

**COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION
PERMIT**

The Commonwealth of Virginia, Marine Resources Commission, hereinafter referred to as the Commission, on this 24th day of October 2024 hereby grants unto:

**Middlesex County
Post Office Box 428
Saluda, VA 23149**

hereinafter referred to as the Permittee, permission to:

 X Encroach in, on, or over State-owned subaqueous bottoms pursuant to Chapter 12, Subtitle III, of Title 28.2 of the Code of Virginia.

 Use or develop tidal wetlands pursuant to Chapter 13, Subtitle III, of Title 28.2 of the Code of Virginia.

Permittee is hereby authorized to mechanically or hydraulically dredge up to 123,550 cubic yards of state-owned submerged lands to maximum depths of minus 10 feet mean low water, including future maintenance cycles as necessary, from the Broad Creek Federal Channel with disposal at a previously approved upland facility in Middlesex County. All activities authorized herein shall be accomplished in conformance with the plans and drawings dated received July 26, 2024, and revised drawings dated received September 6, 2024, which are attached and made a part of this permit.

This permit is granted subject to the following conditions:

- (1) The work authorized by this permit is to be completed by **November 30th, 2029**. The Permittee shall notify the Commission when the project is completed. The completion date may be extended by the Commission in its discretion. Any such application for extension of time shall be in writing prior to the above completion date and shall specify the reason for such extension and the expected date of completion of construction. All other conditions remain in effect until revoked by the Commission or the General Assembly.
- (2) This permit grants no authority to the Permittee to encroach upon the property rights, including riparian rights, of others.
- (3) The duly authorized agents of the Commission shall have the right to enter upon the premises at reasonable times, for the purpose of inspecting the work being done pursuant to this permit.
- (4) The Permittee shall comply with the water quality standards as established by the Department of Environmental Quality, Water Division, and all other applicable laws, ordinances, rules and regulations affecting the conduct of the project. The granting of this permit shall not relieve the Permittee of the responsibility of obtaining any and all other permits or authority for the projects.
- (5) This permit shall not be transferred without written consent of the Commissioner.
- (6) This permit shall not affect or interfere with the right vouchsafed to the people of Virginia concerning fishing, fowling and the catching of and taking of oysters and other shellfish in and from the bottom of acres and waters not included within the terms of this permit.
- (7) The Permittee shall, to the greatest extent practicable, minimize the adverse effects of the project upon adjacent properties and wetlands and upon the natural resources of the Commonwealth.
- (8) This permit may be revoked at any time by the Commission upon the failure of the Permittee to comply with any of the terms and conditions hereof or at the will of the General Assembly of Virginia.
- (9) There is expressly excluded from the permit any portion of the waters within the boundaries of the Baylor Survey.
- (10) This permit is subject to any lease of oyster planting ground in effect on the date of this permit. Nothing in this permit shall be construed as allowing the Permittee to encroach on any lease without the consent of the leaseholder. The Permittee shall be liable for any damages to such lease.
- (11) The issuance of this permit does not confer upon the Permittee any interest or title to the beds of the waters.
- (12) All structures authorized by this permit, which are not maintained in good repair, shall be completely removed from State-owned bottom within three (3) months after notification by the Commission.
- (13) The Permittee agrees to comply with all of the terms and conditions as set forth in this permit and that the project will be accomplished within the boundaries as outlined in the plans attached hereto. Any encroachment beyond the limits of this permit shall constitute a Class 1 misdemeanor.
- (14) This permit authorizes no claim to archaeological artifacts that may be encountered during the course of construction. If, however, archaeological remains are encountered, the Permittee agrees to notify the Commission, who will, in turn notify the Department of Historic Resources. The Permittee further agrees to cooperate with agencies of the Commonwealth in the recovery of archaeological remains if deemed necessary.
- (15) The Permittee agrees to indemnify and save harmless the Commonwealth of Virginia from any liability arising from the establishment, operation or maintenance of said project.

