

# **WETLANDS BOARD AGENDA**

**DECEMBER 12, 2001 - 7:00 P.M.**

**A. Roll Call**

**B. Minutes** - November 14, 2001

**C. Old Business** - None

**D. New Business**

1. W-16-01. Hampton Roads Sanitation District (HRSD)/Colonial Williamsburg Foundation - 300 Ron Springs Drive

2. W-23-01. May H. Stone - 10120 Sycamore Landing Road

3. W-24-01. Mary Ann and Benjamin E. Herrmann - 105 Elizabeth Page

**E. Matters of Special Privilege** - Calendar Year 2002 Meeting Schedule

**F. Adjournment**

## MEMORANDUM

**DATE:** December 12, 2001

**TO:** The Wetlands Board

**FROM:** Darryl E. Cook, Environmental Director

**SUBJECT:** Case NO. W-16-01/VMRC 01-2036; 300 Ron Springs Road

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Mr. Tom Langley, of Langley and McDonald, LLC, on behalf of the owner, Colonial Williamsburg Foundation, has applied for a wetlands permit to install two offshore breakwaters with beach nourishment to prevent shoreline erosion along the James River above the HRSD outfall. This project is an extension of a previous project, W-29-94, which was wrongly deemed exempt from the Board's jurisdiction by VMRC in 1994 due to a misunderstanding of the land ownership. The Board has jurisdiction over the proposed sand fill once the fill reaches an elevation greater than the mean low water elevation. The property is further identified as parcel (1-3) found on the James City County Real Estate Tax Map (58-2). The project site in question is located on the James River main stem.

Environmental Division staff visited the site on September 21, 2001 along with a representative from VMRC to discuss the project scope and potential impacts. VIMS personnel visited the site at a later date. Proposed jurisdictional impacts for this project are determined to be 16,000 sq. ft. to the Type XIV, Sand Flat Community. Total jurisdictional fill impacts for this project are determined to be 16,000 sq. ft. to the Type XIV, Sand Flat Community.

It is the staff's recommendation that the Board approve this application, with the following conditions:

1. The limits of construction shall be flagged in the field prior to the preconstruction meeting.
2. No woody vegetation shall be removed, as per the approved drawings.
3. The created beach areas, now in the Resource Protection Area (RPA) buffer, shall be stabilized with dune grasses. An RPA restoration plan with surety shall be submitted and approved by the Environmental Division prior to the preconstruction meeting. This is consistent with what has occurred on past permits, see W-23-97 and W-08-01.
4. A preconstruction meeting will be held on-site prior to commencement of construction.
5. A turbidity curtain will be required for this project.
6. The RPA restoration plan shall be installed as approved. The RPA surety will be held a minimum of one year after plant installation to ensure the long-term viability of the installed plant materials.
7. The permit shall expire December 12, 2002.
8. If an extension of this permit is needed, a written request shall be submitted to the

Environmental Division no later than two weeks prior to expiration date.

## MEMORANDUM

**DATE:** December 12, 2001

**TO:** The Wetlands Board

**FROM:** Darryl E. Cook, Environmental Director

**SUBJECT:** Case NO. W-23-01/VMRC 01-1893; 10120 Sycamore Landing Road

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Mr. Daniel Winall, of Water's Edge Construction, on behalf of the owner, Mrs. Mary Stone, has applied for a wetlands permit to install approximately 75 feet of riprap revetment wall to stop erosion and to replace the existing pier to provide access to the York River. The property is further identified as parcel (3-3) found on the James City County Real Estate Tax Map (7-2). The project site in question is located on the York River main stem.

Environmental Division staff visited the site on November 16, 2001 along with a representative from VMRC to discuss the project scope and potential impacts. VIMS personnel visited the site at a later date. Proposed jurisdictional impacts for this project are determined to be 750 sq. ft. to the Type XIV, Sand Flat Community. Total jurisdictional fill impacts for this project are determined to be 375 sq. ft. to the same community.

