



**Westmoreland County
Wetlands Board
AGENDA**

Kelvin Johnson
Holly Harman
Elgin Nininger
Jane Bergeron

George D. English, Sr.
Memorial Building
111 Polk Street
Montross, VA 22520
Board Room

Monday, April 20, 2026

1. Call to Order
2. Roll Call & Determination of Quorum
3. Election of Officers
4. Approval of Minutes
 - A. Approval of January 2026 Meeting Minutes
5. Action Items
 - A. **Case# 1508**- David and Sandra McElhaney, and Co-owner Mandy McHugh 4240 Windermere View Place Woodbridge, VA 22192 and 1043 North Glebe Road Montross, VA 22520 respectively request Wetlands Board approval to construct two low profile groins, extension of an existing timber groin, construction of a stone revetment, and proposed beach nourishment. The project is located adjacent to 1047 North Glebe Road, Tax map Numbers 26K2-1-A and 26-1E. VMRC# 2026-0299
6. Other Matters
 - A. Reaffirm Wetlands Board By-Laws
 - B. Establish regular meeting date: the 3rd Monday of each month at 1:30 p.m.
7. Adjournment

A regular meeting of the Westmoreland County Wetlands Board was held on Wednesday, January 21, 2026 in the George D. English, Sr. Memorial Building, 111 Polk Street, Montross, Virginia. This meeting was also live-streamed and recorded for the public on the Westmoreland County website. The members present were Kelvin Johnson, Elgin Nininger, Holly Harman, and Jerry Mulholland. Kelly De Jesus and Jeff Madden, Virginia Marine Resources Commission (VMRC) representative, were also in attendance.

CALL TO ORDER

Chairman Johnson called the meeting to order at 1:30 PM. The roll was called and a quorum declared.

ELECTION OF OFFICERS

The board discussed postponing the Election of Officers until the next regular meeting in February. Mr. Mulholland motioned to postpone the Election of Officers. Ms. Harman seconded the motion, and the Election of Officers was postponed until February with unanimous vote.

PRIOR MINUTES

Chairman Johnson asked if everyone on the Board had received copies of the December 2025 meeting minutes. Ms. Harman moved to approve the minutes as presented. Mr. Mulholland seconded the motion, and the minutes for December were approved unanimously.

ACTION ITEMS

CASE # 1503- Sharon A. Owen-Tomochak, 11440 Yeats Drive, Catlett, VA 20119 and agent Ashley Scanlan, 12 Island Lane, Lottsburg, VA 22511, request Wetlands Board approval to replace 70 feet of bulkhead. This project is located at 815 Riverview Lane, Kinsale. TM# 49H-2-8-(43&44). Cople Magisterial District. VMRC# 2025-2017

Kelly De Jesus presented the facts of the project. Ashley Scanlan was present to answer questions regarding the case.

Chairman Johnson then opened the meeting for public comment. There being no further discussion, Mr. Mulholland moved to approve Case # 1503 as presented for three years. Ms. Harman seconded the motion, and Case # 1503 was approved with unanimous vote.

Chairman Johnson advised the agent/applicant that there is an appeal process, which requires that there be a 10-day waiting period prior to starting construction.

CASE# 1506- Ronald & Shirley Bevans, P.O. Box 340, Kinsale, VA 22488, and agent Bayshore Design LLC, 8518 Cople Hwy, Hague, VA 22469 request Wetlands Board approval to construct a 30' rip-rap revetment return wall extension and remove 22' end section of rip-rap sill and realign the sill 20' to tie into existing and extended rip-rap revetment. This project is located adjacent to

1006 White Point Road, Kinsale, VA 22488. TM #56-52G, Cople Magisterial District. VMRC# 2025-2463

Kelly De Jesus presented the facts of the project. Craig Palubinski from Bayshore Design was present to answer questions regarding the case.

Chairman Johnson then opened the meeting for public comment. There being no further discussion, Mr. Mulholland moved to approve Case # 1506 as presented for three years. Ms. Harman seconded the motion, and Case # 1506 was approved with unanimous vote.

Chairman Johnson advised the agent/applicant that there is an appeal process, which requires that there be a 10-day waiting period prior to starting construction.

OTHER MATTERS

Kelly De Jesus read the resignation letter submitted by Mr. Mulholland on his leaving of the Wetlands Board in February of 2026.

The board discussed the By-Laws that were proposed to be adopted by the Wetlands Board. Ms. Harman motioned to adopt the By-Laws as written. Mr. Mulholland seconded the motion, and the By-Laws were adopted by the Wetlands Board with unanimous vote.

The board discussed their regular meeting date to remain as the 3rd Monday of each month, beginning at 1:30 p.m.

Kelly De Jesus discussed the Financial Disclosure Form with the board.

ADJOURNMENT

There being no other business to come before the Board, Mr. Mulholland moved that they adjourn. Ms. Harman seconded, and the motion carried by unanimous vote with the meeting adjourning at 1:59 PM.

Chairman



Westmoreland County, Virginia
Land Use Administration

P. O. Box 1000
Montross, VA 22520
Phone 804-493-0120 FAX 804-493-0604

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

2026-00186

**APPLICATION FOR
WETLANDS BOARD APPROVAL**

(September 2008)

Wetlands Case #: 1508

Date Received: 3/12/2026

Fee: \$500 Paid: Cash ☒ Check # 102 (submit with application - non-refundable)

Assigned to the agenda for: _____

Property Address: Neither parcel has address, use 1047 N Glebe Rd, Montross, VA 22520

Tax Map Identification: 26K2 1 A, 26 1E Acreage: ±1.66 # Lots 2 - outlots

Subdivision: Glebe Harbor Magisterial District: 2 - 1

Existing Zoning District: R2, A1 Proposed Zoning District: N/A

Applicant/Owner: David McElhane Email: XXXXXXXXXXXXXXXXXXXX

Applicant/Owner Signature: [Signature] Date: March 10, 2026
(If more than one owner attach and additional signature page)

Applicants' Address: 4240 Windermere View Place, Woodbridge State: Virginia Zip: 22192

Phone #: 703-606-7290 Phone #: _____ Phone #: _____

Agent: same Email: same

Agent: Signature: _____ Date: _____

Agent: Address: _____ State: _____ Zip: _____

Phone #: _____ Phone #: _____ FAX #: _____

Project Description: Shoreline stabilization measures including riprap revetment, groins, and sand nourishment.