The following special conditions are imposed on this permit:

- (16) The placard accompanying this permit document must be conspicuously displayed at the work site.
- (17) Permittee agrees to notify the Commission upon the start of the activities authorized by this permit.
- (18) The permittee and the contractor are required to contact VMRC staff for a pre-dredging conference prior to the commencement of dredging that shall include an inspection of the dredging areas and a discussion of the terms and conditions of the permit.
- (19) The permittee shall provide a post-dredging bathymetric survey of the dredged areas within thirty (30) days of the completion of the dredging. The survey shall be referenced to mean low water and shall include depth measurements exterior to the limits of the dredge cut. Any area dredged deeper than minus -10.0 feet mean low water will be considered a violation of the permit.
- (20) Maintenance dredging may be conducted through October 31, 2029, provided the Permittee notifies the Commission at least 15 days prior to the commencement of each dredging operation. The maintenance dredging notification shall include a current bathymetric survey, a description of the offloading / disposal site, and verification of authorization to use the site if it is on property not owned by the Permittee.
- (21) Permittee shall separate the silty material from the sandy dredge material (i.e., material comprised of at least 90% sand) within the approved upland storage facility.

| Description of Fees | Amount | Unit of Measure | Rate | Total | Frequency | After-The-Fact |
|--------------------------|--------|-----------------|------|-----------------|-----------|----------------|
| Permit Fee | | | | \$600.00 | One-Time | |
| Total Permit Fees | | | | \$600.00 | | |

This permit consists of 7 Pages

PERMITTEE(S)

BY CHECKING THIS BOX, I certify that I am the Permittee OR the certified agent acting on behalf of all Permittees, that I have read and understood the permit as drafted and accept all of the terms and conditions herein. I agree and understand that checking the box has the same legal authority as a written signature. The provisions of the permit authorization shall be binding on any assignee or successor in interest of the original Permittee(s). In cases where the Permittee is a corporation, agency or political jurisdiction, I certify I have proper authorization to bind the organization to the financial and performance obligations which result from activity authorized by this permit.

PERMITTEE OR CERTIFIED AGENT

DATE TERMS ACCEPTED

AnnMarie Ricardi, Assistant County Administrator
Print Your Name Here

November 22, 2024

PERMITEE

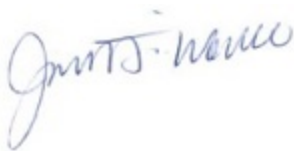
Middlesex County
Post Office Box 428
Saluda, VA 23149

AGENT

Waterway Surveys
Rebecca Francese
321 Cleveland Place
Virginia Beach, VA 23462

COMMISSION

This permit is executed on behalf of the Commonwealth of Virginia, Marine Resources Commission by the undersigned:



