

AGENDA
JAMES CITY COUNTY WETLANDS BOARD
REGULAR MEETING
COUNTY GOVERNMENT CENTER BOARD ROOM
101 MOUNTS BAY ROAD, WILLIAMSBURG, VA 23185
October 9, 2024
5:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

1. Minutes from the August 14, 2024, Regular Meeting

D. PUBLIC COMMENT

E. PUBLIC HEARING(S)

1. WJPA-24-0017 : 1635 Harbor Road

F. BOARD CONSIDERATION(S)

G. MATTERS OF SPECIAL PRIVILEGE

H. ADJOURNMENT

**WETLANDS BOARD PERMIT No. WJPA-24-0017. 1635 Harbor Road
Staff Report for the October 9, 2024, Wetlands Board Public Hearing**

This staff report is prepared by the 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. Anne Ingram, Governor's Land Foundation

Agent: Mr. Randolph Carnell, Living Shorelines, LLC

Location: 1635 Harbor Road

Parcel Identification No.: 4320700001B

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

Watershed: James River (JL30)

Floodplain: Zone Coastal AE - Base flood elevation 8 feet
Zone VE - Base flood elevation 11 feet

Proposed Activity: Installation of a living shoreline

Wetland Impacts: 1,325 square feet, non-vegetated wetlands

Staff Contact: Emily Grojean, Watershed Planner Phone: 253-6789

PROJECT DISCUSSION

Mr. Randolph Carnell, Living Shorelines, LLC, has applied for a Wetlands permit on behalf of Ms. Anne Ingram, Governor's Land Foundation, for the installation of a living shoreline on property located at 1635 Harbor Road within the James River watershed. The property is further identified as James City County Real Estate Tax Map Parcel No. 4320700001B.

The applicant is proposing to construct a 60-linear-foot riprap sill with beach nourishment to mitigate shoreline erosion occurring on the property. The area landward of the sill, approximately 1,325 square feet, is proposed for beach nourishment and to be planted. This project is proposed between mean low water and mean high water; therefore, this project must be heard by the Board.

Existing conditions of the property include an existing riprap groin and an eroding shoreline. In 1990, The Governor's Land at Two Rivers applied for a wetlands permit for the installation of a breakwater and riprap (VMRC-1990-0953). While staff could not locate internal records for this work, aerial photography does indicate that the existing riprap groin has been in place since 1990. The Governor's Land at Two Rivers shoreline in this area has eroded more than 50 feet since 1990.

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; and
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, off-site 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 and finds that this project meets the three criteria outlined above. The applicant has proposed the gain of 1,275 square feet of wetlands through the planting of *Spartina Patens* within the tidal range on a one and a half-foot by one and a half-foot spacing. Staff will require a mitigation surety as an approval condition to ensure these plantings.

STAFF RECOMMENDATIONS

Staff has reviewed the above application and recommends approval of the application as presented. 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 federal, state, and local permits as required for the project; and
2. All development activities located in the specified flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinances and receive all required approval and permits prior to commencement of such activities; and
3. The Applicant must submit a surety of \$3,000 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plan equaling 1,275 square feet of wetlands gain by the planting of *Spartina Patens* in tidal range; and
4. The Wetlands Permit for this project shall expire on October 9, 2027, if construction has not already begun; and
5. If an extension of the permit is needed, a written request must be submitted to the Stormwater and Resource Protection Division no later than August 28, 2027, six weeks prior to the expiration date.

EG/ap
WJPA24-17_1635HrbrRd

Attachments:

1. Resolution
2. Site Plan

RESOLUTION

CASE NO. WJPA-24-0017. 1635 HARBOR ROAD

JAMES CITY COUNTY WETLANDS PERMIT

WHEREAS, Mr. Randolph Carnell, Living Shorelines, LLC, on behalf of Ms. Anne Ingram, Governor's Land Foundation (the "Applicant"), has applied to the Wetlands Board of James City County (the "Board") on October 9, 2024, to request a permit to use and develop in areas designated as wetlands on a parcel of property located at 1635 Harbor Road (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 4320700001B, as set forth in the application WJPA-24-0017 for the purpose of installation of a living shoreline; and

WHEREAS, the Board heard the arguments presented and 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, finds that the application meets all the requirements for a wetlands permit under Chapter 22 of the James City County Code and therefore **APPROVES** the request for a wetlands permit in Wetlands Board Case No. WJPA-24-0017, subject to the following conditions.

