

**STAFFORD COUNTY  
WETLANDS BOARD  
AGENDA**

REGULAR MEETING  
MONDAY  
April 18, 2011  
7:00 PM

*Conference Rooms ABC  
Stafford County Administration Center*

- A. Call to Order
- B. Determination of a Quorum
- C. Public Presentations

**APPROVAL OF MEETING MINUTES**

- 1. February 28, 2011.

**PUBLIC HEARINGS**

- 2. Wetlands Permit WB11-05 - wetlands permit for Hope Springs Marina, LLC, applicant, to extend two (2) existing tending piers by sixty (60) feet at Hope Springs Marina on Assessor's Parcel 31-33PA, Aquia Creek.

**OLD BUSINESS**

None

**NEW BUSINESS**

- 3. Review of recently submitted applications

VMRC# 11-0484	John M. Scott Trust (pier/boatlift)
VMRC# 11-0485	John M. Scott Trust (pier/boatlift)
VMRC# 11-0517	Truslow Kelly Investments LLC (non-tidal)

**CHAIRMAN'S REPORT**

**STAFF REPORT**

**ADJOURNMENT**

**Board of Supervisors**

**Mark Dudenhefer**

Chairman

**Paul V. Milde, III**

Vice Chairman

**Harry E. Crisp, II**

**Gary F. Snellings**

**Cord A. Sterling**

**Susan B. Stimpson**

**Robert "Bob" Woodson**



**County Administrator**

Anthony J. Romanello, ICMA-CM

April 13, 2011

**MEMORANDUM TO:** Stafford County Wetlands Board

**FROM:** Jeffrey A. Harvey, AICP  
Director of Planning and Zoning

**SUBJECT:** **Wetlands Permit Application: VMRC#11-0243  
AP# 1100064; Hope Springs Marina, LLC**

**ATTACHMENTS:**

1. Location Map.
2. Aerial photograph of the site.
3. VMRC Application #11-0243, dated February 23, 2011.
4. Proposed Resolution WB11-05.
5. Proposed Resolution WB11-06.
5. Report from the Virginia Institute of Marine Science, dated April 4, 2011.
6. Letter from the Army Corps of Engineers, dated March 15, 2011.
7. Letter from the Virginia Marine Resources Commission, dated March 16, 2011.
8. Photographs of the site, taken on the 7<sup>th</sup> of April, 2011.

**ISSUE:**

Consider the application of Hope Springs Marina, LLC to extend two (2) existing tending piers by sixty (60) feet on Assessor's Parcel 31-33P, Aquia Creek.



Memorandum to: Wetlands Board  
Page 2  
April 13, 2011

BACKGROUND:

The proposed extension of the existing tending piers requires a wetlands permit as it is not a permitted use pursuant to Section 27-18 of the Stafford County Wetlands Ordinance entitled "Permitted Uses". The purpose of the extension of the tending piers is to provide additional mooring for boats waiting to be moved to storage. The existing tending piers are both 56 feet in length and 5 feet wide. The proposed extensions of 60 feet would result in the piers each being a total of 116 feet in length.

Wetlands Board staff visited Hope Springs Marina on the 7<sup>th</sup> April, 2011. The tending piers to be extended are the last two piers on the southern end of the marina, immediately north of the CSX train tracks. The three existing tending piers to the north of the site each measure approximately 140 feet in length. The boat slip piers measure more than 500 feet in length. The shoreline in the vicinity of the tending piers consists of a seawall with a concrete pad area leading up to the parking lot and boatels. No wetlands vegetation was identified on site. Submerged aquatic vegetation (SAV) was also not observed in the vicinity of the proposed extensions.

The report from the Virginia Institute of Marine Science contains recommendations to prevent pollution of the waterway. Correspondence from the Army Corps of Engineers' letter authorizes the project under the Corps Regional Permit Number (18). A permit will also be required from VMRC.

ALTERNATIVES:

The following alternatives are available to the Board:

1. Adopt proposed Resolution WB11-05, which approves the request.
2. Adopt proposed Resolution WB11-06, which denies the request.
3. Take no action at this time.

RECOMMENDATION:

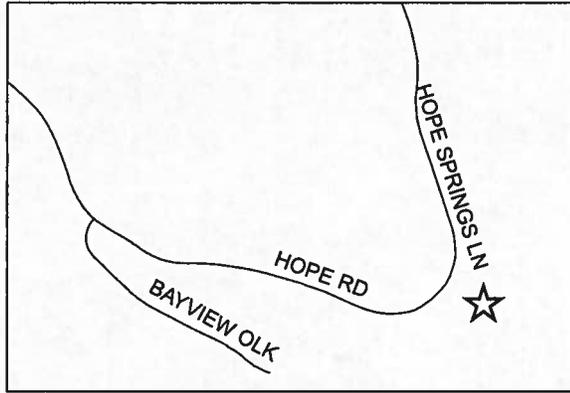
Staff recommends that the Wetlands Board adopt Resolution WB011-05 which approves the request as the proposed extension of the tending piers will not significantly affect any tidal wetlands.