Justin Worrell
Deputy Chief, Habitat Management Division

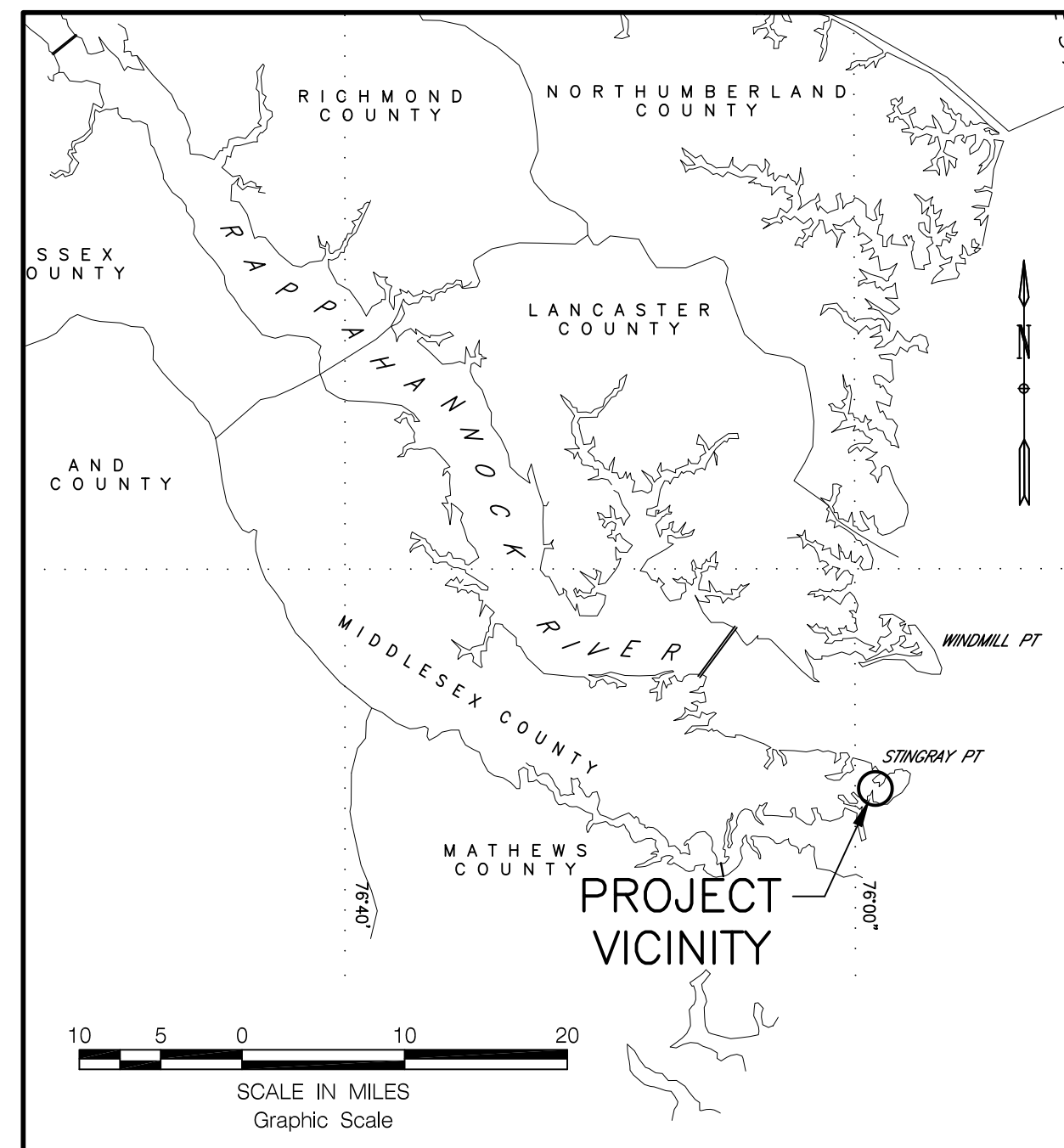
DATE SIGNED
22nd day of November 2024



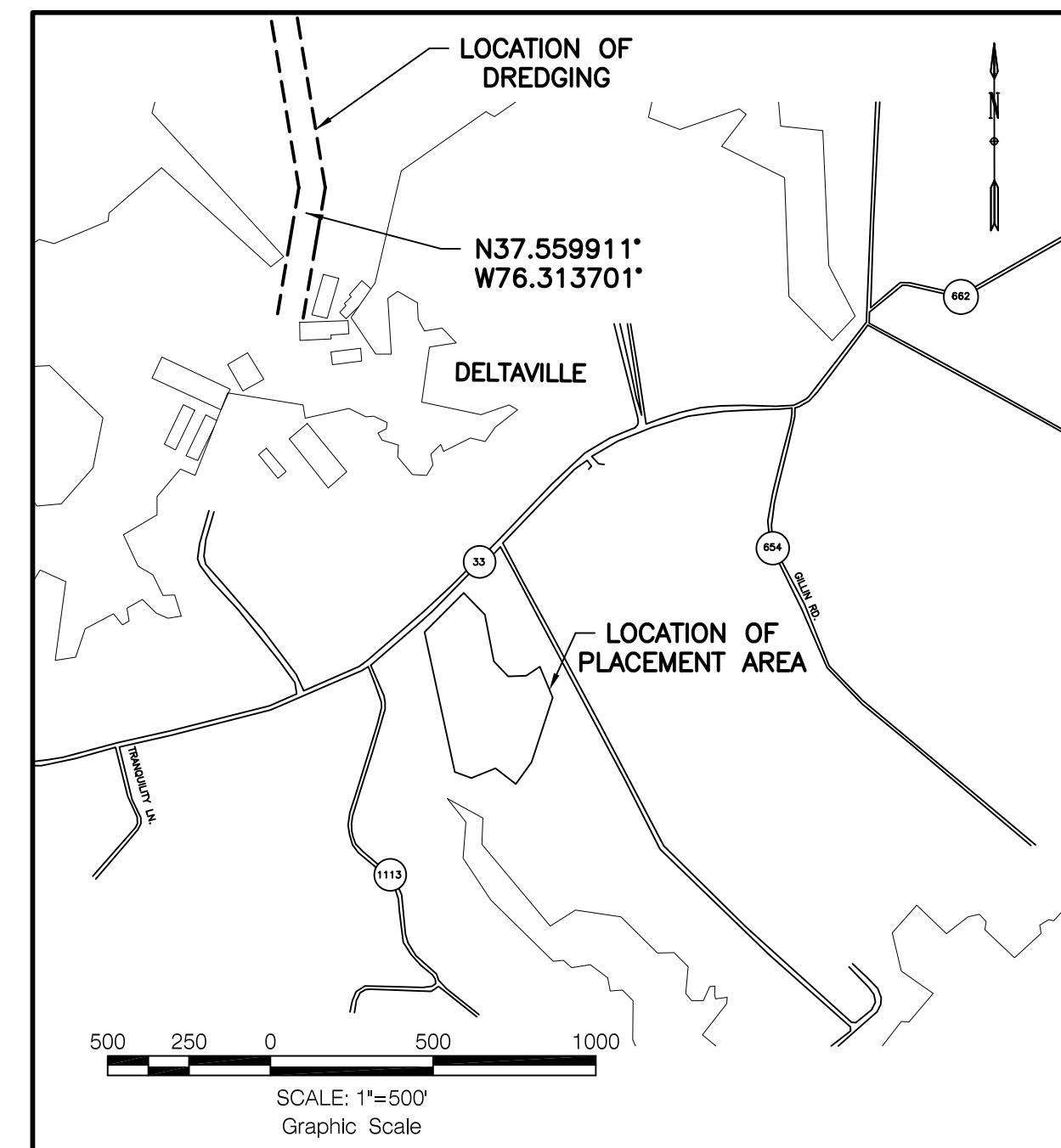
County Of
Middlesex
Virginia

COUNTY OF MIDDLESEX VIRGINIA

PLANS FOR DREDGING BOARD CREEK DELTAVILLE, VIRGINIA



VICINITY MAP



LOCATION MAP

SHEET INDEX

| SHEET | SHEET DESCRIPTION |
|--------|-----------------------------|
| JPA-01 | COVER SHEET AND SHEET INDEX |