THIS APPLICATION IS INVALID IF NOT SIGNED BY ALL PROPERTY OWNERS OR THEIR AUTHORIZED AGENTS. PROPERLY COMPLETED AND EXCUTED APPLICATIONS, SUPPORT MATERIAL AND FEE MUST BE RECEIVED BY THE APPROPRIATE DEADLINE FOR CONSIDERATION AT THE NEXT AVAILABLE MEETING.

OFFICE USE ONLY

Hearing Date: _____

Proposed Environmental impacts: _____

Vegetated Wetlands: _____ SF Non-Vegetated Wetlands: _____ SF

Sub-Aqueous Bottom: _____ SF Inter-tidal Mud Flat: _____ SF

This application has been found: 1. Complete and accepted 2. Incomplete and not accepted.

Accepted: _____ (Date) Denied: _____ (Date)

By: _____ Title: _____ Date: _____



Westmoreland County, Virginia

Land Use Administration

P. O. Box 1000
Montross, VA 22520
Phone 804-493-0120 FAX 804-493-0604

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

APPLICATION FOR WETLANDS BOARD APPROVAL

(September 2008)

Wetlands Case #: _____ Date Received: _____

Fee: \$500 Paid: Cash Check # _____ (submit with application - non-refundable)

Assigned to the agenda for: _____

Property Address: Neither parcel has address, use 1047 N Glebe Rd, Montross, VA 22520

Tax Map Identification: 26K2 1 A, 26 1E Acreage: ±1.66 # Lots 2 - outlots

Subdivision: Glebe Harbor Magisterial District: 2 - 1

Existing Zoning District: R2, A1 Proposed Zoning District: N/A

Applicant/Owner: David McElhanev Email: ~~XXXXXXXXXXXXXXXXXXXX~~

Applicant/Owner Signature: Sandy McElhanev Date: March 10, 2026
(If more than one owner attach and additional signature page)

Applicants' Address: 4240 Windermere View Place, Woodbridge State: Virginia Zip: 22192

Phone #: 703-606-7290 Phone #: _____ Phone: _____

Agent: same Email: same

Agent: Signature: _____ Date: _____

Agent: Address: _____ State: _____ Zip: _____

Phone #: _____ Phone #: _____ FAX #: _____

Project Description: Shoreline stabilization measures including riprap revetment, groins, and sand nourishment.

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Accepted: _____ (Date) Denied: _____ (Date)

By: _____ Title: _____ Date: _____



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Building Official
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Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

APPLICATION FOR WETLANDS BOARD APPROVAL

(September 2008)

Wetlands Case #: _____ Date Received: _____

Fee: \$500 Paid: Cash Check # _____ (submit with application - non-refundable)

Assigned to the agenda for: _____

Property Address: Neither parcel has address, use 1047 N Glebe Rd, Montross, VA 22520

Tax Map Identification: 26K2 1 A, 26 1 E Acreage: ±1.66 # Lots 2 - outlots

Subdivision: Glebe Harbor Magisterial District: 2 - 1

Existing Zoning District: R2, A1 Proposed Zoning District: N/A

Applicant/Owner: David McElhanev Email: [REDACTED]

Applicant/Owner Signature: MANOY MCHANEV Date: Mar. ch 10, 2026
(If more than one owner attach and additional signature page)

Applicants' Address: 4240 Windermere View Place, Woodbridge State: Virginia Zip: 22192

Phone #: 703-606-7290 Phone #: _____ Phone #: _____

Agent: same Email: same

Agent: Signature: _____ Date: _____

Agent: Address: _____ State: _____ Zip: _____

Phone #: _____ Phone #: _____ FAX #: _____

Project Description: Shoreline stabilization measures including riprap revetment, groins, and sand nourishment.

THIS APPLICATION IS INVALID IF NOT SIGNED BY ALL PROPERTY OWNERS OR THEIR AUTHORIZED AGENTS. PROPERLY COMPLETED AND EXCUTED APPLICATIONS, SUPPORT MATERIAL AND FEE MUST BE RECEIVED BY THE APPROPRIATE DEADLINE FOR CONSIDERATION AT THE NEXT AVAILABLE MEETING.

OFFICE USE ONLY

Hearing Date: _____

Proposed Environmental impacts: _____

Vegetated Wetlands: _____ SF Non-Vegetated Wetlands: _____ SF

Sub-Aqueous Bottom: _____ SF Inter-tidal Mud Flat: _____ SF

This application has been found: 1. Complete and accepted 2. Incomplete and not accepted.

Accepted: _____ (Date) Denied: _____ (Date)

