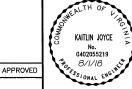
PREPARED BY:

COLLINS ENGINEERS

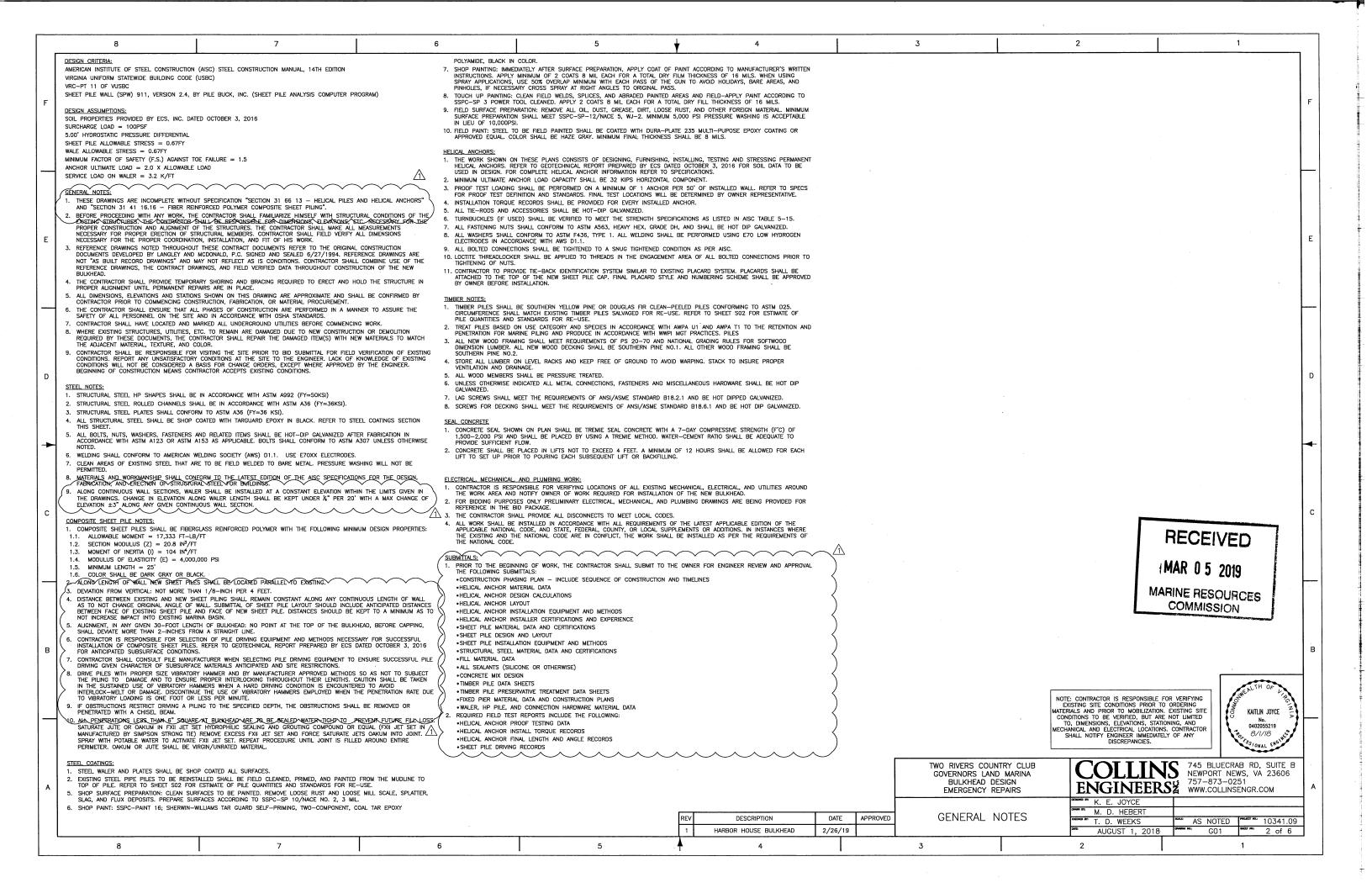
DRAWING INDEX					
SHEET NO.	DRAWING NO.	TITLE			
1 OF 6	T01	TITLE SHEET			
2 OF 6	G01	GENERAL NOTES			
3 OF 6	S01	EXISTING PLAN			
4 OF 6	S02	NEW WORK PLAN			
5 OF 6	S03	SECTIONS AND DETAILS			
6 OF 6	S04	SECTIONS AND DETAILS			