| JPA-02 | DREDGING PLAN-PAN VIEW |
| JPA-03 | DREDGING PLAN-PAN VIEW |
| JPA-04 | PLACEMENT AREA-PAN VIEW |

| NO. | DATE | DESCRIPTION OF REVISION | BY | APP. |
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Waterway
Surveys & Engineering, Ltd.
321 Cleveland Place, Virginia Beach, Va. 23462
Tel: (757) 490-1691 Fax: (757) 490-1348

County Of
Middlesex
Virginia

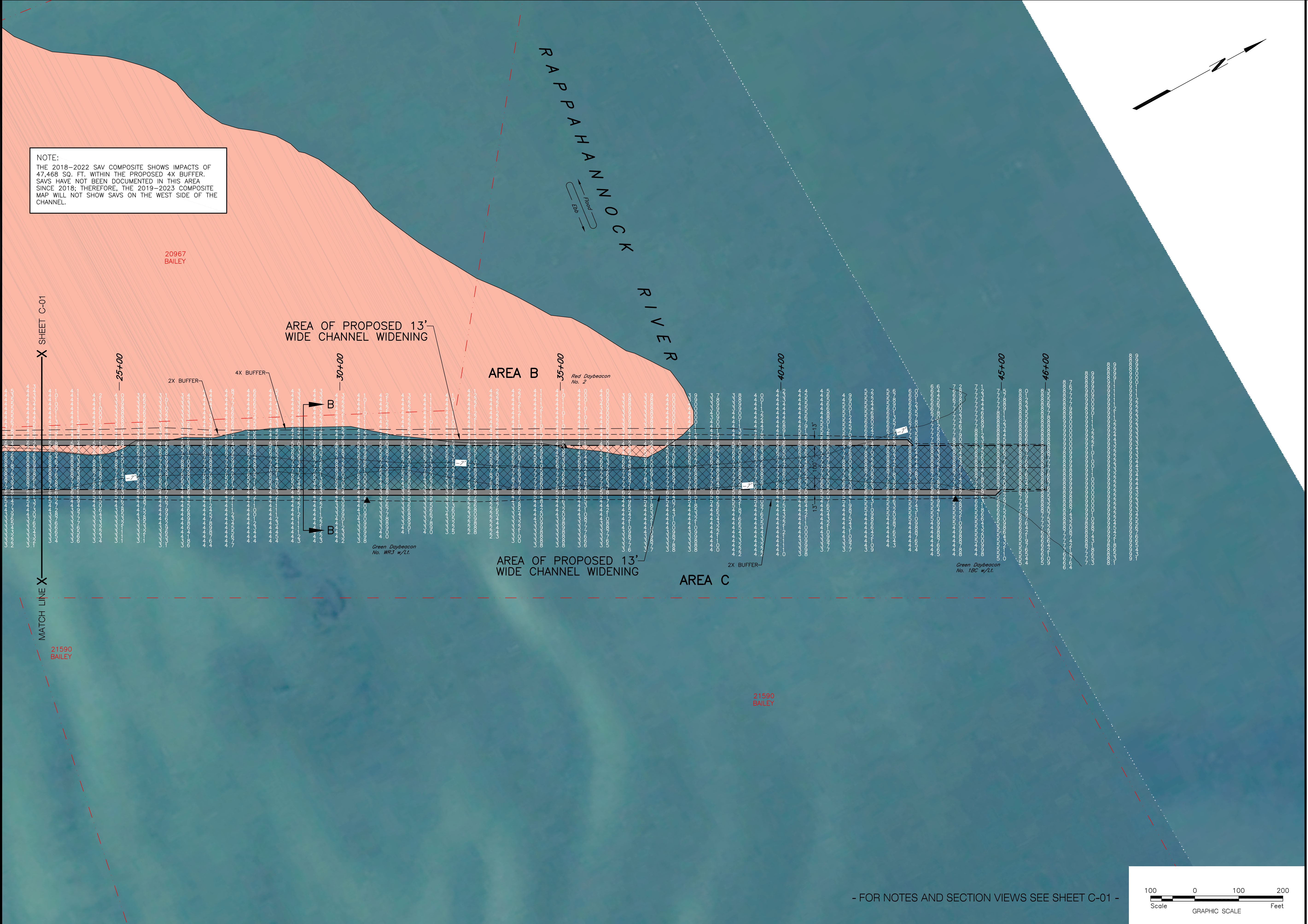
COUNTY OF MIDDLESEX VIRGINIA
DELTAVILLE, VIRGINIA