1. The Applicant must obtain all other necessary federal, state, and local permits as required for the project; and
2. All development activities located in the specified flood hazard area shall comply with Article VI, Division 3, Floodplain Area Regulations of the James City County Zoning Ordinances and receive all required approval and permits prior to commencement of such activities; and
3. The Applicant must submit a surety of \$3,000 in a form acceptable to the James City County Attorney's Office to guarantee the mitigation plan equaling 1,275 square feet of wetlands gain by the planting of *Spartina Patens* in tidal range; and
4. The Wetlands Permit for this project shall expire on October 9, 2027, if construction has not already begun; and
5. If an extension of the permit is needed, a written request must be submitted to the Stormwater and Resource Protection Division no later than August 28, 2027, six weeks prior to the expiration date.

Scott Maye
Chair, Wetlands Board

Michael Woolson
Secretary to the Board

Adopted by the Wetlands Board of James City County, Virginia, this 9th day of October, 2024.

WJPA24-17_1635HrbrRdApp-res

RESOLUTION

CASE NO. WJPA-24-0017. 1635 HARBOR ROAD

JAMES CITY COUNTY WETLANDS PERMIT

WHEREAS, Mr. Randolph Carnell, Living Shorelines, LLC, on behalf of Ms. Anne Ingram, Governor's Land Foundation (the "Applicant"), has applied to the Wetlands Board of James City County (the "Board") on October 9, 2024, to request a permit to use and develop in areas designated as wetlands on a parcel of property located at 1635 Harbor Road (the "Property") and further identified as James City County Real Estate Tax Map Parcel No. 4320700001B, as set forth in the application WJPA-24-0017 for the purpose of installation of a living shoreline; and

WHEREAS, the Board heard the arguments presented and 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, finds that the application does not meet all the requirements for a wetlands permit under Chapter 22 of the James City County Code and therefore **DENIES** the exception request for Wetlands Board Case No. WJPA-24-0017.

Scott Maye
Chair, Wetlands Board

Michael Woolson
Secretary to the Board

Adopted by the Wetlands Board of James City County, Virginia, this 9th day of October, 2024.

WJPA24-17_1635HrbrRdDny-res

From: [Living Shorelines LLC](#)
To: [Johnson, Mike \(MRC\)](#); [MRC - jpa Permits](#); [Howell, Beth \(MRC\)](#); [Robin Benedict](#); [Trevor Long](#); [Bennett, Laura E CIV USARMY CENAO \(USA\)](#)
Cc: [Daniel Winall](#)
Subject: JPA | Governors Land Foundation - Williamsburg - James River
Date: Saturday, May 18, 2024 11:37:49 AM
Attachments: [Outdoor Living Shoreline](#)
[Governors Land Foundation Photos.pdf](#)
[Governors Land Foundation JPA 152024A.pdf](#)
[Governors Land Foundation JPA 152024B.pdf](#)
[JPA Governors Land Foundation.pdf](#)

Good Morning,

Please see attached JPA for a proposed living shoreline at the Governors Land Foundation in Williamsburg off of the James River.