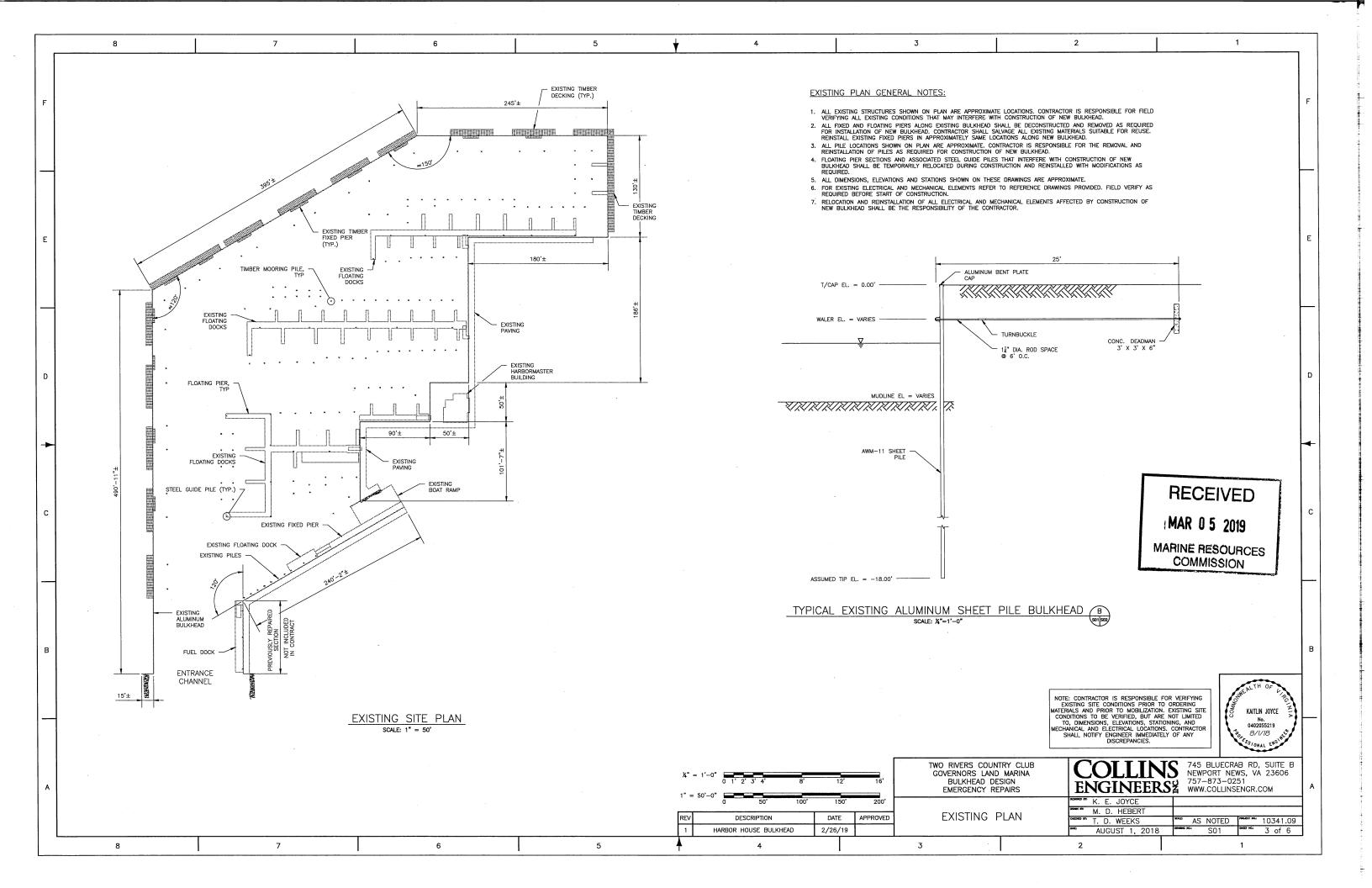


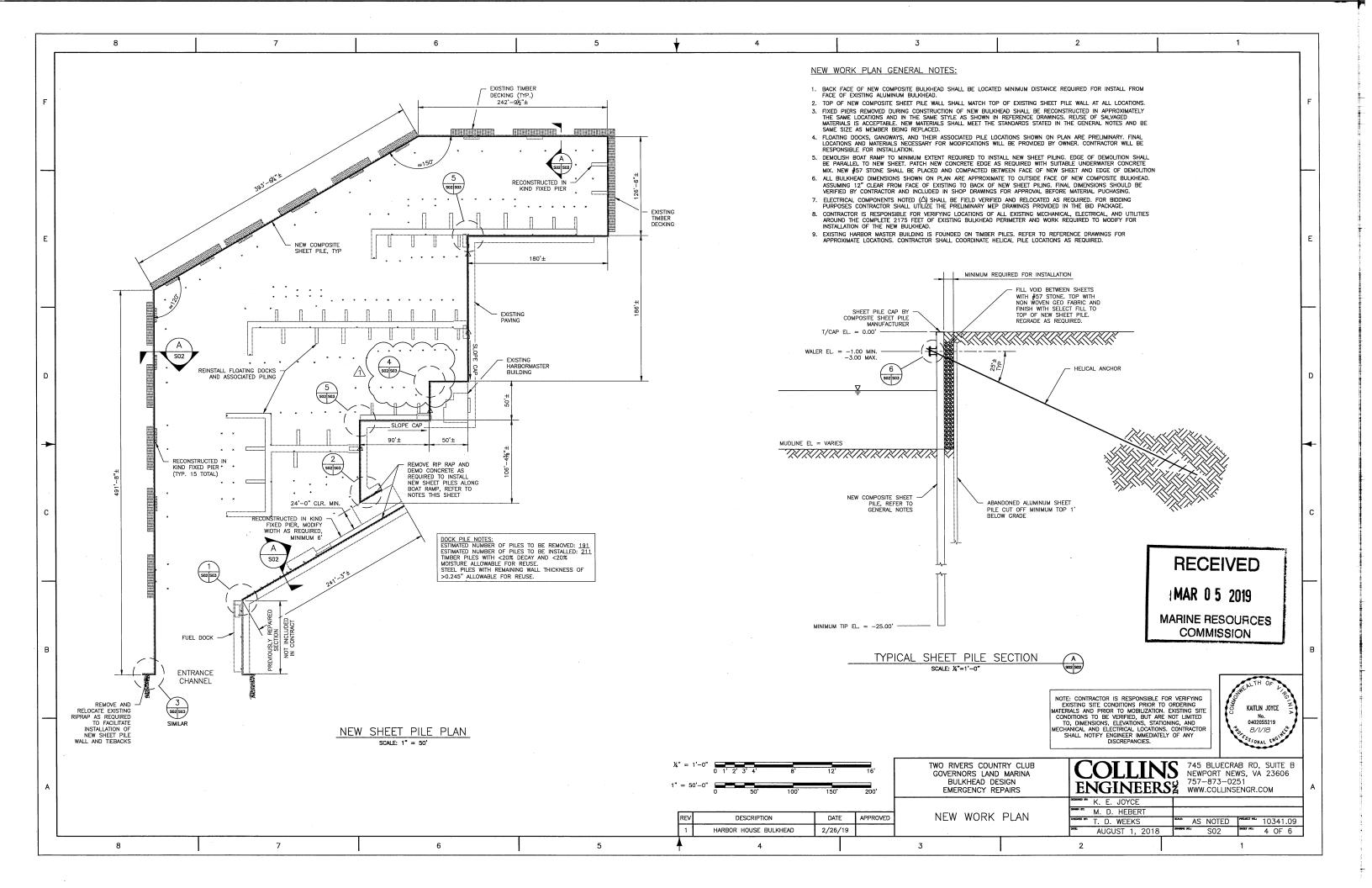
LOCATION MAP

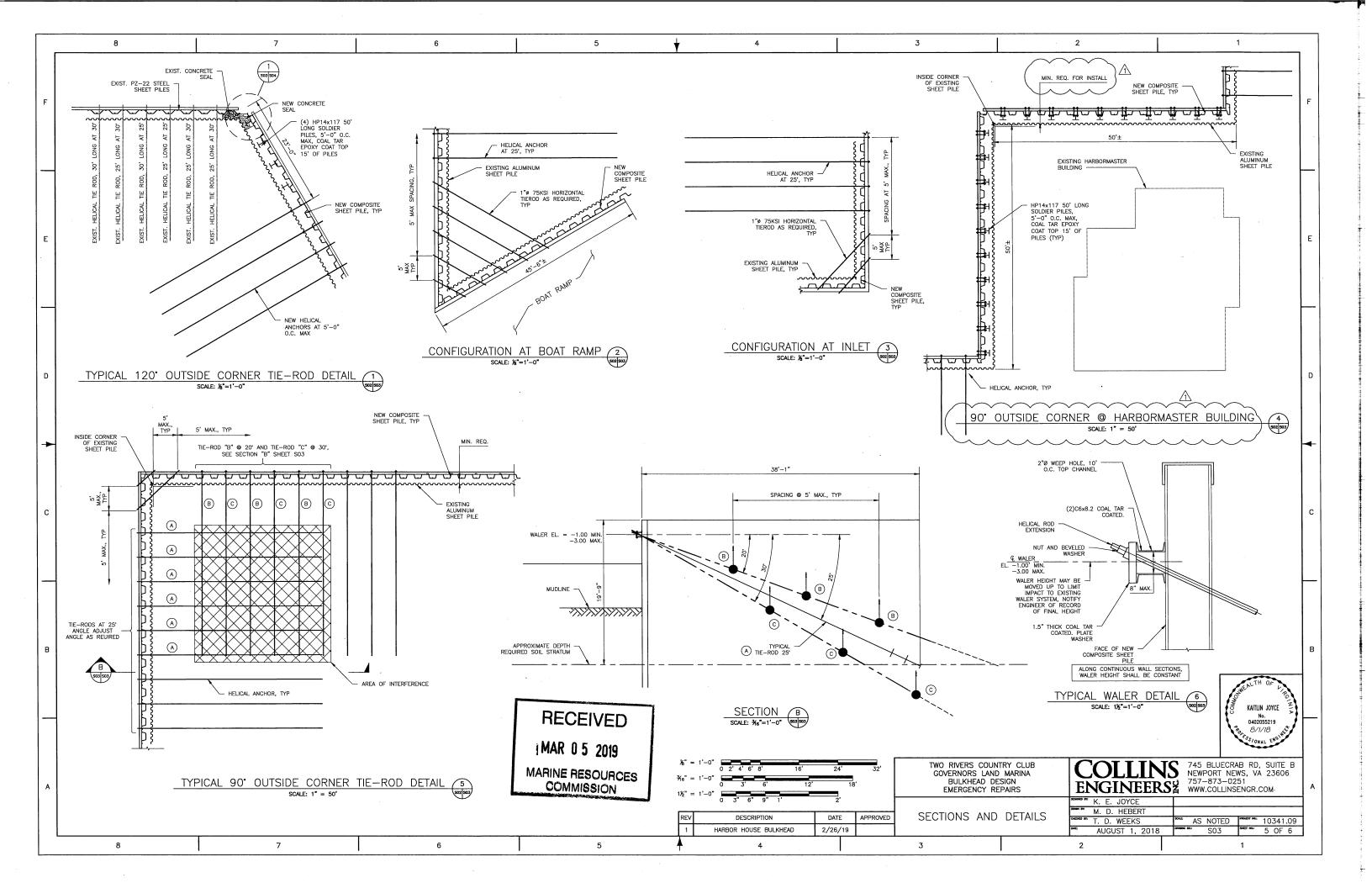


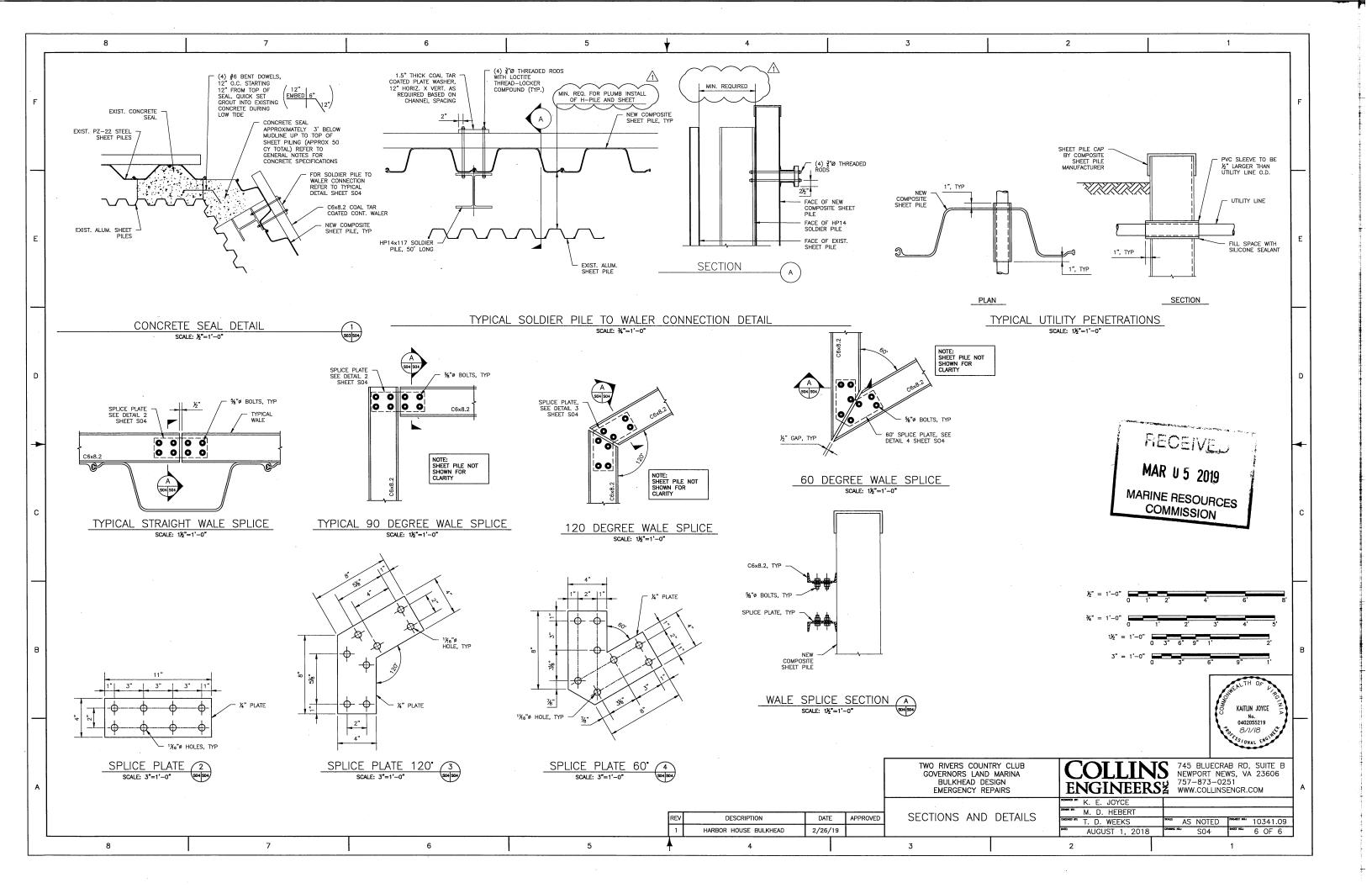
REV	DESCRIPTION	DATE	APPROVED
1	HARBOR HOUSE BULKHEAD -	2/26/19	













PUBLIC HEARING NOTICE

THE WETLANDS AND CHESAPEAKE BAY BOARDS OF JAMES CITY COUNTY, VIRGINIA WILL HOLD A PUBLIC HEARING ON **WEDNESDAY**, **APRIL 10, 2019**, **AT 5 P.M.** IN THE BOARD ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASE:

WJPA 19-0011/VMRC 19-0033: The Governors Land Foundation has applied for a wetland permit to perform an emergency bulkhead repair at 1636 Harbor Rd, JCC Parcel No. 4320700001A.