JOINT PERMIT APPLICATION
PLANS FOR DREDGING BOARD CREEK
SURVEY OF APRIL 2024

**NOT FOR
CONSTRUCTION**

| | |
|------------------------------|--------------------|
| SURVEYED G.M.R. | DESIGNED R.S.F. |
| DRAWN M.S.P. | REVIEWED R.S.F. |
| SCALE 1" = 100' | DATE 07/22/24 |
| DRAWING NO. 6104-00-22-01 | |
| JPA-01 | |
| SHEET 1 OF 4 | |

FILE NAME: I:\New & Projects\Land 2024\Projects\0104-00-Broad Creek Dredging\Map\0104-00-22.dwg LAYOUT NAME: SHT 2 PLOTTED: Wednesday, July 24, 2024 - 3:08pm



NOTE:
 THE 2018-2022 SAV COMPOSITE SHOWS IMPACTS OF 47,468 SQ. FT. WITHIN THE PROPOSED 4X BUFFER. SAVS HAVE NOT BEEN DOCUMENTED IN THIS AREA SINCE 2018; THEREFORE, THE 2019-2023 COMPOSITE MAP WILL NOT SHOW SAVS ON THE WEST SIDE OF THE CHANNEL.

20967 BAILEY

X SHEET C-01

MATCH LINE X

21590 BAILEY

25+00

2X BUFFER

4X BUFFER

30+00

AREA OF PROPOSED 13' WIDE CHANNEL WIDENING

AREA B

35+00

Red Daybeacon No. 2

RAPPAHANNOCK RIVER

AREA C

21590 BAILEY

40+00

2X BUFFER

Green Daybeacon No. 18C w/Lt.

45+00

46+00



- FOR NOTES AND SECTION VIEWS SEE SHEET C-01 -

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| DATE | DESCRIPTION OF REVISION | BY | APP. |
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Waterway
 Surveys & Engineering, Ltd.
 321 Cleveland Place, Virginia Beach, Va. 23462
 Tel: (757) 490-1891 Fax: (757) 490-1348

Middlesex COUNTY OF MIDDLESEX VIRGINIA
 DELTAVILLE, VIRGINIA
JOINT PERMIT APPLICATION
 PLANS FOR DREDGING BROAD CREEK
 SURVEY OF APRIL 2024

