**VIMS Shoreline Permit Application Report # 01-0594**

**APPLICANT:** BURGESS, JAMES C.  
**Immediate Waterway:** Diascund Creek  
**Locality:** NEW KENT COUNTY  
**Purpose:** Erosion Control  
**Application Type:** Wetlands  
**Site Inspection:** 5/16/01  
**Report Date:** 5/17/01

---

**Type of Activity**  
**Proposed Extent**  
**Project Location**

<table>
<thead>
<tr>
<th>Type of Activity</th>
<th>Proposed Extent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulkhead (ft)</td>
<td>260</td>
</tr>
<tr>
<td>Impact Mud Flat Community (Type XVI) (ft²)</td>
<td>780</td>
</tr>
<tr>
<td>Fill Mud Flat Community (Type XVI) (ft²)</td>
<td>780</td>
</tr>
<tr>
<td><strong>Total Impacts (ft²)</strong></td>
<td>780</td>
</tr>
<tr>
<td>Total Impacts (Wetlands)</td>
<td>780</td>
</tr>
<tr>
<td>Total Impacts (Subaqueous)</td>
<td>0</td>
</tr>
<tr>
<td>Total Impacts (Beach/Dune)</td>
<td>0</td>
</tr>
<tr>
<td>Total Fill (ft²)</td>
<td>780</td>
</tr>
</tbody>
</table>

---

New Kent County

---

Certain assumptions were used in determining the marine environmental impacts potentially resulting from this proposal. These were necessitated by information voids resulting from application noncompliance with the Virginia Code 28.2-1302 and the Joint Permit Application.
NOTICE

The Virginia Institute of Marine Science (VIMS) is aware that regulatory or administrative bodies who weigh the overall potential public and private benefits and detriments in arriving at decisions must also consider other factors such as economics, aesthetics, zoning, or community desires. **INFORMATION PROVIDED IN THIS REPORT IS, THEREFORE, ONLY THE ENVIRONMENTAL AND MARINE RESOURCES INPUT INTO THE DECISION MAKING PROCESS.**

This assessment is based on biological, chemical, geological, and physical factors affecting the marine environment at and in the vicinity of the proposed activity. Parameters of the marine environment which may influence recreational, commercial, or industrial activities which are dependent on the marine environment are also considered where applicable.

Comments:

From a marine environmental viewpoint it would be preferable to place the bulkhead against the eroding bank to minimize loss of the wetlands. Providing measured distances from a fixed point(s) to specific points along the proposed bulkhead will allow for confirmation of the location after construction.

Consideration should be given to the vegetated (upland) buffer during construction. The Chesapeake Bay Regulations..."allow encroachment into the buffer area only to the extent necessary to establish the erosion control measures given the best available technical advice" (Shoreline Development BMP's 1999, Virginia Marine Resources Commission).

[Signature]

Pamela A. Mason
Marine Scientist
Hydrologic units represent smaller, isolated watersheds defined by topography and flow direction. These units can be thought of as insulated ecosystems or landscapes within which resources can be managed at a larger scale. The cumulative impact of a project to resources within a hydrologic unit may be significantly greater than the impact to the larger watershed above.
Permit Site Study Area

New Kent County
LOWER JAMES RIVER (TIDAL)
Diascund Creek
To Wetlands Board: Please indicate Wetlands Board action on this sheet and return to VIMS

Application Number: 01-0594
Name: Burgess, James C.
Locality: New Kent County
Waterway: Diascund Creek

Please check here if this application was approved as proposed ____
Complete the form below if the application was modified.

ACTIVITIES

<table>
<thead>
<tr>
<th>PROPOSED</th>
<th>PERMITTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulkhead (ft)</td>
<td>260</td>
</tr>
<tr>
<td>Impact Mud Flat Community (Type XVI) (ft2)</td>
<td>780</td>
</tr>
<tr>
<td>Fill Mud Flat Community (Type XVI) (ft2)</td>
<td>780</td>
</tr>
</tbody>
</table>

Comments: __________________________________________________________
________________________________________________________
________________________________________________________
________________________________________________________
________________________________________________________

Certified by: _____________________________________________