JAH:acf

Attachments (8)

cc: James Franklin, Hope Springs Marina, Applicant  
Dan Bacon, VMRC

Property & Location



Hope Springs Marina, LLC  
4 Hope Springs Lane  
Assessor's Parcel 31-33PA  
VMRC #11-0243



4-12-2011

Stafford County Department of  
Planning & Zoning  
P.O. Box 339, Stafford, VA 22555  
(540) 658 - 8668



2 pts

HOPE SPRING

HOPE

AQUIA

## Part 1 – General Information

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

County or City in which the project is located: <u>STAFFORD</u>
Waterway at project site: <u>ADUIA CREEK</u>

1. Applicant's name and complete mailing address: Contact Information:  
(If multiple applicants, each must sign the applicant signature page)  
HADPE SPRINGS MARINA, L.L.C.  
4 HADPE SPRINGS LANE  
STAFFORD, VA 22554
Home ( ) \_\_\_\_\_  
Work (540) 657-1128  
Fax ( ) \_\_\_\_\_  
Cell/ Pager ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_
2. Property owner(s) name and complete address, if different from applicant Contact Information:  
SAME AS ABOVE
Home ( ) \_\_\_\_\_  
Work ( ) \_\_\_\_\_  
Fax ( ) \_\_\_\_\_  
Cell/ Pager ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_
3. Authorized agent name and complete mailing address (if applicable): Contact Information:  
BAYSHORE DESIGN, LLC  
P.O. BOX 339  
KINSALE, VA 22488
Home ( ) \_\_\_\_\_  
Work (804) 472-4439  
Fax (804) 472-3036  
Cell/ Pager ( ) \_\_\_\_\_  
e-mail TRAC@BAYSHOREDESIGN.COM
4. Provide a detailed description, in the space below, of the project. For example, a description may be "construction of a timber bulkhead, 125 linear feet long, 6 feet high etc". Be sure to include how the construction site will be accessed, especially if clearing and/or grading will be required.

- CONSTRUCT (2) 5' x 60' OPEN PILE TENDING PIER EXTENSIOUS ADJACENT TO EXISTING BOAT (DRY STORAGE) LAUNCH AND RETRIEVE BAYS.

FOR AGENCY USE ONLY	
<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p style="font-size: 2em; opacity: 0.5;">RECEIVED</p> <p style="font-size: 1.2em;">FEB 23 2011</p> <p>MARINE RESOURCES COMMISSION</p> </div>	<p>Notes:</p> <hr/> <p>JPA # <u>11-0243</u></p>

## Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? \_\_\_ Yes\*  No. \*If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name and complete mailing address:

Contact Information:

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

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

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

Cell/ Pager ( ) \_\_\_\_\_

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

FREE LANCE STARZ  
616 AMELIA STREET  
FREDERICKSBURG, VA 22401

(541) 373-5000

7a. Give the following project location information:

Street Address (911 address if available) 4 HOPE SPRINGS LANE - STAFFORD  
Lot/Block/Parcel# PARCEL 33P & 33PA - TAC MAP 31  
Subdivision HOPE SPRINGS MARZINA  
City / County STAFFORD

7b. If the project is located in a rural area, please provide driving directions.

~~RT 687 (HOPE ROAD) EAST OFF RT 111 STAFFORD;~~  
GO APPROX. 3.2 MILES AND TURN LEFT ONTO  
HOPE SPRINGS LANE AND FOLLOW TO HOPE  
SPRINGS MARZINA -

**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.**

## Part 1 - General Information (continued)

8. What is the primary and secondary purpose of 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."

IMPROVE BOAT (DUN STORAGE) LAUNCHING & RETRIEVING OPERATION

9. Proposed use (check one):

- Single user (private, non-commercial, residential)  
 Multi-user (community, commercial, industrial, government)

10. Describe 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. SEE DRAWING SET

11. Have you previously had a site visit, applied to, or obtained a permit from any agency (Federal, State, or Local) for any portion of the project described in this application or any other project at the site?

Yes\*  No \* if you answered "Yes", provide the following information:

<u>Agency / Representative</u>	<u>Activity</u>	<u>Application No.</u>	<u>Action** &amp; Date</u>
	EXISTING BOAT LAUNCH & RETRIEVE FACILITY (BULKHEAD & TENDING PIERS)	PERMITTED UNDER VNR# 02-1408.	

(\*\*Issued, Denied, Withdrawn, or Site Visit)

## Part 1 - General Information (continued)

12. 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.

13. Approximate cost of the entire project (materials, labor, etc.): \$ 15,000  
Approximate cost of that portion of the project which is below mean low water: \$ 15,000

14. List the name and complete mailing address, including zip code, of each adjacent property owner to the project. (NOTE: a property owner/ applicant cannot be their own adjacent property owner. You must give the next owner down the river, creek, etc).

SEE SHEET 1 OF DRAWING SET

## 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.

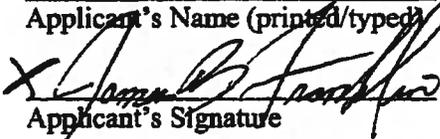
I hereby apply for all necessary permits for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions.

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.

HOPE SPZINKS MAZINA, LLC

Applicant's Name (printed/typed)

(use if more than one applicant)

X 

Applicant's Signature

(use if more than one applicant)

2-18-11

Date

Property owner's name (if different)

(use if more than one owner)

Property owner's signature

(use if more than one owner)

Date

2. Applicants having agents (if applicable)

**CERTIFICATION OF AUTHORIZATION**

HOPE SPRINGS

I, MAZIND, LLC

(Applicant's name)

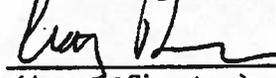
CIZDIO

PAUBIANSKI

(Agent's name)

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.

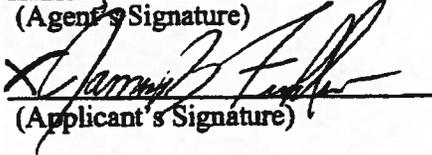
We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.



(Agent's Signature)

2-18-11

(Date)



(Applicant's Signature)

(Use if more than one applicant)

2-18-11

(Date)

## Part 3 – Appendices

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

**Appendix A: Projects for Access to the water** (private and community piers, boathouses, marinas, moorings, boat ramps, aquaculture facilities, etc). Answer all questions that apply.