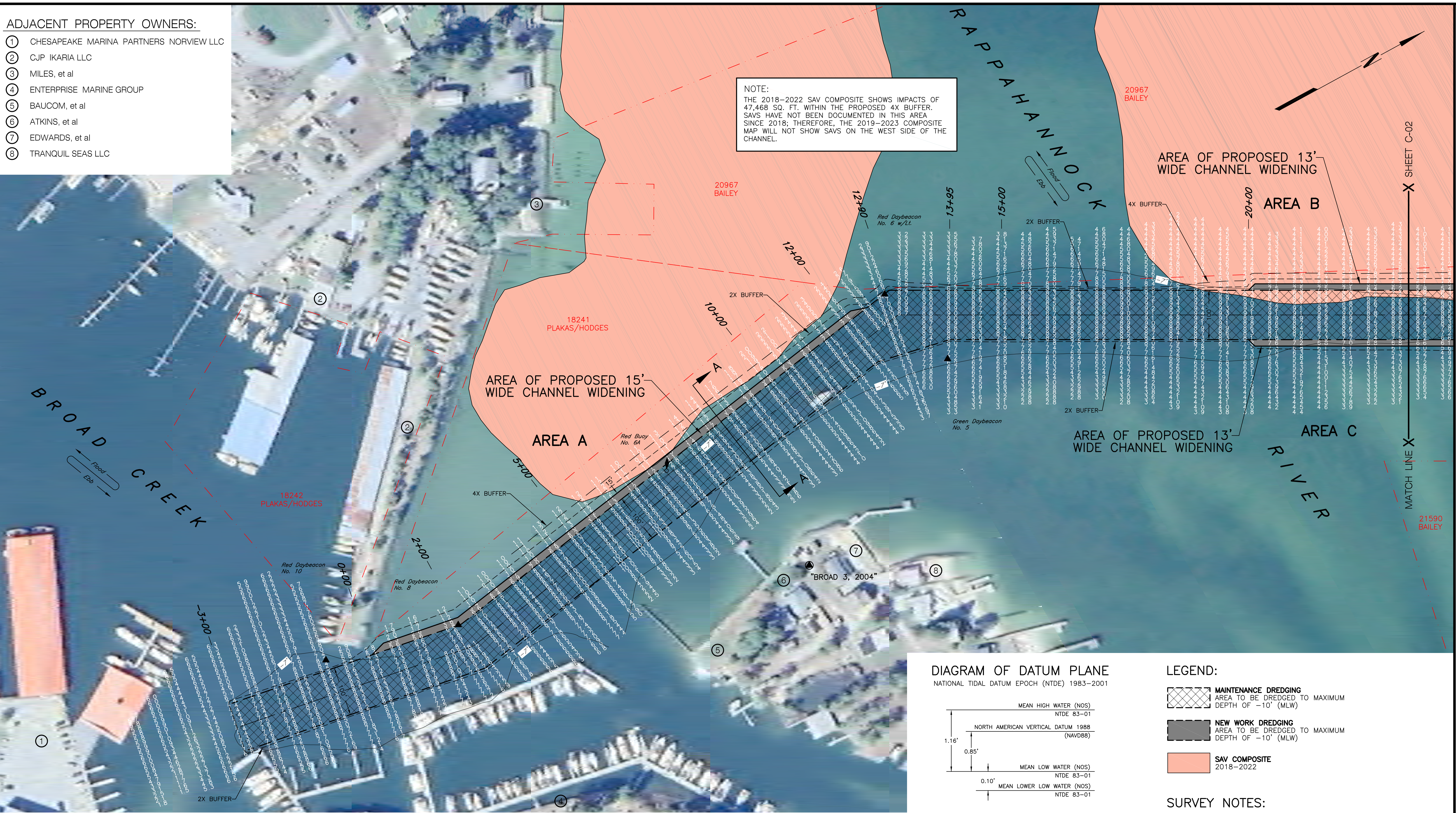
NOT FOR CONSTRUCTION

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| SURVEYED G.M.R. | DESIGNED R.S.F. |
| DRAWN M.S.P. | REVIEWED R.S.F. |
| SCALE 1" = 100' | DATE 07/09/24 |
| DRAWING NO. 6104-00-22-03 | |

JPA-03
 SHEET 3 OF 4

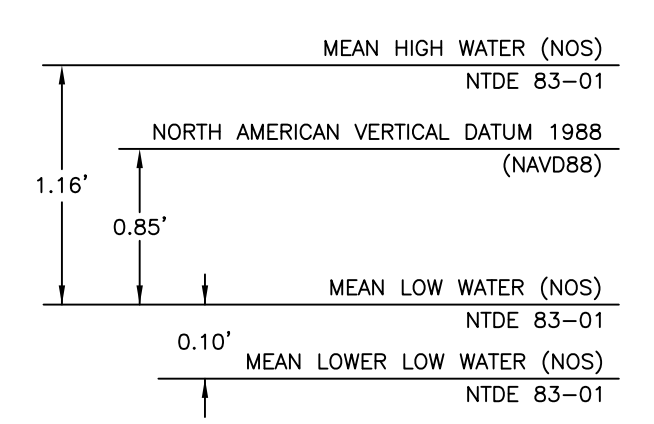
ADJACENT PROPERTY OWNERS:

- ① CHESAPEAKE MARINA PARTNERS NORVIEW LLC
- ② CJP IKARIA LLC
- ③ MILES, et al
- ④ ENTERPRISE MARINE GROUP
- ⑤ BAUCOM, et al
- ⑥ ATKINS, et al
- ⑦ EDWARDS, et al
- ⑧ TRANQUIL SEAS LLC