Best Regards,

Randy Carnell

Owner, BSME
757.620.9530

Living Shorelines LLC
LivingShorelinesLLC.com





LIVING SHORELINES

Waterfront Design & Permitting

JPA TYPE: LIVING SHORELINE

GOVERNORS LAND FOUNDATION

635 Harbor Rd,
Williamsburg, VA 23185

JAMES RIVER

37°14'32.63"N
76°51'47.62"W

JPA AGENT

Randy Carnell

SCC ID: 11328394
Class A Marine License: 2705185355

Living Shorelines LLC 2024
757.620.9530
LivingShorelinesLLC@gmail.com
5/18/2024

Received by VMRC May 20, 2024 /blh

PROJECT LOCATION



VICINITY



LOCATION



SCC ID: 11328394
Class A Marine License: 2705185355

**GOVERNORS LAND
FOUNDATION**

635 Harbor Rd,
Williamsburg, VA 23185

JAMES RIVER

37°14'32.63"N

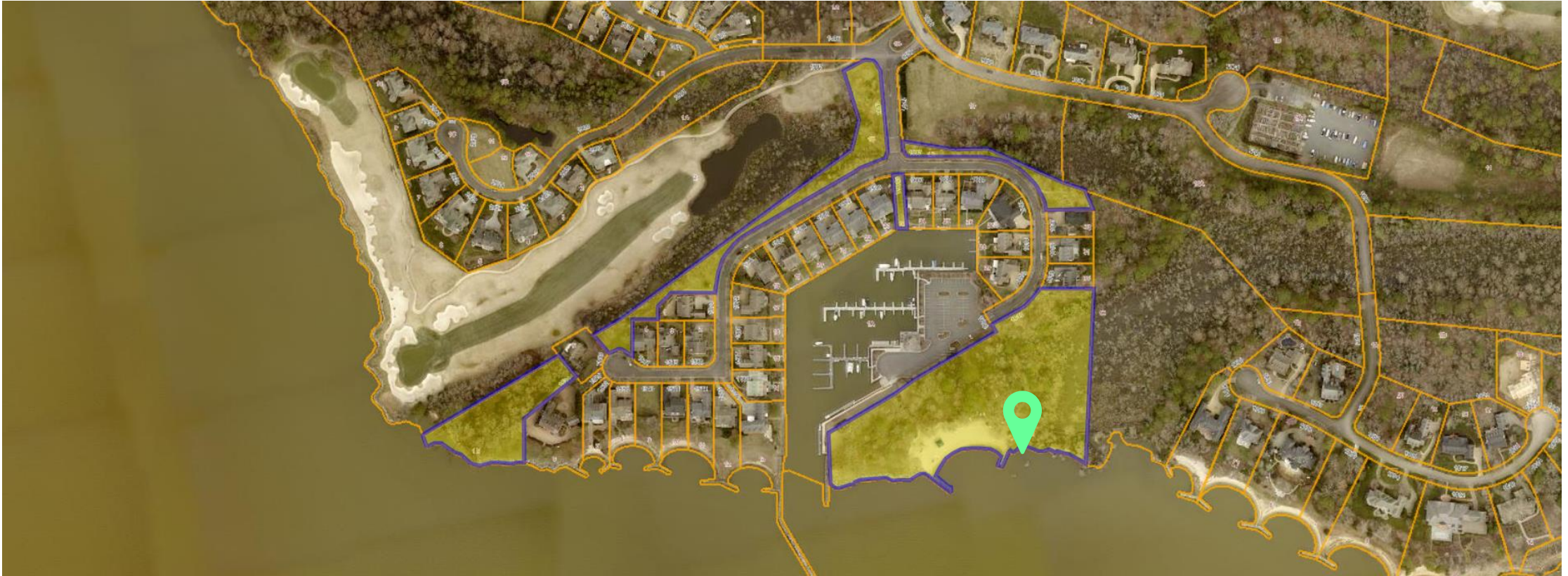
76°51'47.62"W

AGENT

Randy Carnell

Living Shorelines LLC 2024
757.620.9530
LivingShorelinesLLC@gmail.com
5/18/2024

PROJECT LOCATION



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Class A Marine License: 2705185355

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LivingShorelinesLLC@gmail.com
5/18/2024

Received by VMRC May 20, 2024 /blh

SITE PHOTOS



SCC ID: 11328394
Class A Marine License: 2705185355

GOVERNORS LAND FOUNDATION

635 Harbor Rd,
Williamsburg, VA 23185

JAMES RIVER

37°14'32.63"N
76°51'47.62"W

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Living Shorelines LLC 2024

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LivingShorelinesLLC@gmail.com

