



Permitting Terms

Day 2: Permitting

Terminology	Definition
Tidewater JPA	Joint Permit Application used if you propose to impact tidal waters, wetlands, dunes, or beaches in the Tidewater area. Specific activities eligible to use the Tidewater JPA: piers, boathouses, boat ramps, moorings, marinas, aquaculture facilities, riprap revetments, bulkheads, marsh toe stabilizations, breakwaters, beach nourishment, groins, jetties, road crossings over tidal waterways, and utility lines over or under tidal waterways.
Standard JPA	Joint Permit Application required for dredging and excavation in tidal waters or wetlands.
Vegetated wetlands	"Lands lying between and contiguous to mean low water and an elevation above mean low water equal to the factor one and one-half times the mean tide range at the site of the proposed project in the county, city, or town in question, and upon which is growing any of the following species...." [Code of Virginia § 28.2-1300]
Nonvegetated wetlands	"Unvegetated lands lying contiguous to mean low water and between mean low water and mean high water, including those unvegetated areas of Back Bay and its tributaries and the North Landing River and its tributaries subject to flooding by normal and wind tides but not hurricane or tropical storm tides." [Code of Virginia § 28.2-1300]
Subaqueous land	Submerged lands or bottomlands, refers to state-owned beds of bays, rivers, creeks, or shores channelward of mean low water [Code of Virginia § 28.2-1200]
General Permit	<p>Pertaining to the Virginia Marine Resources Commission: a streamlined process for permitting living shorelines</p> <p>Pertaining to the U.S. Army Corps of Engineers: "A general permit is issued for structures, work or discharges that will result in only minimal adverse effects. General permits are issued on a nationwide, regional, or state basis for particular categories of activities. There are three types of general permits – Nationwide Permits, Regional General Permits, and Programmatic General Permits. General permits are usually valid for five years and may be re-authorized by USACE." [USACE]</p>
Regional Permit	Pertaining to the U.S. Army Corps of Engineers: "A regional general permit is issued for a specific geographic area by an individual USACE District. Each regional general permit has specific terms and conditions, all of which must be met for project-specific actions to be verified." [USACE]
State Programmatic General Permit (SPGP)	Pertaining to the U.S. Army Corps of Engineers: "Programmatic general permits are based on an existing state, local, or other federal program and designed to avoid duplication of that program. A State Programmatic General Permit (SPGP) is a type of permit that is issued by USACE and designed to eliminate duplication of effort between USACE districts and state regulatory programs that provide similar protection to aquatic resources. In some states, the SPGP replaces some or all of the USACE nationwide permits, which results in greater efficiency in the overall permitting process." [USACE]
Dune	"A mound of unconsolidated sandy soil which is contiguous to mean high water, whose landward and lateral limits are marked by a change in grade from ten percent or greater to less than ten percent, and upon which is growing any of the following species ... shall not include any mound of sand, sandy soil, or dredge spoil deposited by any person for the purpose of temporary storage, beach replenishment or beach nourishment, nor shall the slopes of any such mound be used to determine the landward or lateral limits of a coastal primary sand dune." [Code of Virginia § 28.2-1400]

Beach	<p>“The shoreline zone comprised of unconsolidated sandy material upon which there is a mutual interaction of the forces of erosion, sediment transport and deposition that extends from the low water line landward to where there is a marked change in either material composition or physiographic form such as a dune, bluff, or marsh, or where no such change can be identified, to the line of woody vegetation (usually the effective limit of stormwaves), or the nearest impermeable man-made structure, such as a bulkhead, revetment, or paved road.” [Code of Virginia § 28.2-1400]</p>
Resource Protection Area	<p>“That component of the Chesapeake Bay Preservation Area comprised of lands adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts that may result in significant degradation to the quality of state waters.” [9 Virginia Administrative Code § 25-830-40]</p>
Tidal Wetland	<p>“Vegetated and nonvegetated wetlands as defined in § 28.2-1300 of the Code of Virginia.” [9 Virginia Administrative Code § 25-830-40]</p>
Nontidal Wetland	<p>“Those wetlands other than tidal wetlands that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions ...” [9 Virginia Administrative Code § 25-830-40]</p>