By: _____ Title: _____ Date: _____

IDENTIFY CONTRACTORS TO BE ON SITE					
Building Contractor:				Phone:	
Mailing Address:					
Electrical Contractor:				Phone:	
Mailing Address:					
Land Disturber					
Mailing Address:				Phone:	
Erosion and Sediment					
Mailing Address:				Phone:	
Features			Health Department Permit #:		
	(If Applicable)	Sewage Disposal: ___ Private ___ Public			
# boatlifts		Health Department Permit #:			
L.F. Pier		Water Supply: ___ Private ___ Public			
L.F. Catwalk		Electric Company:			
S.F. platform		___ Northern Neck Electric ___ VA Power			
Check List		OFFICE USE		Fees:	
VMRC #					
VMRC letter			Building Addition - Alteration	See Schedule	
Existing Topography			Electric	See Schedule	
Proposed Grading			Demolition	See Schedule	
Erosion & Sediment					
Plan View					
Section View					
Mitigation plan			Sub Total:		
RPA Shown			Virginia Surcharge	Add 1.75%	
Taxes Paid			Land Disturbance Permit Only	See Schedule	
Health Department:			Zoning	See Schedule	
Marina Pump Station					
Sewage Permit					
Reserve Drainfield			Total Non-refundable Fee:		
Bathroom Facilities			Make Checks Payable to "Treasurer, Westmoreland County"		
I, the undersigned, do hereby certify that the above statements are true to the best of my knowledge and understand that any deviations, change or construction not shown on these plans will null and void the approval so granted. I further understand that this application to the Wetlands Board is not a permit to proceed to construction. Should the project be approved I understand that I am required to apply for all the appropriate permits for the approved constructions.					
SIGNATURE OF CONTRACTOR AS APPLICANT:				Date:	
I, the owner, do hereby certify that the above statements are true to the best of my knowledge and understand that any deviations, change or construction not shown on these plans will null and void the approval so granted. I further understand that this application to the Wetlands Board is not a permit to proceed to construction. Should the project be approved I understand that I am required to apply for all the appropriate permits for the approved constructions. I also acknowledge that incomplete application and/or plans shall be returned and delay the approval. I further affirm that I am familiar with the prerequisites of the Virginia Code, Section 54.1-1111 that requires me to submit all duly licensed contractors' information on this application or I am not subject to licensure as a contractor or subcontractor. Additionally, I will provide proof that the taxes or licensed fees have been paid to the County upon our request should subcontractors be discovered on this project.					
SIGNATURE OF OWNER AS THE APPLICANT:				Date: 3-10-24	



P. O. Box 1000
Montross, Virginia 22520
Phone: (804) 493-0121
Fax: (804) 493-0604

WESTMORELAND COUNTY, VIRGINIA
Land Use Administration
MONTROSS, VIRGINIA 22520



Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

Wetlands Board Staff Report

Date: March 13, 2026
From: Richard Stuart Jr, Director
Case #: 1508
Site Address: Adjacent to 1047 North Glebe Road, Montross 22520
Site Tax Map: 26K2-1-A & 26-1E
Owner/Applicant: David & Sandra McElhaney CO Mandy McHugh
4240 Windermere View Place
Woodbridge, VA 22192
Project Description: Request to construct two low profile groins, extension of an existing timber groin, construction of a stone revetment, and proposed beach nourishment.
Board meeting: April 20, 2026

FINDING OF FACTS

The parcel is located on the Western shore of the Lower Machodoc Creek approximately 1.5 miles from the Potomac River. The fetch for the site is over 6 miles to the north and approximately 1 mile to the east. The site has a medium to high energy shoreline. The water depth ranges from 1 foot to 4 feet and is adjacent from the channel. Tax Map 26K2-1-A & 26-1E are currently undeveloped. There is a dwelling approximately 50 feet from the project site on an adjacent parcel where the site may be accessed if not accessed from the water. The resource protection area is in native vegetation with some trees of various size, phragmites, and some low marsh plants. The adjacent shoreline to the south is protected by Timber groins (VMRC #07-0086). A sandy beach runs the length of the proposed project behind the openings of the Timber groins.

The project proposes to construct two low profile groin (60 linear feet long with no more than 48 linear feet towards the water from MHW), extension of an existing timber groin approximately 25 linear feet upland, 180 linear feet of a stone revetment, and proposed beach nourishment utilizing onsite surplus sand. All work we be done in such a matter to avoid impact to existing vegetation. The subject portion of the land has experienced starvation of sand due to a tall groin constructed upstream (approximately 800 linear feet) about 3 years ago. Due to the lack of migrating sand, the subject shoreline has lost a significant volume of sand that has now exposed the shoreline and adjacent vegetation to significant erosion. Beach nourishment (approximately 250 linear feet x 25 feet average width) is proposed as it's not anticipated that

much sand will be transported for several more years from upstream since those areas are also starved of sand between the subject shoreline and tall upstream groin. Surplus sand is available on same property but further downstream (approximately 500 feet away). The surplus sand is located above MHW. This will likely be the source of the sand nourishment. All work will be done in such a manner to avoid impact to the existing vegetation adjacent to the shoreline

CONCERNS

1. The VIMS best management practice calls for maintaining beach or offshore breakwaters with beach nourishment.
2. The proposed project would encroach on 3,490 square feet of non-vegetated wetlands.

RECOMMENDATION

The project as proposed is consistent with the goal of reducing erosion with a minimal impact upon the shoreline, intertidal area and upland areas of the site.

From: NoReplyTo@mail.mil
To: [MRC - jpa Permits](#)
Subject: [DOD SAFE] DURAN.DELILAH.L has dropped off files for you
Date: Thursday, February 12, 2026 10:25:59 AM

*** DO NOT FORWARD ***

This is an automated message sent to you by the DOD SAFE service.

DURAN.DELILAH.L <delilah.l.duran@usace.army.mil> has dropped off 11 files for you.

IF YOU TRUST THE SENDER and are expecting to receive a file from them, you may choose to retrieve the drop-off by clicking the following link (or copying and pasting it into your web browser):
<https://safe.apps.mil/pickup.php?claimID=ASG36AZWjAUEaOvR&recipCode=tWf6oB>

You will be required to enter the claim passcode, which is:
RAh35L25Q1DmCIIj

You have 7 days to retrieve the drop-off; after that the link above will expire. If you wish to contact the sender, just reply to this email.

The sender has left you a note:

NAO-2007-00861-RRS (07-v0086) (David McElhaney / Westmoreland)

Full information about the drop-off:

Claim ID: ASG36AZWjAUEaOvR
 Recipient Code: tWf6oB
 Claim Passcode: RAh35L25Q1DmCIIj
 Drop-off Submitted: 2026-02-12 15:25:38 UTC
 Drop-off Completed: 2026-02-12 15:25:49 UTC

— Sender —

Name: DURAN.DELILAH.L
 Organization: USA
 Email Address: delilah.l.duran@usace.army.mil
 IP Address: 155.74.255.56 (nad-c.usace.army.mil)

— Files —

Name: 2026-02-09 Shoreline Stabilization Improvement Plan.PDF
 Size: 740156
 SHA-256 Checksum: 2109278C3271F350EEF24AE1C42C4D1A4F1FA0FB621C855CCBFDD7A1F2679B5A
 Content Type: application/pdf

Name: 2026-02-09 Shoreline Stabilization Plan.PDF
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 Content Type: application/pdf

Name: Previous ACOE Approval - NAO-2007-861.pdf
 Size: 678561

SHA-256
Checksum: 5C1506D249D1EBB112DA8576037F68029CC7630E7DE1E39C048C746861B8AD93
Content
Type: application/pdf

Name: Previous VMRC Approval VMRC No. 7-0086.pdf
Size: 3079496

SHA-256
Checksum: 78ED21C1E88A7449E25849CD8E26CC540EC0550CF9A61D15F2631E960D609C51
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Type: application/pdf

Name: Previous Westmoreland County Wetlands Board Approval Case No. 988.pdf
Size: 437760

SHA-256
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Size: 52023
SHA-256
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Type: application/pdf

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Size: 85558

SHA-256
Checksum: 24C1C4F0979E8542DCA763AF5E94B200663714BF66AFF491FE3D3D4185A06C1E

Content
Type: application/pdf

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Thank you.