5/18/2024

SITE PHOTOS



SCC ID: 11328394
Class A Marine License: 2705185355

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FOUNDATION**

635 Harbor Rd,
Williamsburg, VA 23185

JAMES RIVER

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76°51'47.62"W

AGENT

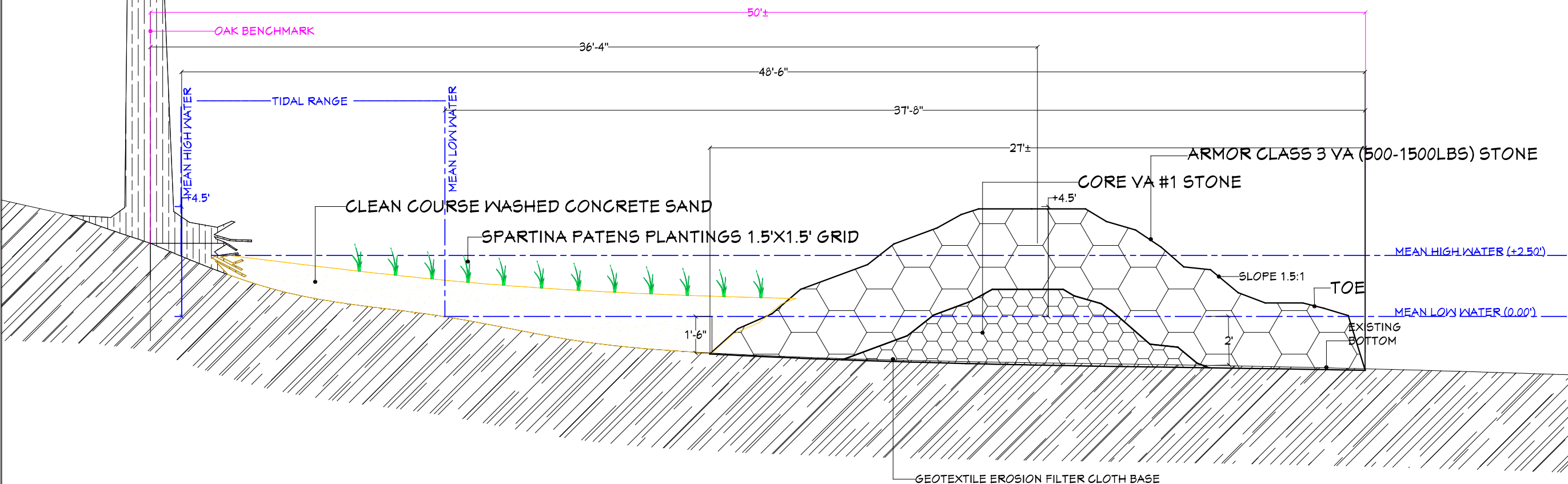
Randy Carnell

Living Shorelines LLC 2024
757.620.9530
LivingShorelinesLLC@gmail.com
5/18/2024

LIVING SHORELINES LLC 2024 LIVINGSHORELINESLLC@GMAIL.COM

LIVING SHORELINES LLC 2024 LIVINGSHORELINESLLC@GMAIL.COM

LIVING SHORELINE ELEVATION PLAN
SECTION A-A
GOVERNORS LAND FOUNDATION



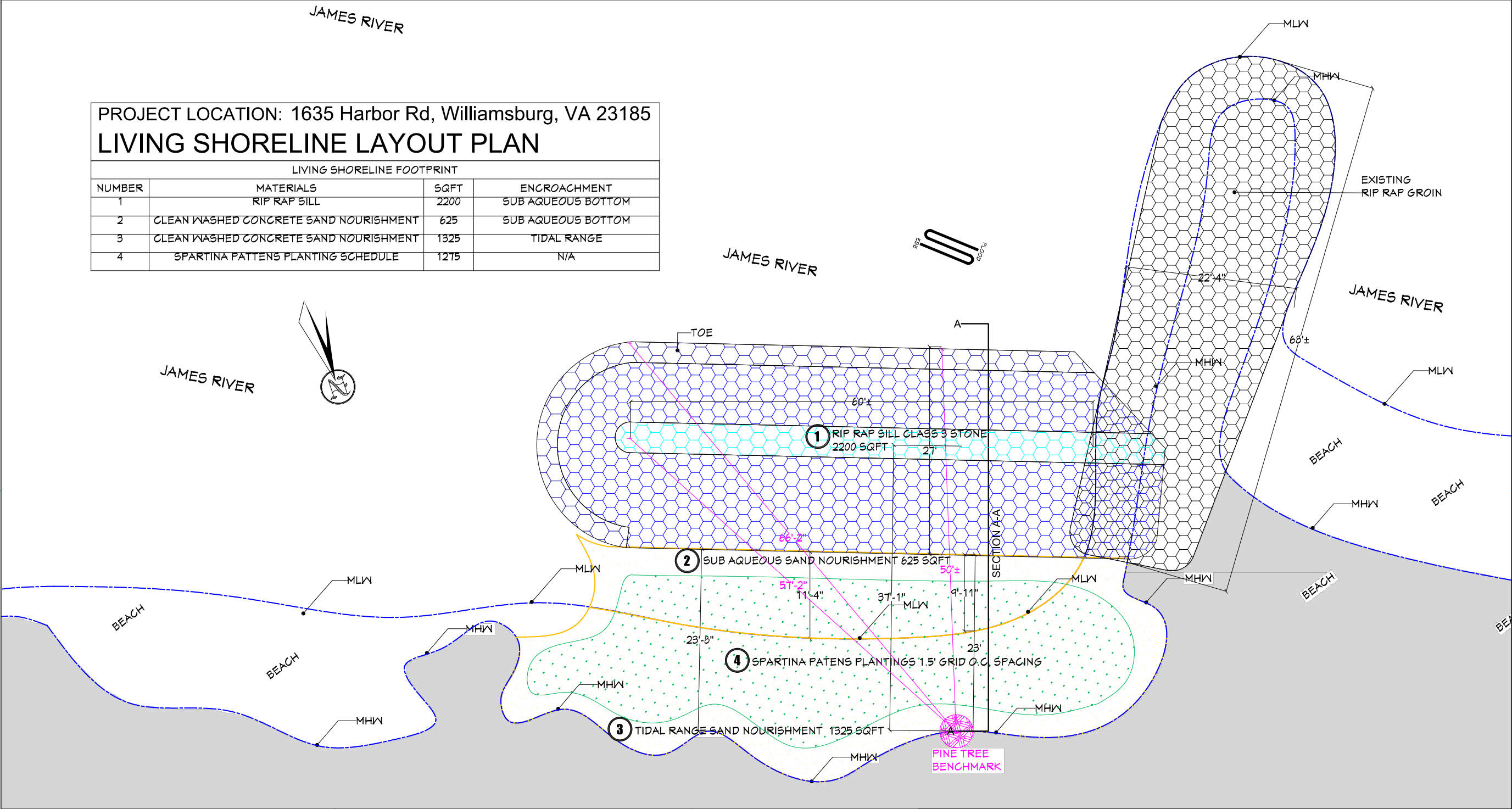
DRAWN BY: RANDY CARNELL, BSME. 757.620.9530