1. Briefly describe your proposed project.

— CONSTRUCT (2) 5' x 60' OPEN PILE TENDING PIER/  
EXTENSIVE ADJACENT TO EXISTING BOAT (DOZ STORAGE)  
LAUNCH AND RETRIEVE BAYS.

2. For private, noncommercial piers:

What is the overall length of the structure? \_\_\_\_\_ feet.

channelward of Mean High Water? \_\_\_\_\_ feet.

channelward of Mean Low Water? \_\_\_\_\_ feet

What is the total size of any and all L- or T-head platforms? \_\_\_\_\_ sq. ft.

For boathouses, what is the overall size of the roof structure? \_\_\_\_\_ sq. ft.

Will your boathouse have sides? \_\_\_\_\_ Yes \_\_\_\_\_ No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by VMRC, however, pursuant to § 28.2-1203(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, (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.

3. For Corps permits, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information should be included:

- a. Written justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands
- b. Written justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.
- c. Depth soundings across the waterway at increments designated by the Corps project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.). Inclusion of depth sounding data is recommended in order to expedite permit evaluation.

### Part 3 – Appendices (continued)

4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration

5. For **Marinas, Commercial Piers, Community Piers and other non-private piers**, provide the following information:

- A) Have you obtained approval for sanitary facilities from the Virginia Department of Health? YES (required pursuant to Section 28.2-1205C of the Code of Virginia). (OFFICIAL FILE)
- B) Will petroleum products or other hazardous materials be stored or handled at your facility? YES.
- C) Will the facility be equipped to off-load sewage from boats? YES.
- D) How many wet slips are proposed? 0. How many are existing? 178.
- E) What is the area of the piers and platforms that will be constructed over  
 Tidal wetlands 0 square feet  
 Submerged lands 600 square feet

6. For **boat ramps**, what is the overall length of the structure? \_\_\_\_\_ feet.  
 from Mean High Water? \_\_\_\_\_ feet.  
 from Mean Low Water? \_\_\_\_\_ feet.

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

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

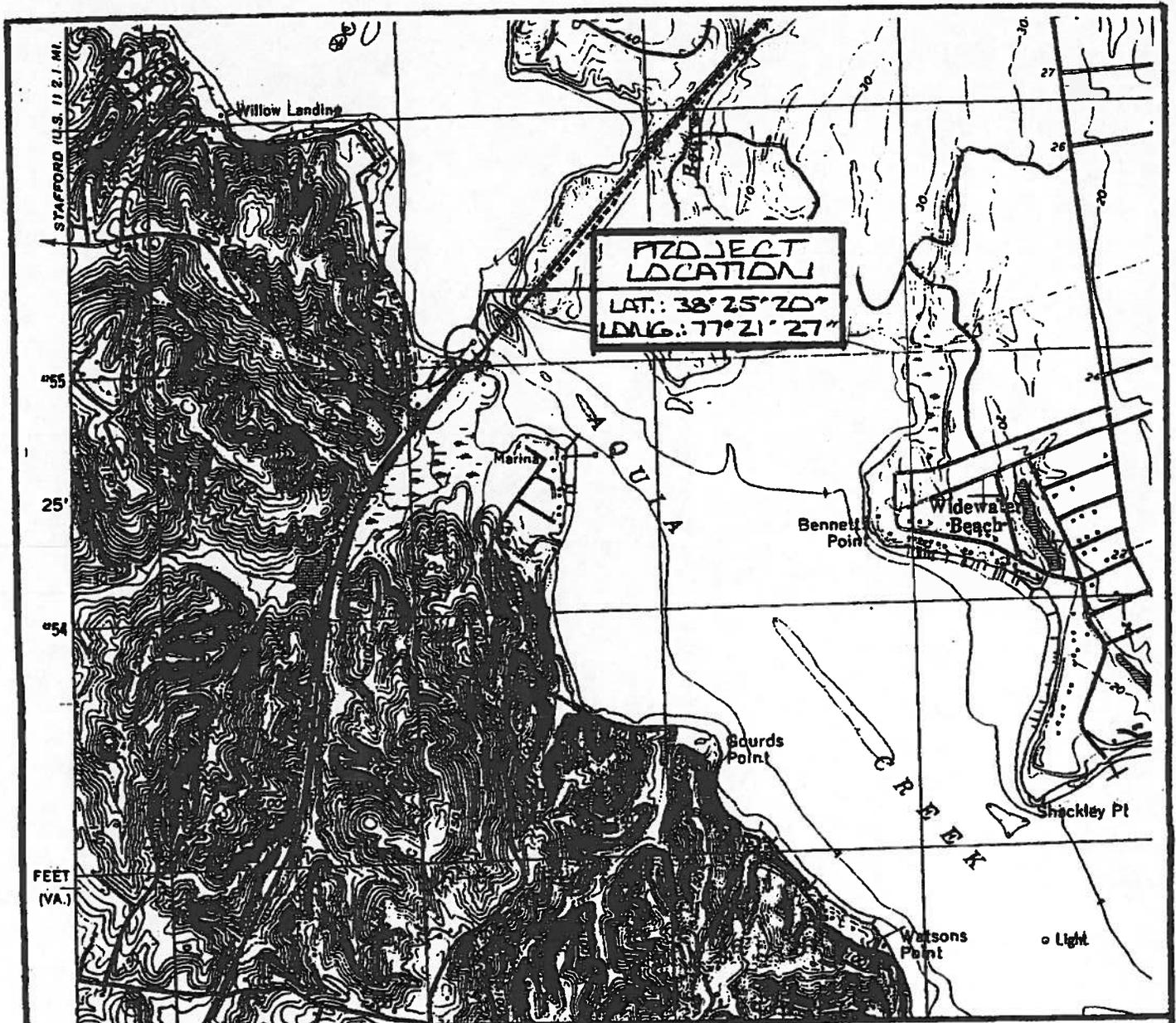
7. For **aquaculture-related structures**:

Will the activity be commercial?    Yes    No

Will the proposed structures be attached to an existing pier or other structure?    Yes    No

What is the maximum area (square feet) of submerged land that will be occupied by the proposed structures? \_\_\_\_\_ square feet.