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA 19-0016: Mr. Jim Duguay, Performance Contracting, has filed an exception request for encroachment into the RPA buffer for the construction of two decks at 4107 S Riverside Dr, JCC Parcel No 1910900003A.

CBPA 19-0028: Mr. Mo Bloxom, Southern Landscaping & Construction, Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a retaining wall at 117 Godspeed Ln, JCC Parcel No. 4730500035.

CBPA-19-0026: Mr. Carl Story, Williamsburg Landing Inc., has filed an exception request for encroachment into the RPA buffer for the construction of a new deck at 3017 Spotswood Cay, JCC Parcel No. 4820100002.

CBPA-19-0023: Mr. Kyle Polk, The Structures Group, has filed an exception request for encroachment into the RPA buffer for the replacement of a single family dwelling at 573 Forest Lake Rd, JCC Parcel No. 0930100002C.

All interested parties are invited to attend the meetings. The applications and plans are on file and may be viewed during normal office hours in the Stormwater and Resource Protection Division, 101 Mounts Bay Road, Building E, James City County, Virginia.

NOT FOR PUBLICATION

DISPLAY: WEDNESDAY – March 27, 2019 and April 3, 2019.

ACCOUNT NO.: 0011350200 - VIRGINIA GAZETTE

COPIES: PLANNING

GENERAL SERVICES ASSISTANT COUNTY ATTORNEY WETLAND/CHESAPEAKE BAY BOARD MEMBERS



General Services
Stormwater and Resource
Protection Division
101-E Mounts Bay Road
Williamsburg, VA 23185
757-253-6790
Resource.Protection@jamescitycountyva.gov

March 20, 2019

RE: WJPA-19-0011

1636 Harbor Road

Governor's Land Marina Bulkhead Emergency Repair and Replacement

Dear Adjacent Property Owner:

In accordance with State and County Codes, this letter is to notify you that a request has been filed with the James City County Wetlands Board by Lisa Smith with The Governor's Land Foundation, Inc. for impacts to wetlands associated with construction of a bulkhead repair and replacement. The project is located at 1636 Harbor Road and further identified as JCC Parcel No. 4320700001A.

A complete description, plan and other information are on file in the Stormwater and Resource Protection Division and are available for inspection during normal business hours, should anyone desire to review them.

The Wetlands Board will hold an advertised public hearing on **Wednesday, April 10, 2019 at 5:00 p.m.**, in the Board Room of Building F, 101 Mounts Bay Road, James City County, Virginia, at which time you may request to speak on the above referenced project.