NOTE:
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DIAGRAM OF DATUM PLANE
 NATIONAL TIDAL DATUM EPOCH (NTDE) 1983-2001

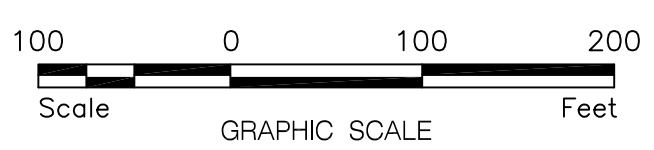
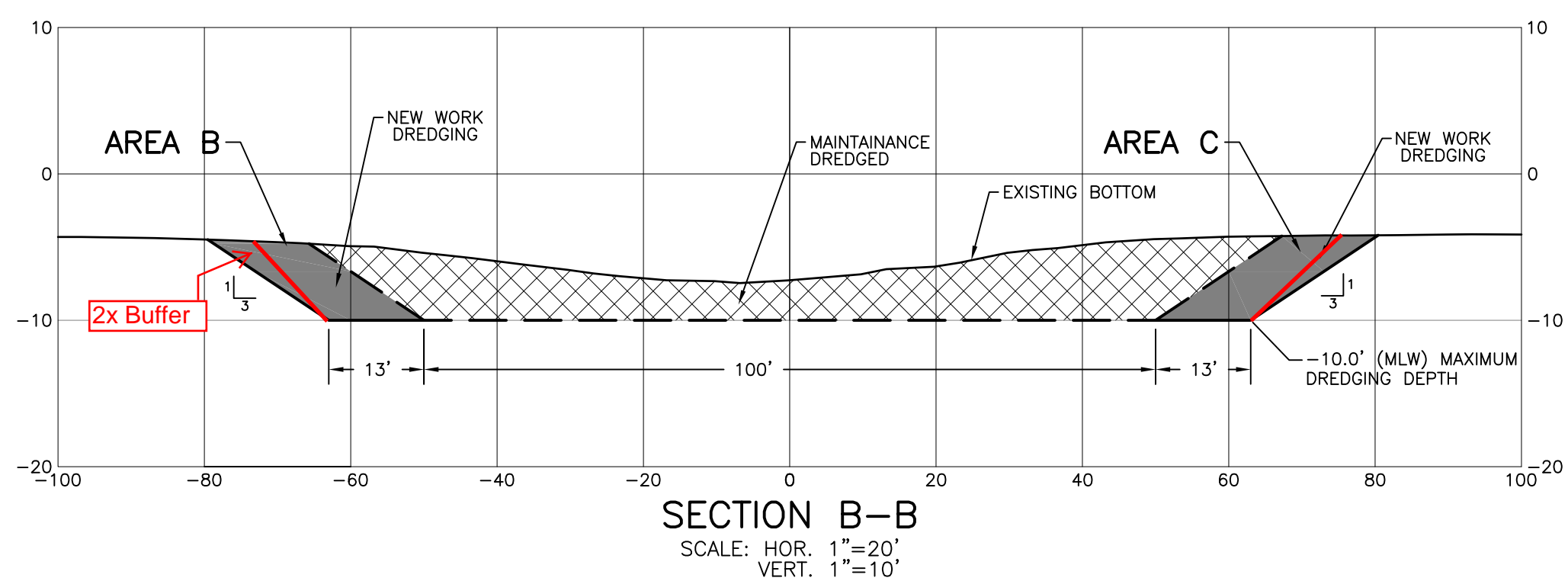
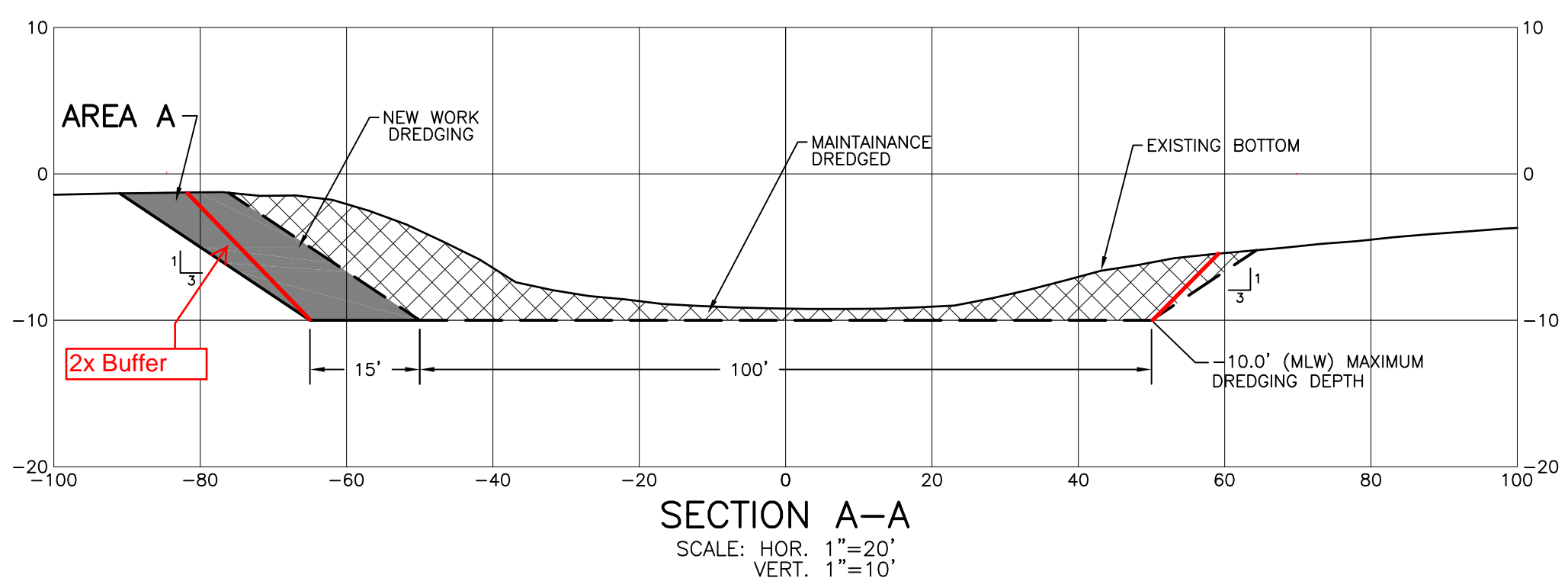