Describe the activity from time of acquisition of seed or other source material to the time of harvest, the source of the animals/plants, and clearly show distance to all proposed and existing structures and shellfish lease boundaries (if applicable) in your drawings. Include bathymetry (depths), relative to mean low water in your plan view drawing and show the location of any Submerged Aquatic Vegetation (SAV) in the project vicinity. (NOTE: the presence or absence of SAV will be field verified during the project review).



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**VICINITY MAP**

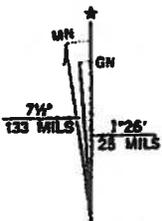
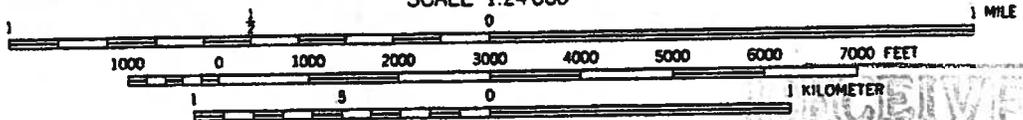
**WIDEWATER QUADRANGLE  
VIRGINIA - MARYLAND**

7.5 MINUTE SERIES (TOPOGRAPHIC - BATHYMETRIC)

SCALE 1:24 000

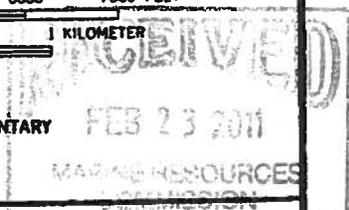


QUADRANGLE LOCATION



UTM GRID AND 1978 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

CONTOUR INTERVAL 10 FEET  
 NATIONAL GEODETIC VERTICAL DATUM OF 1929  
 BATHYMETRIC CONTOUR INTERVAL 1 METER WITH SUPPLEMENTARY  
 0.5 METER CONTOURS - DATUM IS MEAN LOW WATER  
 THE RELATIONSHIP BETWEEN THE TWO DATUMS IS VARIABLE  
 THE MEAN RANGE OF TIDE IS APPROXIMATELY 0.4 METER



**PROPOSED TENDING PIEZ EXTENSIONS  
 HOPE SPRINGS MARINA, L.L.C.  
 AQUIA CREEK — STAFFORD CO.  
 SHT. 2 OF 4 DATE: 2-18-11 BAYSHORE DESIGN, LLC**

