

# Virginia Marine Resources Commission

## Permit Application 20201545

*Printed: Tuesday August 25, 2020 12:30 PM*



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**Applicant:** Jimmy Van Cleave  
1304 Dandy Loop Road  
Yorktown, VA 23692

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<b>Application Number:</b>	20201545	<b>Engineer:</b>	Allison Lay
<b>Application Date:</b>	August 24, 2020	<b>Locality:</b>	York
<b>Permit Type:</b>		<b>Waterway:</b>	
<b>Permit Status:</b>	Pending	<b>Expiration Date:</b>	
<b>Wetlands Board Action:</b>		<b>Public Hearing Date:</b>	
<b>Project Description:</b>	Riprap		

- ❖ 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](http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html).

FOR AGENCY USE ONLY	
	Notes:
	JPA #



## APPLICANTS

### Part 1 – General Information

**PLEASE PRINT OR TYPE ALL ANSWERS:** If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

<i>Check all that apply</i>				
Pre-Construction Notification (PCN) <input type="checkbox"/>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
NWP # _____ (For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)				
<b>County or City in which the project is located:</b> <u>York County</u>				
<b>Waterway at project site:</b> <u>Back Creek</u>				
<b>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)</b>				
Historical information for past permit submittals can be found online with VMRC - <a href="https://webapps.mrc.virginia.gov/public/habitat/">https://webapps.mrc.virginia.gov/public/habitat/</a> - or VIMS - <a href="http://ccrm.vims.edu/perms/newpermits.html">http://ccrm.vims.edu/perms/newpermits.html</a>				
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

Anna Drake

## Part 1 - General Information (continued)

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

Jimmy Van Cleave  
1304 Dandy Loop Rd  
Yorktown, VA. 23692

Home ( ) \_\_\_\_\_  
Work ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Cell ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

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):

Wade Webb  
PO box 597  
North, VA. 23128

Contact Information:

Home ( ) \_\_\_\_\_  
Work ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Cell (804 )6954963  
e-mail wlrwebb@gmail.com

State Corporation Commission Name and ID Number (if applicable) \_\_\_\_\_

**\* If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

Deliver class 1 and 2 stone to site. Access through yard. Remove top course of existing rock revetment. Excavate trench behind revetment. Install filter cloth in trench. Install stone in trench to raise revetment by 2-3 feet. Install new stone on revetment face to fill existing voids. Revetment 230 feet long. Stabilize yard with grass mat and seed. No clearing. No channelward encroachment.

## 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:

Blackwater Pier and Dock  
Box 597  
North, VA. 23128

Contact Information:

Home ( ) \_\_\_\_\_  
Work ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Cell ( ) \_\_\_\_\_  
email \_\_\_\_\_

State Corporation Commission Name and ID Number (if applicable) \_\_\_\_\_

**\* If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Telephone number

( ) \_\_\_\_\_

7. Give the following project location information:

Street Address (911 address if available) 1304 Dandy Loop Rd

Lot/Block/Parcel# \_\_\_\_\_

Subdivision Dandy

City / County Yorktown ZIP Code 23692

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

37.2194543 / -76.4226508 (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."

Prevent erosion

## Part 1 - General Information (continued)

9. Proposed use (check one):  
 Single user (private, non-commercial, residential)  
 Multi-user (community, commercial, industrial, government)
10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*  
Access kept to single lane path. Stabilize yard on completion.
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.): \$ td  
Approximate cost of that portion of the project that is channelward of mean low water:  
\$ td
13. Completion date of the proposed work: October - 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.

## 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.

Jimmy Van Cleave  
Applicant's Legal Name (printed/typed)

\_\_\_\_\_  
(Use if more than one applicant)

Jimmy Van Cleave  
Applicant's Signature

\_\_\_\_\_  
(Use if more than one applicant)

7/9/20  
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), Jimmy Van Cleave, hereby certify that I (we) have authorized Wade Webb  
(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.

Wade Webb  
(Agent's Signature)

\_\_\_\_\_  
(Use if more than one agent)

7/9/20  
(Date)

Jimmy Van Cleave  
(Applicant's Signature)

\_\_\_\_\_  
(Use if more than one applicant)

7/9/20  
(Date)

### 3. Applicant's having contractors (if applicable)

#### CONTRACTOR ACKNOWLEDGEMENT

I (we), Jimmy Van Cleave, have contracted Blackwater  
(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.

Blackwater  
Contractor's name or name of firm

\_\_\_\_\_  
Contractor's or firms address

Wade Webb  
Contractor's signature and title

\_\_\_\_\_  
Contractor's License Number

Jimmy Van Cleave  
Applicant's signature

\_\_\_\_\_  
(use if more than one applicant)

7/9/20  
Date

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Jack & Melissa Heckle, own land next to (across the water  
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Jimmy & Christie Van Cleve  
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 7/15/2020  
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT \_\_\_\_\_ ABOUT THE PROJECT.

I DO NOT OBJECT X 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).

Melissa Heckle  
Adjacent/nearby property owner's signature(s)

7-15-2020  
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.

Access to adjacent yards not required. All work will be done within our property boundaries. This is simply a removal of existing rip rap and replacement of more substantial rip rap embankment.

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Anthony Stephens, own land next to (across the water  
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Jimmy and Christie Van Cleave  
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated 10 July 20  
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT \_\_\_\_\_ ABOUT THE PROJECT.

I DO NOT OBJECT TD 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).

[Signature]  
Adjacent/nearby property owner's signature(s)

12 July 20  
Date

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

Part 2 - Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), ALEXANDER & MARLENE MENENDES, own land next to (across the water from/on the same cover as) the land of Timothy & Michele Van Cleve (Print adjacent/nearby property owner's name) (Print applicant's name(s))

I have reviewed the applicant's project drawings dated 21 JUL 20 (Date) to be submitted for all necessary federal, state and local permits.

- I HAVE NO COMMENT \_\_\_\_\_ ABOUT THE PROJECT.
- I DO NOT OBJECT X 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).

[Signature]  
Adjacent/nearby property owner's signature(s)  
21 JUL 20  
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.

Access to adjacent yards not required. All work will be done within our property boundaries. This is simply a removal of existing riprap and replacement of more substantial riprap embankment.

## 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](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:

Deliver class 1 and 2 stone to site. Remove top course of rock. Excavate trench behind revetment. Install filter cloth in trench. Fill trench with stone to raise revetment 2-3 feet. Fill voids in revetment face. Stabilize yard. Revetment 230 feet long.

2. What is the maximum encroachment channelward of mean high water? 0 feet.  
Channelward of mean low water? 0 feet.  
Channelward of the back edge of the dune or beach? 0 feet.
3. Please calculate the square footage of encroachment over:
  - Vegetated wetlands 0 square feet
  - Non-vegetated wetlands 0 square feet
  - Subaqueous bottom 0 square feet
  - Dune and/or beach 0 square feet
4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure?      Yes      No.

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

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





Map data ©2020, Map data ©2020 20 ft

Block line  
 Photos Location of trench  
 behind reetment

14 13 12 11



Map data ©2020, Map data ©2020 20 ft

- A1-42'      A6-61'      B1-87'      B6-28'      C11-47'      D11-77'
- A2-51'      A7-95'      B2-90'      B7-41'      C12-55'      D12-81'
- A3-25'      A8-98'      B3-412'      B8-46'      C13-55'      D13-100'
- A4-32'      A9-71'      B4-48'      B9-50'      C14-58'      D14-110'
- A5-58'      A10-75'      B5-21'      B10-55'

Filter Cloth