DRAWING: LIVING SHORELINE ELEVATION PLAN SECTION AA
DRAWING NUMBER: LS05152024A
DRAWING DATE: MAY 15TH, 2024
PROJECT LOCATION: 37°14'32.63"N 76°51'47.62"W
BODY OF WATER: JAMES RIVER
PROJECT LOCALITY: JAMES CITY COUNTY

THE REPRODUCTION, DISTRIBUTION AND UTILIZATION OF THIS DOCUMENT AS WELL AS THE COMMUNICATION OF ITS CONTENTS TO OTHERS WITHOUT EXPRESSED AUTHORIZATION IS PROHIBITED. OFFENDERS WILL BE HELD LIABLE FOR THE PAYMENT OF DAMAGES. ALL RIGHTS RESERVED IN THE EVENT OF A PATENT, UTILITY MODEL OR DESIGN. LIVING SHORELINES LLC IS NOT RESPONSIBLE FOR RIPARIAN WATERWAY RIGHTS. THIS IS NOT A SURVEY

PROPERTY OWNER INFORMATION:
GOVERNORS LAND FOUNDATION
2700 TWO RIVERS ROAD
WILLIAMSBURG, VA 23185

LIVING SHORELINES LLC 2024 LIVINGSHORELINESLLC@GMAIL.COM



LIVING SHORELINES LLC 2024 LIVINGSHORELINESLLC@GMAIL.COM



LIVING SHORELINES
Waterfront Design & Permitting

DRAWN BY: RANDY CARNELL, BSME. 757.620.9530

DRAWING: LIVING SHORELINE LAYOUT PLAN

DRAWING NUMBER: LS05152024B

DRAWING DATE: MAY 15TH, 2024

PROJECT LOCATION: 37°14'32.63"N 76°51'47.62"W

BODY OF WATER: JAMES RIVER

PROJECT LOCALITY: JAMES CITY COUNTY

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PROPERTY OWNER INFORMATION:

GOVERNORS LAND FOUNDATION
2700 TWO RIVERS ROAD
WILLIAMSBURG, VA 23185

GOVERNORS LAND FOUNDATION
1635 HARBOR ROAD, WILLIAMSBURG, VA 23185
Regulatory Agency Contact Information