U.S. Army Corps of Engineers (USACE) APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT For use of this form, see 33 CFR 325. The proponent agency is CECW-COR.		Form Approved - OMB No. 0710- 0003 Expires: 2027-10-31	
The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil . Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.			
PRIVACY ACT STATEMENT			
Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: http://dpcl.dod.mil/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx			
(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)			
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED 02/10/2026	4. DATE APPLICATION COMPLETE
(ITEMS BELOW TO BE FILLED BY APPLICANT)			
5. APPLICANT'S NAME First – David Middle – Last – McElhaney Company – E-mail Address – dtmcelhaney@gmail.com		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First – Middle – Last – Company – E-mail Address –	
6. APPLICANT'S ADDRESS: Address – 4240 Windermere View Pl City – Woodbridge State – VA Zip – 22192 Country – US		9. AGENT'S ADDRESS: Address – City – State – Zip – Country –	
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Mobile b. c. Fax +17036067290		10. AGENTS PHONE NOS. w/AREA CODE a. b. c. Fax	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT

Date

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)

Shoreline Stabilization Improvements - Property of David & Sandy McElhaney and Mandy McHugh

13. NAME OF WATERBODY, IF KNOWN (if applicable)

Lower Machodoc Creek

14. PROJECT STREET ADDRESS (if applicable)

Address –

City – Hague

State – VA

Zip – 22469

15. LOCATION OF PROJECT

Latitude: °N 38.1335277

Longitude: °W -76.6517267

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)

Section –

Township –

Range –

County – Westmoreland County

Project Area – 8000 Square Feet

State Tax Parcel ID –

17. DIRECTIONS TO THE SITE

Can be accessed at the end of N Glebe Road (1047 N Glebe Road, Montross VA 22520)

18. Nature of Activity (Description of project, include all features)

Construction of a two low profile groin (60 linear feet long with no more than 48 linear feet towards the water from MHW), extension of an existing timber groin approximately 25 linear feet upland, 180 linear feet of a stone revetment, and proposed beach nourishment utilizing high quality sand. All work will be done in such a manner to avoid impact to existing vegetation.

The subject portion of the land has experienced starvation of sand due to a tall groin constructed upstream (approximately 800 linear feet) about 3 years ago. Due to the lack of migrating sand, the subject shoreline has lost a significant volume of sand (it has been transported downstream) that has now exposed the shoreline and adjacent vegetation to significant erosion. In order to address this problem, repair/extension to a nearby groin is proposed, as well two new low profile groins to help stabilize the shoreline. A stone revetment (approximately 180 linear feet) is also being proposed to reduce the energy of the wave action and help stabilize the shoreline. Beach nourishment (approximately 250 linear feet x 25 feet average width) is proposed since it's not anticipated that much sand will be transported for several more years from upstream since those areas are also starved of sand between the subject shoreline and tall upstream groin. Surplus sand is available on same property but further downstream (approximately 500 feet away). The surplus sand is located above MHW. This will likely be the source of the sand nourishment. All work will be done in such a manner to avoid impact to the existing vegetation adjacent to the shoreline.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

To address a significant shoreline erosion problem

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

High quality sand is proposed to be placed (ie, beach nourishment) in areas of erosion to replenish the lost sand.

21. Type(s) of Material Being Discharged and the Amount of Each Type:

See Appendix C

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

See Appendix C

23. Description of Avoidance, Minimization, and Compensation (see instructions)

Proposed work will be done in such a manner to not impact existing vegetation.

24. Is Any Portion of the Work Already Complete? ☐ Yes ☒ No

If Yes, describe the completed work:

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
Virginia Marine Resources Commission	Joint Permit	VMRC #07-0086	01/05/2007	05/01/2007	
US Army Corps of Engineers	Regional Permit	NAO-2007-861	01/05/2007	02/07/2007	
Westmoreland County Wetlands Board	Wetlands Approval	Wetlands Case 988	01/05/2007	03/19/2007	

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

David McElhaney

02/10/2026

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

U.S. Army Corps of Engineers (USACE)
STANDARD PERMIT PROJECT INFORMATION SHEET

(ITEMS 1 THRU 3 TO BE FILLED OUT BY THE CORPS)

1. APPLICATION NO.

2. FIELD OFFICE CODE

3. DATE RECEIVED

02/10/2026

(ITEMS BELOW TO BE FILLED OUT BY APPLICANT)

4. SELECT THE TYPE OF PERMIT YOU'RE REQUESTING

☐ Standard

☐ Letter Of Permission

☒ General Permit

5. SELECT A DEVELOPMENT TYPE

☐ Commercial

☒ Non-commercial

☐ Government/Tribal

6. APPLICABLE STATUTORY AUTHORITY

☒ Section 404 Clean Water Act

☒ Section 10 Rivers and Harbors Act

☐ Section 103 of the Marine Protection, Research, and Sanctuaries Act

ENDANGERED AND THREATENED SPECIES

7. DESCRIBE YOUR CURRENT KNOWLEDGE OF ENDANGERED SPECIES THAT MAY BE AFFECTED BY ACTIVITIES OCCURRING WITHIN THE PROJECT OR ACTION AREA

ADDITIONAL AFFECTED SPECIES:

I'm not sure but do not think so since no vegetation is to be impacted.