# PROPOSED TENDING PIER EXTENSIONS

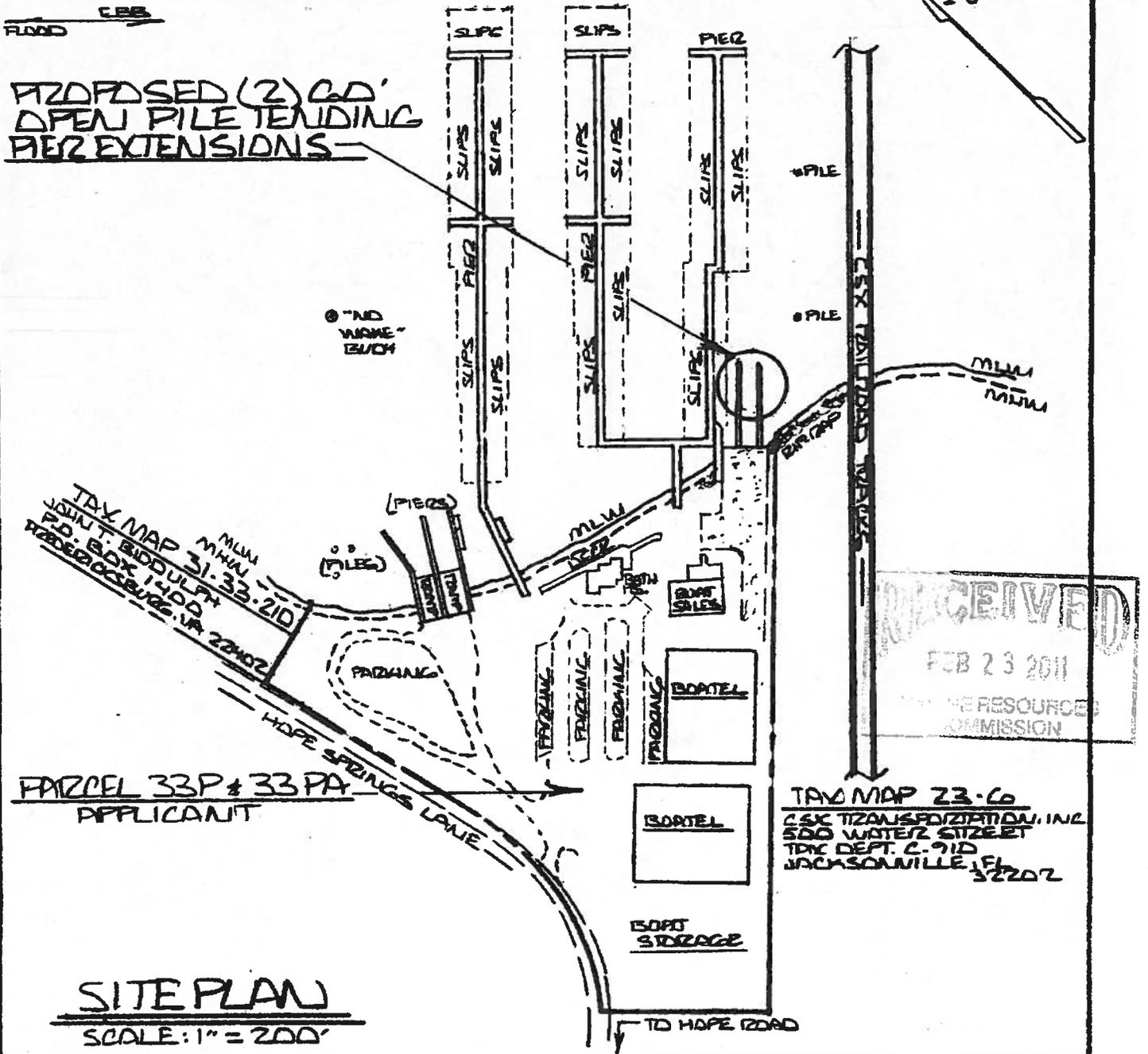
## HOPE SPRINGS MARINA, LLC

4 HOPE SPRINGS LANE STAFFORD, VA 22554

— AQUIA CREEK —

CBS  
FLOOD

PROPOSED (2) 60' OPEN PILE TENDING PIER EXTENSIONS



TAX MAP 31-33-210  
MUN. BIDDULPH  
P.O. BOX 1400  
STAFFORD, VA 22554

PARCEL 33P & 33PA  
APPLICANT

SITE PLAN  
SCALE: 1" = 200'

RECEIVED  
FEB 23 2011  
MARINE RESOURCES  
COMMISSION

TAX MAP 23-60  
CSC TIZANISPOZITATION, INC  
500 WATER STREET  
TRIC DEPT. C-910  
JACKSONVILLE, FL 32202

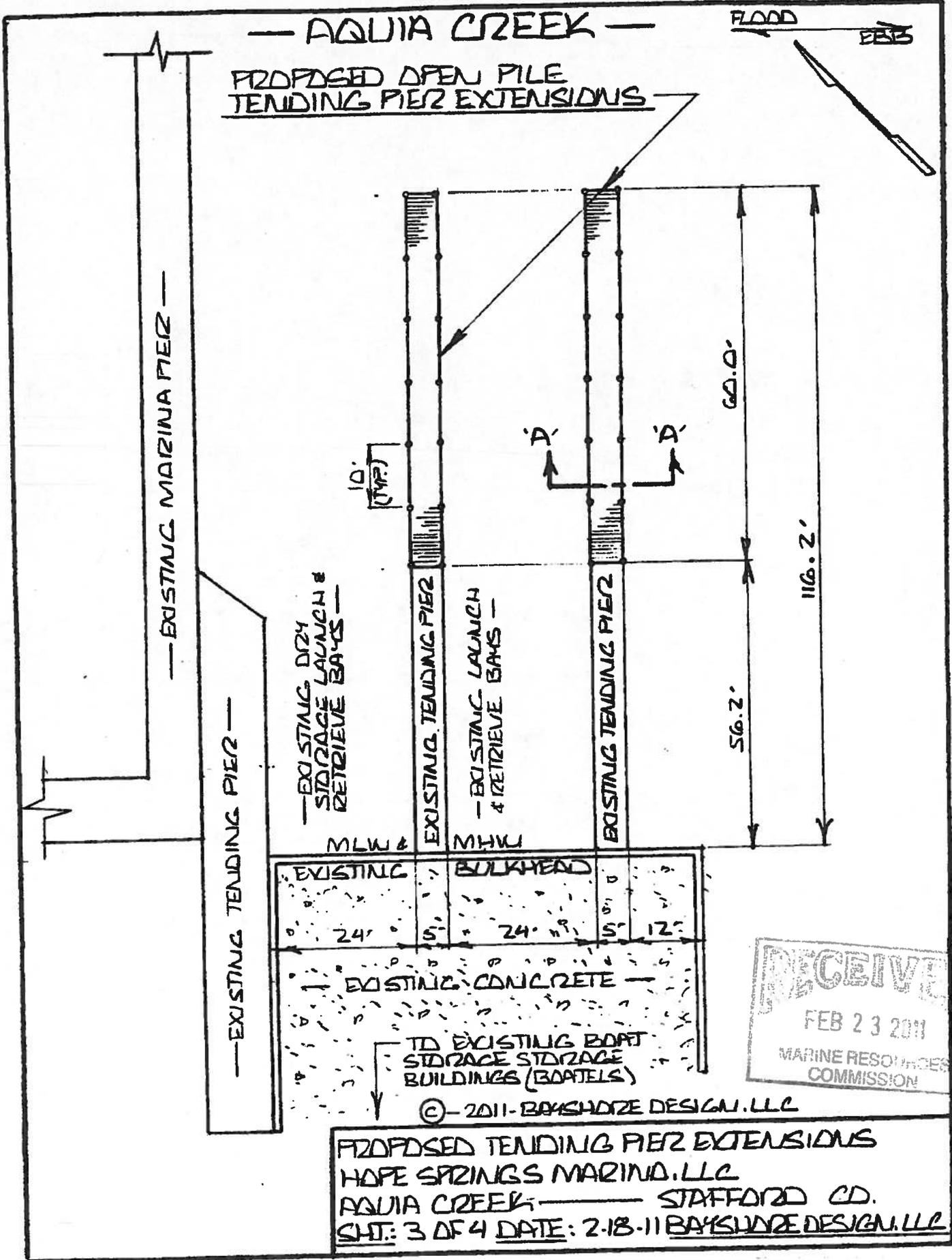
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LOCATION: HOPE SPRINGS MARINA - PARCEL 33P & 33PA, AQUIA DISTRICT TAX MAP 31, STAFFORD COUNTY, VIRGINIA  
PURPOSE: IMPROVE BOAT LAUNCHING & RETRIEVING OPERATIONS  
SHT: 1 OF 4 DATE: 2-18-11 BAYSHORE DESIGN, LLC - KINSALE, VA