	Virginia Marine Resources Commission (VMRC) Habitat Management Division 380 Fenwick Road, Building 96 Fort Monroe, VA 23651 Phone: (757) 247-2200, Fax: (757) 247-8062 Website: http://www.mrc.virginia.gov/hmac/hmoverview.shtm
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 US Army Corps of Engineers Norfolk District	United States Army Corps of Engineers (USACE) Norfolk District 803 Front Street, ATTN: CENAO-WR-R Norfolk, Virginia 23510-1011 Phone: (757) 201-7652, Fax: (757) 201-7678 Website: http://www.nao.usace.army.mil/Missions/Regulatory.aspx
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	Virginia Department of Environmental Quality (DEQ) Virginia Water Protection Permit Program Post Office Box 1105 Richmond, Virginia 23218 Phone: (804) 698-4000 Website: http://www.deq.virginia.gov/
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	LOCAL WETLANDS BOARD (LWB) CONTACT INFORMATION: Links to LWB information on the Web can be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html In addition, the phone numbers listed below can be used to contact the LWB. Please be advised that these phone numbers are subject to change at any time.
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Accomack County (757) 787-5721, Cape Charles (757) 331-3259, Charles City County (804) 829-9296, Chesapeake (757) 382-6248, Colonial Heights (804) 520-9275, Essex County (804) 443-4951, Fairfax County (703) 324-1364, Fredericksburg (540) 372-1179, Gloucester County (804) 693-2744, Hampton (757) 727-6140, Hopewell (804) 541-2267, Isle of Wight County (757) 365-6211, James City County (757) 253-6673, King and Queen County (804) 769-4978, King George County (540) 775-7111, King William County (804) 769-4927, Lancaster County (804) 462-5220, Mathews County (804) 725-5025, Middlesex County (804) 758-0500, New Kent County (804) 966-9690, Newport News (757) 247-8437, Norfolk (757) 664-4368, Northampton County (757) 678-0442, Northumberland County (804) 580-8910, Poquoson (757) 868-3040, Portsmouth (757) 393-8836, Prince William County (703) 792-6984, Richmond County (804) 333-3415, Stafford County (540) 658-8668, Suffolk (757) 923-3650, Virginia Beach (757) 427-8246, Westmoreland County (804) 493-0120, West Point (804) 843-3330, Williamsburg (757) 220-6130, York County (757) 890-3538

- ❖ 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 # 24-1223

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) ☐	Regional Permit 17 (RP-17) ☐			
NWP # _____ (For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)				
County or City in which the project is located: <u>WILLIAMSBURG</u>				
Waterway at project site: <u>JAMES RIVER</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

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:
GOVERNOR'S LAND FOUNDATION
2700 TWO RIVERS RD
WILLIAMSBURG, VA 231857685
Home () _____
Work () _____
Fax () _____
Cell (757) 2536976
e-mail annegovland@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:
LIVING SHORELINES LLC
RANDOLPH W CARNELL JR
513 DANDY LOOP ROAD
YORKTOWN, VA 23692
Home () _____
Work () _____
Fax () _____
Cell (757) 620-9530
e-mail LivingShorelinesLLC@gmail.com
State Corporation Commission Name and ID Number (if applicable) 11328394

*** 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.

Living Shoreline

Rip Rap Sill - 60LF top centerline
Class III Armor Granite Stone
Class I Core Stone
2200sqft
Approx 375tons

Clean course washed concrete sand nourishment landward of sill
Approx 1950sqft
Approx 120CY

Spartina Patens planting schedule in tidal range 1.5'x1.5' grid spacing
Approx 1275sqft wetlands gain

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:

Waters Edge Construction
P.O. Box 352
Toano, VA

Contact Information:

Home () _____

Work (757) 5660149

Fax () _____

Cell (757) 880-8503

email _____

State Corporation Commission Name and ID Number (if applicable) dwinall@wecmarine.com

*** 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

() _____

7. Give the following project location information:

Street Address (911 address if available) 1635 HARBOR ROAD

Lot/Block/Parcel# 4320700001A

Subdivision Governors Land

City / County WILLIAMSBURG ZIP Code 23185

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

37°14'32.63"N / - 76°51'47.62"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.*

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."

Shoreline Erosion Mitigation

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 OR GRADING

11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? ☐ Yes ☒ No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.

12. Approximate cost of the entire project (materials, labor, etc.): \$ 75,000
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 75,000

13. Completion date of the proposed work: TBD -

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.

Not Applicable

Governors Land Foundation Property

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

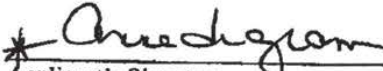
PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that 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.

GOVERNORS LAND FOUNDATION

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

* 
Applicant's Signature

(Use if more than one applicant)

2/22/2024
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), GOVERNORS LAND FOUNDATION, hereby certify that I (we) have authorized LIVING SHORELINES LLC
(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.

Randolph W Carnell Jr.
Digitally signed by Randolph W Carnell Jr.
Date: 2024.02.21 13:56:55 -05'00'

(Agent's Signature)

2/21/2024

(Date)

* Anne Logan

(Applicant's Signature)

2/22/2024

(Date)

(Use if more than one agent)

(Use if more than one applicant)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), GOVERNORS LAND FOUNDATION, have contracted WATERS EDGE CONSTRUCTION
(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.