HISTORIC PROPERTIES

8. DESCRIBE YOUR CURRENT KNOWLEDGE OF HISTORIC PROPERTIES THAT WOULD HAVE THE POTENTIAL TO BE IMPACTED BY ACTIVITIES OCCURRING WITHIN THE AREA OF POTENTIAL EFFECT/PERMIT AREA

none

NATIONAL WILD AND SCENIC RIVERS

9. IF THE PROPOSED ACTIVITY WOULD OCCUR IN A NATIONAL WILD AND SCENIC RIVER SYSTEM OR IN AN OFFICIALLY DESIGNATED STUDY RIVER, LIST THE RIVER OR STUDY RIVER

SECTION 408 USACE CIVIL WORKS PROJECTS

10. WILL THE PROPOSED ACTIVITY REQUIRES PERMISSION FROM THE USACE PURSUANT TO 33 U.S.C. 408 BECAUSE IT WILL ALTER OR TEMPORARILY OR PERMANENTLY OCCUPY OR USE A U.S. ARMY CORPS OF ENGINEERS FEDERALLY AUTHORIZED CIVIL WORKS PROJECT?

☐ Yes ☒ No ☐ I'm not sure

11. IF BLOCK 10 IS YES, HAVE YOU SUBMITTED A WRITTEN REQUEST FOR SECTION 408 PERMISSION FROM THE USACE DISTRICT HAVING JURISDICTION OVER THAT PROJECT?

☐ Yes ☒ No

12. IF BLOCK 11 IS YES, PROVIDE THE DATE YOUR REQUEST WAS SUBMITTED TO THE DISTRICT

SECTION 103 OF THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT

13. HAS THE PROPOSED DISPOSAL SITE BEEN DESIGNATED FOR USE BY THE ADMINISTRATOR, EPA, PURSUANT TO SECTION 102(C) OF THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972, AS AMENDED (33 U.S.C. 1413)?

14. IF BLOCK 13 IS NO, DESCRIBE THE CHARACTERISTICS OF THE PROPOSED DISPOSAL SITE AND AN EXPLANATION AS TO WHY NO PREVIOUSLY DESIGNATED DISPOSAL SITE IS FEASIBLE

15. DESCRIBE KNOWN DREDGED MATERIAL DISCHARGES AT THE PROPOSED DISPOSAL SITE

16. PROVIDE THE EXISTENCE AND DOCUMENTED EFFECTS OF OTHER AUTHORIZED DISPOSALS THAT HAVE BEEN MADE IN THE DISPOSAL AREA (E.G., HEAVY METAL BACKGROUND READING AND ORGANIC CARBON CONTENT)

17. PROVIDE THE ESTIMATED LENGTH OF TIME DURING WHICH THE DISPOSAL WOULD CONTINUE AT THE PROPOSED SITE (in months)

18. PROVIDE THE SOURCE OF THE MATERIAL

19. DESCRIBE THE TYPE AND COMPOSITION OF THE MATERIAL

20. DESCRIBE THE METHOD OF TRANSPORTATION AND DISPOAL OF THE MATERIAL

U.S. Army Corps of Engineers (USACE)

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT – PARTNER APPENDIX

For use of this form, see 33 CFR 325. The proponent agency is CECW-COR.

AUTHORITIES: The Department of Army Corps of Engineers (Corps) and partner entities have established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and its partners. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. This supplemental information is provided to the partner entity along with the standard regulatory forms.

PARTNER INFORMATION

ORGANIZATION:	PARTNER ID:	NAME AND CODE:
VA Dept. of Environmental Quality (VDEQ) & VA Marine Resources Commsn (VMRC)	26-00614	Form Name: COMMONWEALTH OF VIRGINIA JOINT PERMIT APPLICATION Form Code: NAO JPA

This system has been created to collect the information necessary to initiate a Joint Permit Application for the state and federal aquatic resource permitting in the Commonwealth of Virginia. This Joint Permit Application covers the entities of US Army Corps of Engineers (USACE) Norfolk District (NAO), Virginia Department of Environmental Quality (VDEQ), and Virginia Marine Resources Commission (VMRC) in the Commonwealth of Virginia.

The Joint Permit Application (JPA) process and Standard JPA form are used by the US Army Corps of Engineers (USACE), the Virginia Marine Resources Commission (VMRC), the Virginia Department of Environmental Quality (DEQ), and the Local Wetlands Boards (LWB) for permitting purposes involving water, wetlands, and dune/beach resources, including water supply and water withdrawals projects (as defined in DEQ Regulation 9 VAC 25-210). [Learn More information, including State and Regional General Permits.](<https://www.nao.usace.army.mil/Missions/Regulatory/>) Once your request is submitted, a State Permit ID will be generated and can be found in the generated NAO_JPA_Report file, "Partner ID" field.

The Virginia Department of Environmental Quality VA Water Protection (DEQ-VWP) Additional Data Needs form collects any additional data that the DEQ needs when a VWP Permit and/or an individual 401 Water Quality Certification (WQC) is also required for the proposed work. A blank version of this form is available for download, then completion and upload, in the Location Specific Questions section.

JOINT PERMIT APPLICATION for Commonwealth of Virginia To apply for USACE Permits, as well as any required permits from the VDEQ and VMRC. [Learn more on the permits webpage](<https://www.nao.usace.army.mil/Missions/Regulatory-Branch/Regulatory-Permits/>). Once your request is submitted, a State Permit ID will be generated and can be found in the generated NAO_JPA_Report file, "Partner ID" field.

Please note that when a VDEQ permit is being requested, you must also complete and upload the State Data Requirements PDF form. This PDF should be uploaded to the box revealed when "YES" is selected to answer the mandatory "Are you also requesting a permit from the VDEQ?" question.