— AQUIA CREEK —

FLOOD

PROPOSED OPEN PILE TENDING PIER EXTENSIONS



PROPOSED TENDING PIER EXTENSIONS  
 HOPE SPRINGS MARINA, LLC  
 AQUIA CREEK — STAFFORD CD.  
 SH: 3 OF 4 DATE: 2-18-11 BAYSHORE DESIGN, LLC

RECEIVED  
 FEB 23 2011  
 MARINE RESOURCES  
 COMMISSION

© 2011 BAYSHORE DESIGN, LLC

SCALE: 1/2" = 1'-0"

1/2" TO 12" DIA. BUTT PILES.  
10'-0" C. ALONG PER. DRIVEN  
INTO HARD BOTTOM

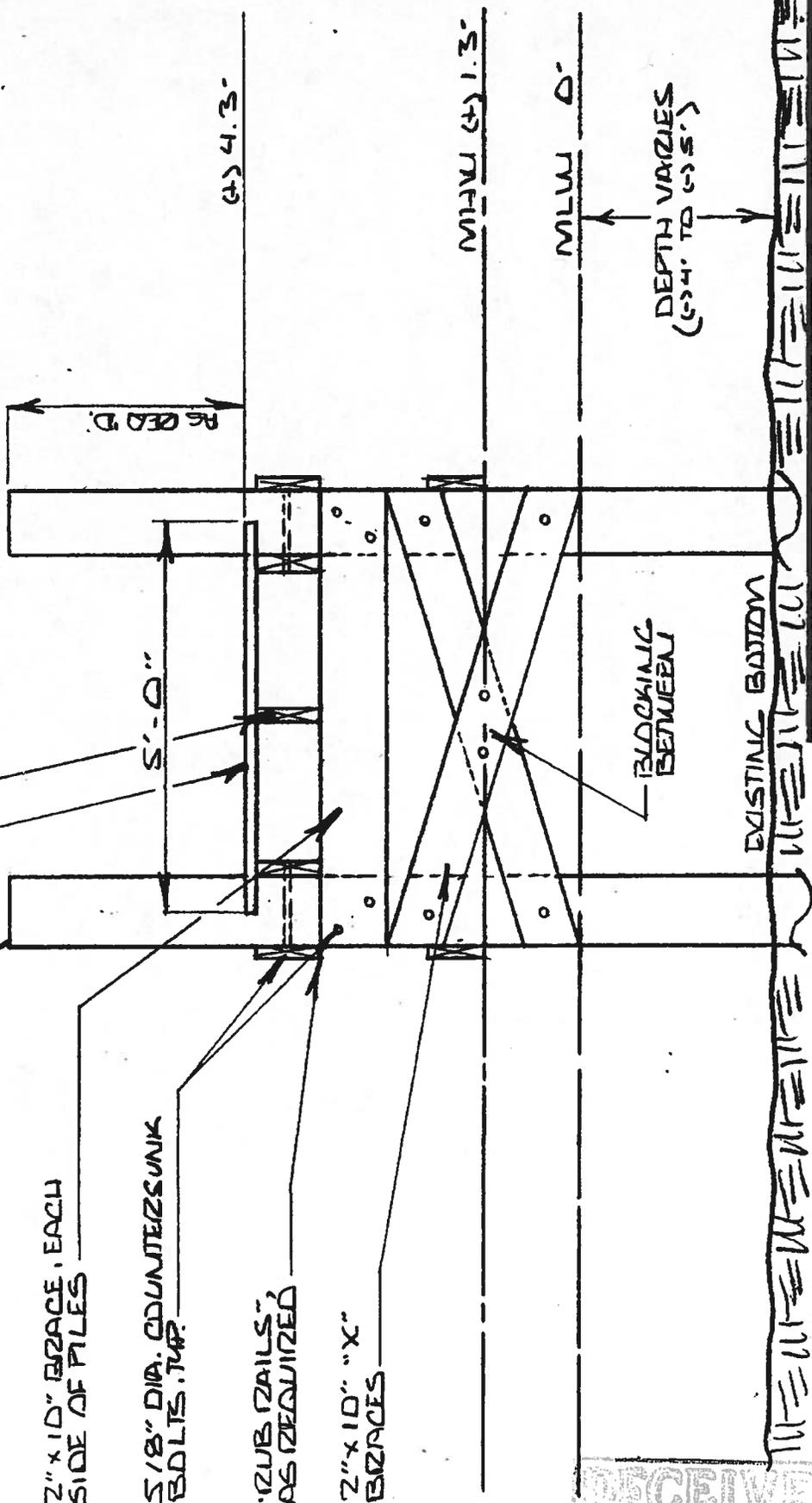
2" X 10" BRACE, EACH  
SIDE OF PILES

5/8" DIA. COUNTERSUNK  
BOLTS, TOP

"RUB ZAILS"  
AS REQUIRED

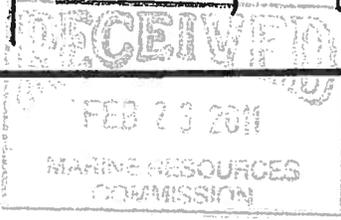
2" X 10" "X"  
BRACES

2" X 8" DECKING  
2" X 10" STRINGER, 3 PLACES



PROPOSED TENDING PER EXTENSIONS  
 HOPE SPRINGS MARINA, LLC  
 PALMIA CREEK — STAFFORD CO.  
 SHT: 4 OF 4 DATE: 2-18-11 BAYSHORE DESIGN, LLC

MATERIALS  
 - ALL LUMBER AND PILES TO BE  
 PRESSURIZE TREATED.  
 - ALL NAILS, BOLTS AND HARDWARE  
 TO BE GALVANIZED



PROPOSED

WETLANDS BOARD  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Wetlands Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 18th day of April, 2011:

---

MEMBERS:

Mary Rust, Chairman  
Benjamin Rudasill, Vice Chairman  
Sam Hess  
Anthony Pineau  
Jim Riutta

VOTE:

---

On the motion of \_\_\_\_, seconded by \_\_\_\_, which carried by a vote of \_\_\_\_, the following was adopted:

A RESOLUTION WHICH APPROVES A WETLANDS PERMIT TO EXTEND TWO (2) EXISTING TENDING PIERS BY SIXTY (60) FEET ON ASSESSOR'S PARCEL 31 33PA, AQUIA CREEK.