It is the staff's recommendation that the Board approve this application, with the following conditions:

1. The limits of construction shall be flagged in the field prior to the preconstruction meeting. During the preconstruction meeting, minor adjustments in the alignment may occur at the direction of the Environmental Division.
2. The contractor shall not, under any circumstances, remove any bald cypress trees. The contractor shall post a surety guaranteeing that the bald cypress trees shall not be removed or damaged and that they shall be in a living condition one year after completion of the project. The surety shall be in the amount of \$10,000. The Environmental Division has on record the existing damage to the bald cypress next to the existing pier and will not hold the contractor accountable for that damage.
3. The landward areas of the Resource Protection Area (RPA) buffer that are proposed to be cleared and disturbed through the placement of the construction access will require restoration with native vegetation consisting of trees, shrubs and ground cover. An RPA restoration plan with surety shall be submitted and approved by the Environmental Division prior to the preconstruction meeting.
4. A preconstruction meeting will be held on-site prior to commencement of construction.
5. A turbidity curtain will not be required for this project as proposed because the proposed work is at the limits of normal high tide. The Environmental Division reserves the right to require a turbidity curtain if field conditions change.
6. All armor stone riprap used shall be Class 2. All core stone riprap used shall be Class 1. All

rirap shall be underlain with filter fabric, which must be inspected by the Environmental Division prior to placement of any riprap.

7. The construction access shall be regraded to existing slope conditions. The RPA restoration plan shall be installed as approved. The RPA surety will be held a minimum of one year after plant installation to ensure the long-term viability of the installed plant materials.
8. The permit shall expire December 12, 2002.
9. If an extension of this permit is needed, a written request shall be submitted to the Environmental Division no later than two weeks prior to expiration date.

## MEMORANDUM

**DATE:** December 12, 2001

**TO:** The Wetlands Board

**FROM:** Darryl E. Cook, Environmental Director

**SUBJECT:** Case NO. W-24-01/VMRC 01-1894; 105 Elizabeth Page

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Mr. Daniel Winall, of Water's Edge Construction, on behalf of the owner, Mr. Benjamin Herrmann, has applied for a wetlands permit to install approximately 130 feet of tongue and groove timber bulkhead a maximum of 2 feet channel-ward of a failing bulkhead to prevent further erosion and to replace an open pile pier to provide access to Halfway Creek. The property is further identified as parcel (2-59) found on the James City County Real Estate Tax Map (49-4). The project site in question is located on Halfway Creek, a tributary to College Creek and the James River.

Environmental Division staff visited the site on November 16, 2001 along with a representative from VMRC to discuss the project scope and potential impacts. VIMS personnel visited the site at a later date. Proposed jurisdictional impacts for this project are determined to be 75 sq. ft. to the Type IV, Saltbush Community and 305 sq. ft. to the Type XVI, Mud Flat Community. Total jurisdictional fill impacts for this project are determined to be 380 sq. ft., 75 sq. ft. to the Type IV, Saltbush Community and 305 sq. ft. to the Type XVI, Mud Flat Community.

It is the staff's recommendation that the Board approve this application, with the following conditions:

1. The limits of construction shall be flagged in the field prior to the preconstruction meeting. The proposed alignment straightens out the existing alignment and the Environmental Division is in agreement with the contractor that this should occur. However, the contractor shall take every measure necessary to keep the new alignment within 2 feet of the existing alignment when feasible. During the preconstruction meeting, minor adjustments in the alignment may occur at the direction of the Environmental Division.
2. All vegetation to be removed shall be flagged or spray-painted in the field prior to the preconstruction meeting. During the preconstruction meeting, adjustments to vegetation removal may occur at the direction of the Environmental Division.
3. The landward areas of the Resource Protection Area (RPA) buffer that are proposed to be cleared and disturbed through the installation of the new bulkhead will require restoration with native vegetation consisting of trees, shrubs and ground cover. An RPA restoration plan with surety shall be submitted and approved by the Environmental Division prior to the preconstruction meeting.
4. A preconstruction meeting will be held on-site prior to commencement of construction.

5. A turbidity curtain will not be required for this project as proposed because the existing bulkhead is not to be removed. The Environmental Division reserves the right to require a turbidity curtain if field conditions change.
6. Filter fabric shall be used behind the proposed bulkhead, as per the detail. The Environmental Division must inspect the filter fabric prior to any backfilling operations.
7. The RPA restoration plan shall be installed as approved. The RPA surety will be held a minimum of one year after plant installation to ensure the long-term viability of the installed plant materials.
8. The permit shall expire December 12, 2002.
9. If an extension of this permit is needed, a written request shall be submitted to the Environmental Division no later than two weeks prior to expiration date.