SUPPLEMENTAL INFORMATION COLLECTED

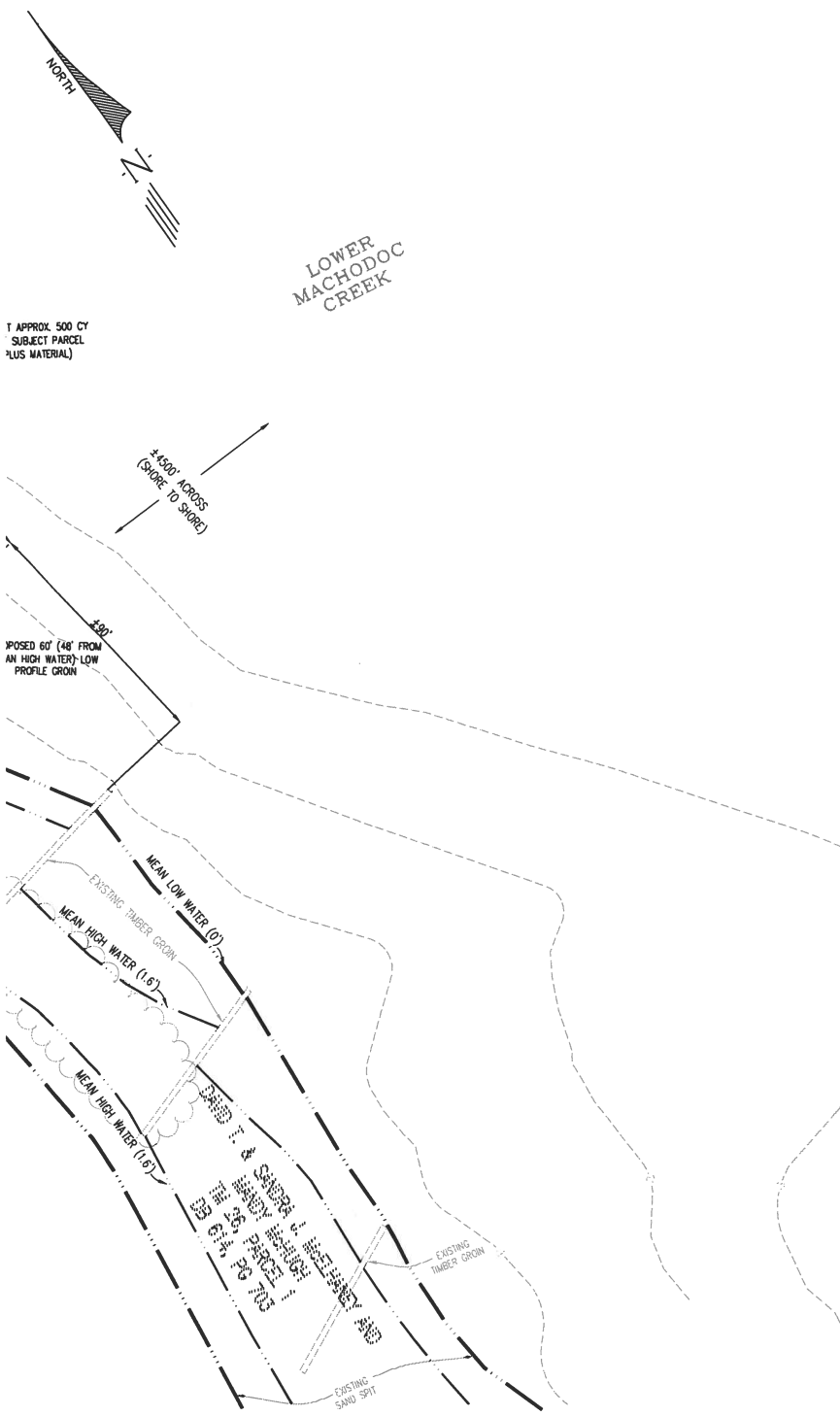
Regional General Conditions Checklist - These questions are needed to evaluate whether you satisfy regional conditions for USACE.

- Is work proposed in areas that contain submerged aquatic vegetation (SAV)? [Learn more about SAV] (<https://mobjack.vims.edu/sav/savwabmap/>)
 - No
- Is the project proposed within an area documented as an anadromous fish use area (confirmed or potential)? [Learn more about anadromous fish use areas] (<https://services.dwr.virginia.gov/fwis/>)
 - Yes
- Is any in-stream work proposed within streams identified as wild trout waters? [Learn more about wild trout waters] (<https://services.dwr.virginia.gov/fwis/>)
 - No

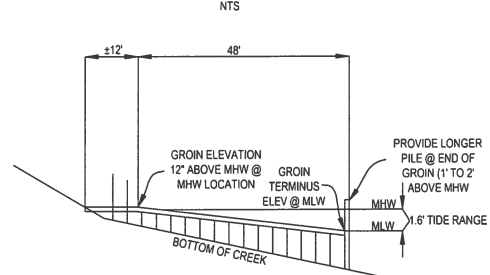
- Is a state-listed species or designated resource known within 2 miles of the proposed activity? For proposed activities located within Virginia's designated coastal zone, [Learn more at the Virginia Department of Wildlife Resources' (DWR) Virginia Fish and Wildlife Information Service (VAFWIS)] (<https://services.dwr.virginia.gov/fwis/>)
 - Yes
- Did you submit your project to DWR (ESSProjects@dwr.virginia.gov)?
 - No
- Is work proposed in the Chesapeake Bay National Estuarine Research Reserve in Virginia? This multi-site system along a salinity gradient of the York River includes Sweet Hall Marsh, Taskinas Creek, Catlett Islands, and Goodwin Islands. [Learn more about the Chesapeake Bay National Estuarine Research] (<https://www.vims.edu/cbnerr/>)
 - No
- Have you generated a USFWS official species list through IPAC?
 - No
- Please upload a copy of your USFWS IPAC species list.
 - Not Applicable (Question not presented)
- Is there potential for the project to affect aquatic federally listed threatened or endangered species or designated critical habitat? [NMFS Section 7 mapper] (<https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=a85c0313b68b44e0927b51928271422a>)
 - Yes
- Are you proposing to plant any invasive plant species? [Learn more about invasive plant species] (<https://www.dcr.virginia.gov/natural-heritage/invspdflist>)
 - No
- Will any proposed new or replacement culverts or pipes be embedded below the streambed (countersunk)?
 - Not Applicable
- Are you proposing temporary fill or impacts to aquatic resources?
 - Yes
- Upload a copy of your restoration plan.
 - 2026-02-09 Shoreline Stabilization Plan.PDF File(s) Uploaded
- Will your project affect any structures or works built by the USACE? [Learn more about USACE Civil Works projects] (<https://usacenao.maps.arcgis.com/apps/webappviewer/index.html?id=d19d8e578c294e92a327d9e8cd1047d9>)
 - No
- Are you are proposing a stream restoration project under Nationwide Permit 27?
 - No
- Upload a completed Natural Channel Design Review Checklist and Selected Morphological Characteristics form. [Access the form] (<https://www.epa.gov/cwa-404/natural-channel-design-review-checklist-under-cwa-section-404>)
 - Not Applicable (Question not presented)
- Are you also requesting a permit from the VDEQ?
 - No