Sincerely,

Janíce Petty

Janice Petty Stormwater Assistant

cc: WWH Enterprise, Inc., Attn: Wallace Hayden

Two Rivers Country Club

Mailing List for: WJPA-19-0011 - 1636 Harbor Road - Governor's Land Foundation - Governor's Land Marina Bulkhead Emergency Repair and Replacement

Applicant: 4320700001A-1636 Harbor Road

Governor's Land Foundation 1400 Two Rivers Road Williamsburg, VA 23185-7685

Governor's Land Foundation

Attn: Lisa Smith 2700 Two Rivers Rd

Williamsburg, VA 23185-7600

The Structures Group. Attn: Kyle J Polk 1200 Old Colony Lane Williamsburg, VA 23185

Two Rivers Country Club 1900 Estates Drive Lanexa, VA 23089-5836

Collins Engineers, Inc. Attn: K.E. Joyce 745 Bluecrab Road Newport News, VA 23606

4310200013 – 1556 Harbor Road Schultz, Daniel C & Laura Lee

P.O. Box 432

Milford, CT 06460-0432

<u>4310200014 – 1560 Harbor Road</u>

Donohue, William J & Diane M P.O. Box 79

Butler, MD 21023-0079

4310200015

Whitwell, Joan E. Trustee 1564 Harbor Road

Williamsburg, VA 23185-7630

4310200016 – 1568 Harbor Road

Thompson, Robert Clay, Trustee & Bettyann B, Trustee 530 Ocean Drive, Apartment 301 Juno Beach, FL 33408-1947

4310200017

<u>Contractor: 432070001A - 1636 Harbor Road</u>

WWH Enterprises Attn: Wallace Hayden 14912 Laurel Point Lane Spotsylvania, VA 22551

Pierson, Michael W, Trustee & Elaine 1572 Harbor Road Williamsburg, VA 23185-7630

4310200018

Maynor, Brenda S & Garry R 1576 Harbor Road Williamsburg, VA 23185-7630

4310200019

Wilkinson, Thomas A, III, Trustee & Mary D, Trustee 1580 Harbor Road Williamsburg, VA 23185-7630

4310200020

Trumble, Robert R & Ann H 1584 Harbor Road Williamsburg, VA 23185-7630

4310200021

Smith, George W, Trustee & Beth S, Trustee 1588 Harbor Road Williamsburg, VA 23185-7630

4310200022

Trickey, David J & Grivat, Sandi 1592 Harbor Road Williamsburg, VA 23185-7630

4310200023

Murphie, Mary Ann, Trustee & Robert A, Trustee 1596 Harbor Road Williamsburg, VA 23185-7630

4320700024

Morris-Hipkins, Stuart R & Nichola J 1600 Harbor Road Williamsburg, VA 23188-7632

4320700025

Huddleston, Thomas B & Sarah E 1604 Harbor Road Williamsburg, VA 23185-7632

4320700026

Peters, Charles D & Ellen B 1608 Harbor Road Williamsburg, VA 23185-7632

4320700027

Nichols, Sterling M & Dorothy P 1612 Harbor Road Williamsburg, VA 23185-7632

4320700028

Webb, J Richard & Judith P 1616 Harbor Road Williamsburg, VA 23185-7632

4320700029

McLennan, Barbara N Trustee 1620 Harbor Road Williamsburg, VA 23185-7632

VMRC

Attn: Allison Norris 380 Fenwick Road, Building 96 Fort Monroe, VA 23651

VIMS Wetlands Program Attn: Dawn Fleming P.O. Box 1346 Gloucester Point, VA 23062

VDOT 4451 Ironbound Road Williamsburg, VA 23188

Dept of Game and Inland Fisheries Box 90778 Henrico, VA 23228-0778

State Water Control Board c/o Dept of Environmental Quality P O Box 1105 Richmond, VA 23218

Regulatory Branch Army Corps of Engineers 803 Front Street Norfolk, VA 23510

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