WHEREAS, the Stafford County Wetlands Board has received an application from Hope Springs Marina, LLC for a permit for wetlands activities on Assessor's Parcel 31-33P; and

WHEREAS, the Stafford County Wetlands Board has authority under Section 28.2-1302 of the Code of Virginia (1950), as amended, and under Section 27 of the Stafford County Code (Wetlands Zoning Ordinance) to issue a permit for the use or development of activities in a wetlands area; and

WHEREAS, the Stafford County Wetlands Board has given proper notice as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Wetlands Board finds the public and private benefit of the activity exceeds the anticipated public and private detriment; and

WHEREAS, the Stafford County Wetlands Board, upon careful consideration of all comments made at its public hearing and the staff report, desires to grant a wetlands permit;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Wetlands Board on this the 18th day of April, 2011, that the application of Hope Springs Marina, LLC referenced as VMRC# 11-0243, for wetlands activities on Assessor's Parcel 31-33PA, Aquia Creek, be and it hereby is approved with the following condition:

1. The applicant shall notify the Wetlands Board staff to conduct a final inspection.

BE IT FURTHER RESOLVED that this permit for wetlands activities shall expire on April 18<sup>th</sup>, 2012.

---

Wetlands Board Chairman

MR:JAH:acf

PROPOSED

WETLANDS BOARD  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Wetlands Board held in the Board of Supervisors Chambers, Stafford County Administration Center, Stafford, Virginia, on the 18th day of April, 2011:

---

MEMBERS:

Mary Rust, Chairman  
Benjamin Rudasill, Vice Chairman  
Sam Hess  
Anthony Pineau  
Jim Riutta

VOTE:

---

On the motion of \_\_\_\_, seconded by \_\_\_\_, which carried by a vote of \_\_\_\_, the following was adopted:

A RESOLUTION WHICH DENIES A WETLANDS PERMIT TO EXTEND TWO (2) EXISTING TENDING PIERS BY SIXTY (60) FEET ON ASSESSOR'S PARCEL 31 33PA, AQUIA CREEK.

WHEREAS, the Stafford County Wetlands Board has received an application from Hope Springs Marina, LLC, for a permit for wetlands activities on Assessor's Parcel 31-33P; and

WHEREAS, the Stafford County Wetlands Board has authority under Section 28.2-1302 of the Code of Virginia (1950), as amended, and under Section 27 of the Stafford County Code (Wetlands Zoning Ordinance) to issue a permit for the use or development of activities in a wetlands area; and

WHEREAS, the Stafford County Wetlands Board has given proper notice as required by the Code of Virginia (1950), as amended, and the Stafford County Code; and

WHEREAS, the Stafford County Wetlands Board finds the public and private detriment of the activity exceeds the anticipated public and private benefit; and

WHEREAS, the Stafford County Wetlands Board, upon careful consideration of all comments made at its public hearing and the staff report, desires to deny a wetlands permit;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Wetlands Board on this the 18th day of April, 2011, that the application of Hope Springs Marina, LLC referenced as VMRC# 11-0243, for wetlands activities on Assessor's Parcel 31-33PA, Aquia Creek, be and it hereby is denied.

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Wetlands Board Chairman

MR:JAH:acf

# VIMS Shoreline Permit Application Report # 11-0243

**APPLICANT:**

Locality:  
Immediate Waterway:  
Report Date:

**HOPE SPRINGS MARINA, L.L.C.**

**STAFFORD COUNTY**  
Aquia Creek  
4/4/11

## EXISTING SITE CONDITIONS AND PROPOSED ACTION:

The applicant proposes to construct two 5 foot wide by 60 foot long open-pile tending pier expansions adjacent to an existing boat launch situated at an existing marina facility located on Aquia Creek.

Piers and other structures have shading impacts on the waterways. The limitation on sunlight exposure reduces the production of all photosynthetic plants including marsh grasses and micro algae. The loss of the vegetated community structure and the primary production results in an adverse change in the habitat services of the impacted area.

Additional boat launching would potentially increase petroleum products, toxicants, bacteria, and garbage into this waterway.

## THE PREFERRED APPROACH FROM AN INTEGRATED MARINE ENVIRONMENTAL VIEWPOINT:

Locating proposed pier sections where no wetland vegetation exists or ensuring the piers are a minimum height above vegetated wetlands can reduce shading impacts.

Plans to address oil spills in the waterway, and on the upland as necessary, should be in place. Provision of pump-out facilities and restrooms and promotion of their use can reduce bacterial pollution. Marinas should provide and maintain sufficient garbage receptacles to reduce solid waste in the waterway. Use of pump-out facilities and the proper handling of garbage should be promoted with signage.