- Upload a completed State Data Requirements PDF form.
 - Not Applicable (Question not presented)
- Are you applying for a [PASDO Category A](<https://usace.contentdm.oclc.org/utls/getfile/collection/p16021coll15/id/3190>) permit?
 - No
- Upload the PASDO Category A checklist. [Access the PASDO Category A checklist] (<https://usace.contentdm.oclc.org/utls/getfile/collection/p16021coll15/id/3190>)
 - Not Applicable (Question not presented)

COMMONWEALTH OF VIRGINIA JOINT PERMIT APPLICATION

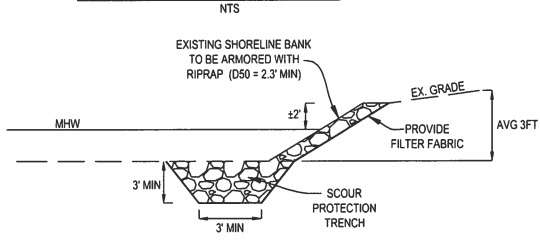


LOW- PROFILE GROIN TYPICAL



- NOTE:
1. ALL WOOD SHOULD BE A MINIMUM 2.5 LBS/FT³ CCA (SUPPLIER CERTIFICATION TO BE PROVIDED TO OWNER) OR VINYL
 2. ALL HARDWARE SHALL BE GALVANIZED
 3. PILES SHALL BE MINIMUM 10 FOOT ON CENTER 8" MIN IN DIAMETER

RIPRAP ROCK REVETMENT

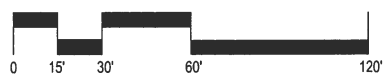


NOTE:
BEACH NOURISHMENT TO BE DONE IN SUCH A MANNER TO NOT IMPACT ANY VEGETATION

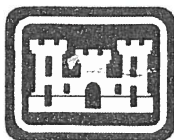
LEGEND

- APPROXIMATE LIMITS OF PROPOSED BEACH NOURISHMENT
- PROP. LOW PROFILE GROIN
- EX. LOW PROFILE GROIN
- APPROXIMATE LIMITS OF EXISTING VEGETATION
- APPROXIMATE LIMITS OF MEAN LOW WATER (MLW)
- APPROXIMATE LIMITS OF MEAN HIGH WATER (MHW)

ON PROPERTY OWNED BY DAVID T. &
AND MANDY MCHUGH



Scale: 1"=30'
February 9, 2026



U.S. Army Corps of Engineers
Norfolk District, White Stone Field Office
P.O. Box 1428
White Stone, Virginia 22578

February 22, 2007

Project Number: NAO-2007-861

Waterway: Lower Machodoc Creek

1. Participant:

David & Sandy McElhaney
4138 Burning Ridge Road
Woodbridge, VA 22192

2. Authorized Agent:

None

3. Address of Job Site:

N. Glebe Road, Westmoreland County, VA

4. Project Description:

Construct (6) 48' low profile, timber groins in accordance with the attached drawings dated "1/1/07".

5. Findings

A review of your permit application as described in part 4 above indicates that it qualifies for Norfolk District's Regional Permit 03-RP-19. A copy of the regional permit is enclosed with your drawings. Provided you follow the special and general conditions listed in this regional permit, no additional Corps permit will be required.

Your authorization to perform work under this permit expires three years from the date of this letter. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

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.

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.

YOU MAY NOT BEGIN WORK UNTIL YOU HAVE OBTAINED A PERMIT FROM THE VIRGINIA MARINE RESOURCES COMMISSION AND/OR THE LOCAL WETLANDS BOARD. If you have any questions please call your Corps contact at the phone number noted below. Thank you.