Waters Edge Construction
Contractor's name or name of firm

Daniel R. Minnall President
Contractor's signature and title

* Anne Logan
Applicant's signature

2/22/2024

Date

P.O. Box 352 Townsh 23168
Contractor's or firms address

Contractor's License Number

(use if more than one applicant)

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:

Living Shoreline

Rip Rap Sill - 60LF top centerline
Class III Armor Granite Stone
Class I Core Stone
2200sqft
Approx 375tons

Clean course washed concrete sand nourishment landward of sill
Approx 1950sqft
Approx 120CY

Spartina Patens planting schedule in tidal range 1.5'x1.5' grid spacing
Approx 1275sqft wetlands gain

2. What is the maximum encroachment channelward of mean high water? 50 feet.
Channelward of mean low water? 40 feet.
Channelward of the back edge of the dune or beach? feet.
3. Please calculate the square footage of encroachment over:
- | | |
|--------------------------|---------------------------|
| • Vegetated wetlands | <u>0.0</u> square feet |
| • Non-vegetated wetlands | <u>1325.0</u> square feet |
| • Subaqueous bottom | <u>625.0</u> square feet |
| • Dune and/or beach | <u> </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.

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.

SEE LAYOUT PLAN DRAWING No. LS05152024B

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

Core (inner layer) material 25-100 pounds per stone Class size I

Armor (outer layer) material 500-1500 pounds per stone Class size III

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

- Volume of material

<u>40</u>	cubic yards channelward of mean low water
<u>80</u>	cubic yards landward of mean low water
<u>120</u>	cubic yards channelward of mean high water
<u>0</u>	cubic yards landward of mean high water

- Area to be covered

<u>625</u>	square feet channelward of mean low water
<u>1325</u>	square feet landward of mean low water
<u>1950</u>	cubic yards channelward of mean high water
<u>0</u>	cubic yards landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay): 100% Sand

- Method of transportation and placement:

Land via skid steer

- 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>:

SPARTINA PATENS TO BE PLANTED BETWEEN APRIL AND JUNE.

ONE HALF OUNCE OF SLOW RELEASE FERTILIZER (10-10-10) PLACED IN HOLE AT TIME OF PLANTINGS. AREA CLEARED OF TRASH AND DEBRIS DAILY TO PROMOTE HEALTHY GROWTH. 18" OC SPACING LANDWARD OF THE BACK EDGE OF THE SILL IN TIDAL RANGE.



General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov
jamescitycountyva.gov

Capital Projects
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Fleet
103 Tewning Road
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**Stormwater and
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Williamsburg, VA 23185
757-259-6670

Facilities & Grounds
113 Tewning Road
Williamsburg, VA 23188
757-259-4080

Solid Waste
1204 Jolly Pond Road
Williamsburg, VA 23188
757-565-0971

Mr. Brad Reams
Virginia Marine Resources Commission
380 Fenwick Rd
Fort Monroe, VA 23651

RE: WJPA-24-0017
1635 Harbor Road
Installation of living shoreline

September 19, 2024

Dear Adjacent Property Owner:

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Sincerely,

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Center for Coastal Resources Management
PO Box 1346
Gloucester Point, VA 23062

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Department of Wildlife Resources
PO Box 11104
Richmond, VA 23230

RE: WJPA-24-0017
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DEQ TRO VWP
5636 Southern Boulevard
Virginia Beach, VA 23462

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DUSTON, TIMOTHY
1620 HARBOR RD
WILLIAMSBURG, VA 23185-7632

RE: WJPA-24-0017
1635 Harbor Road
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FORSYTH, JODY W & QUAN-FORSYTH, WILMA J
262 CRANBROOK VIEW SE
CALGARY AB T3M 1W6, 0

RE: WJPA-24-0017
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GOVERNOR'S LAND FOUNDATION
2700 TWO RIVERS RD
WILLIAMSBURG, VA 23185-7600

RE: WJPA-24-0017
1635 Harbor Road
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GOVERNOR'S LAND FOUNDATION
1400 TWO RIVERS RD
WILLIAMSBURG, VA 23185-7685

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Mr. Daniel Winall
Waters Edge Construction
PO Box 352
Toano, VA 23168-68

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Regulatory Branch US Army Corps of Engineers
803 Front Street
Norfolk, VA 23508

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ROTH, WILLIAM JAMES & HUDGINS, MARA R
1619 HARBOR RD
WILLIAMSBURG, VA 23185-7632