## RECOMMENDATION(S) SUMMARY:

- \*Provide pollution prevention and emergency spill response plans
- \*Provide adequate pump-out and restroom facilities; and maintain
- \*Provide garbage receptacles; and maintain
- \*Provide signs to encourage proper waterway stewardship



wetlands@vims.edu

Center for Coastal Resources Management

P.O. Box 1346

Gloucester Point, VA 23062-1346

(804)684-7792, fax: (804)684-7179, <http://ccrm.vims.edu/>



## VIMS Shoreline Permit Application Report # 11-0243

### NOTE

The Virginia Institute of Marine Science (VIMS) applies an integrated coastal management perspective during the review of proposed activities on tidal shorelines. The coastal ecosystem has dynamic connections between wetlands, coastal waters and the surrounding landscape. This provides valuable ecosystem services, such as maintaining water quality, shoreline stability, and wildlife habitat. Activities should be designed to avoid adverse impacts to coastal resources. When impacts are unavoidable, every effort should be made to minimize impacts and provide compensation as required.



DEPARTMENT OF THE ARMY  
NORFOLK DISTRICT CORPS OF ENGINEERS  
FORT NORFOLK 803 FRONT STREET  
NORFOLK, VIRGINIA 23510-1096

15 March 2011

**Northern Virginia Regulatory Section**  
NAO 2002-03465 (11-V0243) (Aquia Creek)

Hope Springs Marina, LLC  
4 Hope Springs Lane  
Stafford, Virginia 22554

Dear Hope Springs Marina:

This is in reference to the Department of the Army application (NAO 2002-03465) you have submitted to construct two (2) 60 feet long by 5 feet wide piers adjacent to the existing marina piers. All work will be performed at 4 Hope Springs Lane in Stafford County, Virginia. Your proposed project as described above and depicted on attached drawings entitled "Proposed Tending Pier Extensions, Hope Springs Marina, LLC., 4 Hope Springs Lane, Stafford, VA 22554, Sheets 1-4" and dated February 18, 2011 satisfies the terms and conditions of Norfolk District's Regional Permit 19 (08-RP-19), Activity 5. Provided you follow the general and special terms and conditions of 08-RP-19, as well as, any other special conditions included below, no further authorization will be required from the Corps. **However, you may not begin work authorized via the 08-RP-19 until you have obtained a permit from the Virginia Marine Resources Commission and/or the Local Wetlands Board. This verification is not valid until you obtain their approval.**

Please take note of the special and general conditions incorporated in the 08-RP-19.

**Enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project, including any required mitigation. Your signature on this form certifies that you have completed the work in accordance with the regional permit terms and conditions.**

Activities authorized under the 08-RP-19 must be completed by August 14, 2013. If these RPs are reissued at that time, and if this work has not been started or completed, but the project continues to meet the terms and conditions of the revalidated RPs, then the project will continue to be authorized. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon these RPs that do not meet the terms and conditions of the revalidated RPs will remain authorized provided the activity is completed within twelve months of the date of this RPs' expiration (i.e. August 14, 2014), unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.7. If work cannot be completed by August 14, 2014, you must reapply for separate permit authorization in order to meet current permit criteria. The Norfolk District will issue a special public notice announcing any changes to the Regional Permits when they occur; however, it is incumbent upon you to remain informed of changes to the RPs.

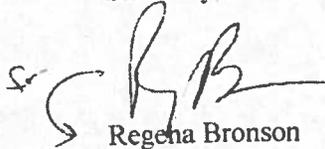
The State Water Control Board provided §401 Water Quality Certification for the 08-RP-19. Therefore, the activities that qualify for this RP meet the requirements of Department of

Environmental Quality's (DEQ) Virginia Water Protection Permit Regulation, if the permittee abides by the conditions of the 08-RP-19. Permits are required from the Virginia Marine Resources Commission and/or your local wetlands board. Please note that you should obtain all required State and local authorizations before you proceed with the project. Furthermore, this authorization does not relieve your responsibility to comply with local requirements pursuant to the Chesapeake Bay Preservation Act (CBPA), nor does it supersede local government authority and responsibilities pursuant to the Act. You should contact your local government before you begin work to find out how the CBPA applies to your project.

The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

If you have any questions, please call 540.548.2838. For, and on behalf of, Nicholas Konchuba, Chief, Northern Virginia Regulatory Section:

Sincerely,

A handwritten signature in black ink, appearing to read 'Regena Bronson', with a small 'sr' and a curved line to the left of the main signature.

Regena Bronson  
Project Manager  
Northern Virginia Regulatory Section

Attachments: 08-RP-19  
Project Drawings  
Certificate of Compliance

Cc:  
Dan Bacon, Virginia Marine Resources Commission- VIA Email  
Bayshore Design, LLC, Kinsale



# COMMONWEALTH of VIRGINIA

## *Marine Resources Commission*

2600 Washington Avenue  
Third Floor  
Newport News, Virginia 23607

Douglas W. Domenech  
Secretary of Natural Resources

Steven G. Bowman  
Commissioner

March 16, 2011

Hope Springs Marina, LLC  
c/o Bayshore Design  
Post Office Box 339  
Kinsale, VA 22488

Re: VMRC #11-0243

Dear Sir or Madam:

I am writing to acknowledge receipt of your modified application describing a project which will require a permit from the Marine Resources Commission.

Prior to commencing your project, you may also need a permit from the following agencies:

1. U. S. Army Corps of Engineers, 803 Front Street, Norfolk, Virginia 23510;
2. Stafford County Wetlands Board, c/o Mr. Mike Zuraf, P.O. Box 339, Stafford, Virginia 22554;

Your application has been forwarded to the U. S. Army Corps of Engineers and Wetlands Boards for processing.

Should you have any questions regarding this matter, please do not hesitate to contact me at (757) 247-2256.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Bacon", written over a circular stamp or seal.

Dan Bacon  
Environmental Engineer

DB/mos

HM

CC: Stafford County Wetlands Board

*An Agency of the Natural Resources Secretariat*

[www.mrc.virginia.gov](http://www.mrc.virginia.gov)

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