LEGEND:

- MAINTENANCE DREDGING**
 AREA TO BE DREDGED TO MAXIMUM DEPTH OF -10' (MLW)
- NEW WORK DREDGING**
 AREA TO BE DREDGED TO MAXIMUM DEPTH OF -10' (MLW)
- SAV COMPOSITE**
 2018-2022

SURVEY NOTES:

1. SOUNDINGS WERE TAKEN USING A MULTIBEAM SONAR SYSTEM OPERATING AT 240KHz AND A DIFFERENTIAL GLOBAL POSITIONING SYSTEM (DGPS) WAS USED TO OBTAIN HORIZONTAL POSITIONS.
2. MEAN LOWER LOW WATER (MLLW), NATIONAL TIDAL DATUM EPOCH (NTDE) OF 1983-2001, WAS DETERMINED BY THE NATIONAL OCEAN SERVICE (NOS) AT BROAD CREEK, VIRGINIA.
3. SOUNDINGS ARE IN FEET REFERRED TO MEAN LOWER LOW WATER (MLLW) NOS AND WERE TAKEN ON APRIL 19, 2024.
4. MEAN RANGE OF TIDE IS 1.2 FEET AT BROAD CREEK, VIRGINIA, BASED ON NOS OBSERVATIONS, NTDE 83-01.
5. BENCH MARK IS COE BRASS DISK STAMPED "BROAD 3, 2004" ELEVATION = +3.75' ABOVE MLLW (NOS), NTDE 83-01. LOCATED ON RIVERSIDE DRIVE, SET IN CONCRETE APPROX. 70' SOUTH FROM DEAD END OF ROAD.
6. COORDINATES ARE IN U.S. SURVEY FEET REFERRED TO THE VIRGINIA STATE PLANE COORDINATE SYSTEM SOUTH ZONE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD83).



| DATE | DESCRIPTION OF REVISION | BY |
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Middlesex COUNTY OF MIDDLESEX VIRGINIA
 DELTAVILLE, VIRGINIA
JOINT PERMIT APPLICATION
 PLANS FOR DREDGING BROAD CREEK
 SURVEY OF APRIL 2024

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| DRAWN M.S.P. | REVIEWED R.S.F. |
| SCALE 1"=100' | DATE 07/22/24 |
| DRAWING NO. 6104-00-22-02 | |
| JPA-02 | |
| SHEET 2 OF 4 | |

FILE NAME: I:\Misc\Projects\Lead 2023\Projects\10104-00-Broad Creek Dredging\Draw\10104-00-22.dwg PLOT DATE: 07/22/24 PLOTTED: Wednesday, July 24, 2024 3:10pm
 Additional Information/Revisions Received by VMRC Sept 6, 2024 map