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Virginia Department of Transportation
4451 Ironbound Road
Williamsburg, VA 23188

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Adjacent Property Owner Mailing List for Case Number: WJPA-24-0017

PIN	Last Name	Address Line 1	City	State	Zip Code
	Brad Reams Virginia Marine Resources Commission	380 Fenwick Rd	Fort Monroe	VA	23651
	Center for Coastal Resources Management	PO Box 1346	Gloucester Point	VA	23062
	Department of Wildlife Resources	PO Box 11104	Richmond	VA	23230
	DEQ TRO VWP	5636 Southern Boulevard	Virginia Beach	VA	23462
4320700029	DUSTON, TIMOTHY	1620 HARBOR RD	WILLIAMSBURG	VA	23185-7632
4321400003	FORSYTH, JODY W & QUAN-FORSYTH, WILMA	262 CRANBROOK VIEW SE	CALGARY AB T3M 1W6		0
4321400001C	GOVERNOR'S LAND FOUNDATION	2700 TWO RIVERS RD	WILLIAMSBURG	VA	23185-7600
4320700001A	GOVERNOR'S LAND FOUNDATION	1400 TWO RIVERS RD	WILLIAMSBURG	VA	23185-7685
	Mr. Daniel Winall Waters Edge Construction	PO Box 352	Toano	VA	23168-68
	Regulatory Branch US Army Corps of Engineers	803 Front Street	Norfolk	VA	23508
4320700030	ROTH, WILLIAM JAMES & HUDGINS, MARA R	1619 HARBOR RD	WILLIAMSBURG	VA	23185-7632
	Virginia Department of Transportation	4451 Ironbound Road	Williamsburg	VA	23188



PUBLIC HEARING NOTICE

THE WETLANDS BOARD AND CHESAPEAKE BAY BOARD OF JAMES CITY COUNTY, VIRGINIA, WILL HOLD PUBLIC HEARINGS ON **WEDNESDAY, OCTOBER 9, 2024 AT 5:00 P.M.** IN THE COUNTY GOVERNMENT CONFERENCE ROOM OF BUILDING F, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

THE WETLANDS BOARD WILL CONSIDER THE FOLLOWING CASES:

WJPA-24-0017: Mr. Randolph Carnell, Living Shorelines, LLC, on behalf of Governor's Land Foundation, has applied for a Wetlands Permit for the installation of a living shoreline on property located at 1635 Harbor Road, JCC Real Estate Tax Map Parcel No. 4320700001B.

THE CHESAPEAKE BAY BOARD WILL CONSIDER THE FOLLOWING CASES:

CBPA-24-0070: Mr. Jim Duguay, Performance Contracting, on behalf of James T Duguay Jr, Inc., has applied for a Chesapeake Bay Exception for the construction of an attached deck on property located at 113 Indian Circle, JCC Tax Map Parcel No. 5920200019.

CBPA-24-0112: Mr. Richard Seay, Eastwood Homes, on behalf of Eastwood Homes of Richmond, LLC, has applied for a Chesapeake Bay Exception for the construction of an attached deck on property located at 4404 Landfall Drive, JCC Tax Map Parcel No. 4732400086.

CBPA-24-0091: Mr. Brian Kemp, Hertzler & George, on behalf of Mr. Gary and Ms. Nancy Lee Leighton, has applied for a Chesapeake Bay Exception for the construction of a patio and installation of a fence on property located at 9931 Walnut Creek, JCC Tax Map Parcel No. 0520300015.

CBPA-24-0079: Mr. Steven Rowe, Resilient Design Consultants, LLC, on behalf of Luck Stone Corporation, has applied for a Chesapeake Bay Exception for the expansion of a parking lot on property located at 7734 Richmond Road, JCC Tax Map Parcel No. 1330100001.

CBPA-24-0111: Mr. Chase Grogg, LandTech Resources, Inc., on behalf of Mr. Gary W. and Ms. Deborah L. Besnier, has applied for a Chesapeake Bay Exception for the construction of an attached garage, shed and driveway expansion on property located at 4025 S Riverside Drive, JCC Tax Map Parcel No. 1910300007 and 4027 S Riverside Drive, JCC Tax Map Parcel No. 1910300006.

Appeals from decisions under the Chesapeake Bay Preservation Ordinance may also be heard.

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 – September 25, 2024 and October 2, 2024

ACCOUNT NO. CU00015112

VIRGINIA GAZETTE

1/8 PAGE, VERTICAL, B/W