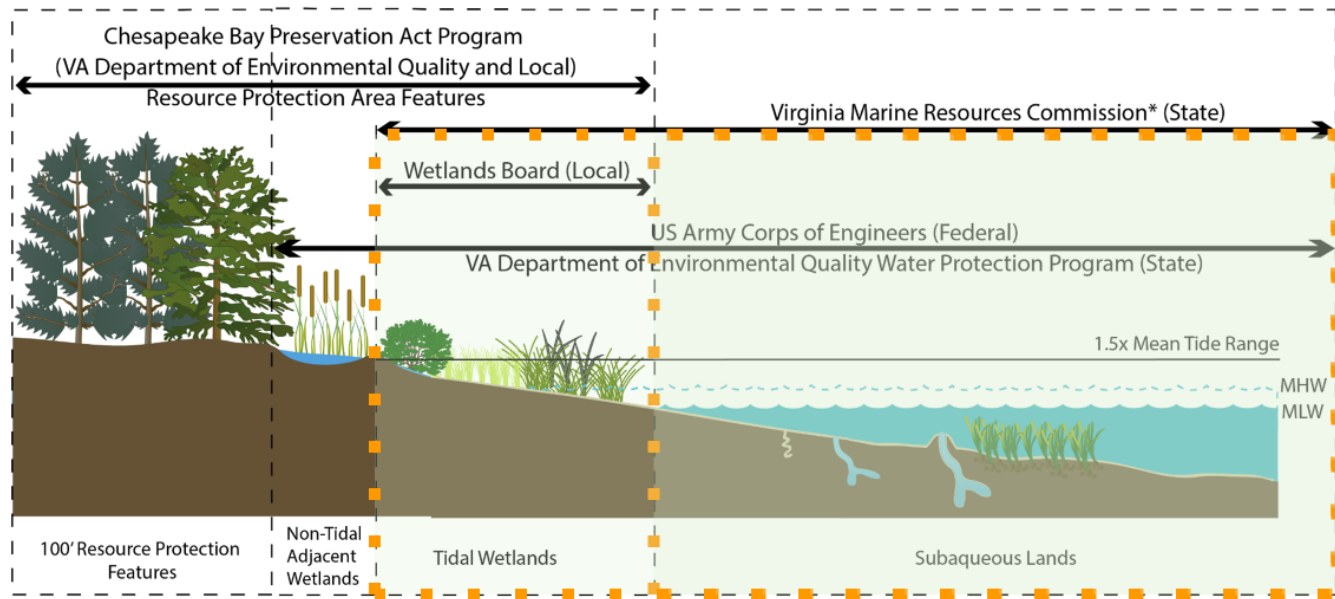


VMRC Living Shoreline General Permits

Jurisdictional Boundaries Tidal Waters



* VMRC has oversight authority for the Tidal Wetlands Act and administers the Act in localities without a wetlands zoning ordinance and local wetlands board.

Virginia Shorezone Jurisdictions: legally defined shoreline resources and the relevant local, state and federal authorities. Note that some authorities cross resource boundaries and most resources have at least two responsible regulatory authorities. Symbols courtesy of the Integration and Application Network (ian.umces.edu/symbols/), University of Maryland Center for Environmental Science.

VMRC Living Shoreline General Permits

Pursuant to §28.2-104.1 of the Code of Virginia, it is the policy of the Commonwealth to support **living shorelines** as the preferred alternative for stabilizing tidal shorelines.

"Living shoreline" means a shoreline management practice that provides erosion control and water quality benefits; protects, restores or enhances natural shoreline habitat; and maintains coastal processes through the strategic placement of plants, stone, sand fill, and other structural and organic materials.



Living Shorelines: Default Approach

Living Shoreline

- Living Shorelines must be the primary approach to shoreline management unless best available science proves one is not suitable.

Mixed Media Shoreline

- When a LS is not suitable, living shoreline approaches should be incorporated where possible.

Rock

- Rock revetments are the next preferred alternative if a LS is not suitable based on best available science.

Code of Virginia 28.2-104.1 Living shorelines; development of general permit; guidance





Living Shoreline Group 1
General Permits (landward of
mean low water)

Important criteria for approval of Group 1 Permits

Proposal cannot extend channelward of mean low water.

No hard components – only sand, plantings, fiber logs and/or shell bags.

Fetch cannot exceed 0.5 mile.

All areas filled with sand must be planted and cannot exceed the (vertical) elevation of jurisdictional tidal wetlands.

Living Shoreline Group I General Permit





Living Shoreline Group 2 General Permits (intertidal and subaqueous)

Important criteria for approval of Group 2 Permits

Adjoining property owners must be notified and express no opposition.

Fetch cannot exceed 1.5 miles.

Maximum depth at sills cannot exceed 2 feet at mean low water, and sills cannot extend more than 30 feet channelward of mean low water.

Sills must have 5-foot-wide gaps or windows per 100 linear feet.

Living Shoreline Group II General Permit



The permitting process

- Virginia Joint Permit Application submitted through VA Marine Resources Commission: <https://www.nao.usace.army.mil/Missions/Regulatory/JPA>
- Fill out application and submit to VMRC which will be distributed to US Army Corps of Engineers, VA DEQ, and the locality
- Address any questions regulatory agencies might have about the application

What is needed for a complete JPA?

- Applicant and Agent contact information, including project location
 - Adjacent Property Owner (APO) contact/mailing information
 - Description of the project, including cost
 - Areas that will be impacted
 - Type of construction and all materials
 - Any proposed stabilization or temporary measures to be used
 - Project drawings (vicinity map, plan view, and cross-sectional view drawings)
 - Staked alignment
- *Information provided in the JPA package must match the information provided in project drawings*

VMRC Resources

- VMRC home page

<https://mrc.virginia.gov/>

- Tidal Wetlands Guidelines

https://mrc.virginia.gov/regulations/Final-Wetlands-Guidelines-Update_05-26-2021.pdf

- Living Shoreline Group I General Permit Regulation

https://mrc.virginia.gov/regulations/MRC_Scanned_Regs/Habitat/FR1300_09-01-15.pdf

- Living Shoreline Group II General Permit Regulation

https://mrc.virginia.gov/regulations/MRC_Scanned_Regs/Habitat/FR1330_11-01-17.pdf

- VMRC Chesapeake Bay Map

https://webapps.mrc.virginia.gov/public/maps/chesapeakebay_map.php