6. Corps Contact: Adrian R. Jennings (804)435-9362

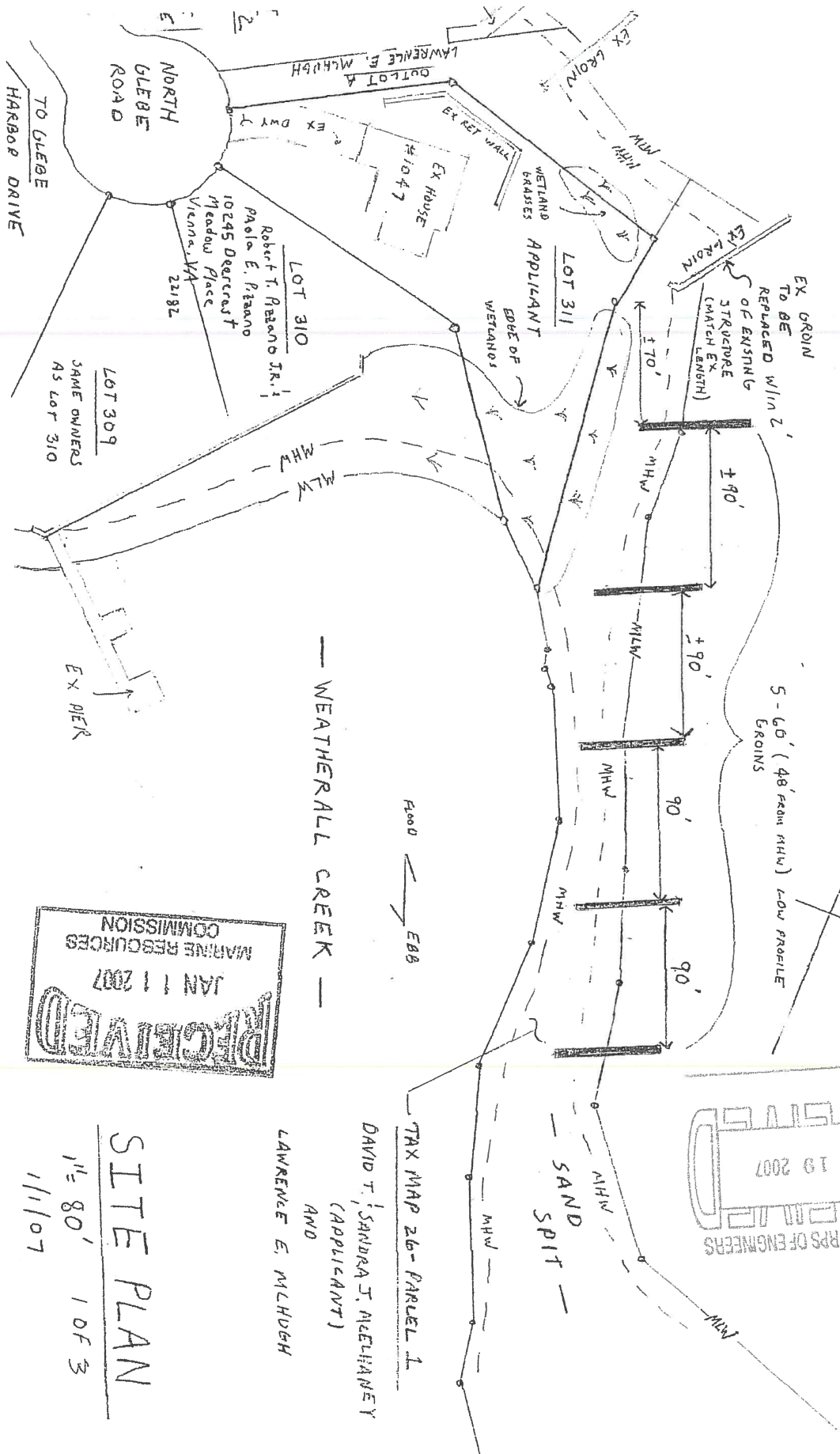
Keith B. Lockwood

Chief, Northern Virginia Regulatory Section

NAO FL 43 REVISED DEC 90

NOTE: LOT 312 IS OWNED BY
 LAWRENCE E. MCHUGH
 1043 N. GLEBE ROAD
 MONTROSS, VA 22520

← EBB LOWER MACHODOC CREEK → FLOOD



RECEIVED
 JAN 11 2007
 MARINE RESOURCES COMMISSION

RECEIVED
 JAN 19 2007
 U.S. ARMY CORPS OF ENGINEERS

TAX MAP 26- PARCEL 1

DAVID T. SANDRA J. MCHUGH
 (APPLICANT)
 AND

LAWRENCE E. MCHUGH

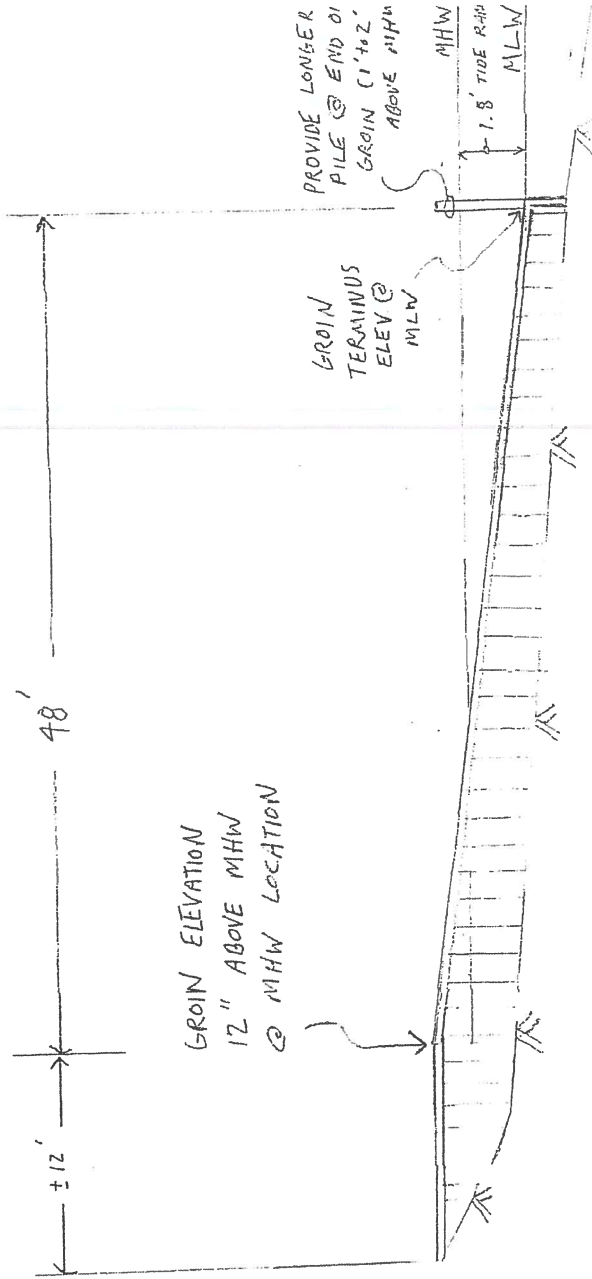
SITE PLAN

1" = 80' 1 OF 3

11/1/07

GROIN TYPICAL

NTS



NOTE: 1. ALL WOOD SHOULD BE PRESSURE TREATED TO A MINIMUM 2.5 LBS/FT³ CCA (SUPPLIER CERTIFICATION TO BE PROVIDED TO OWNER)

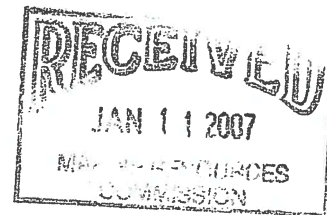
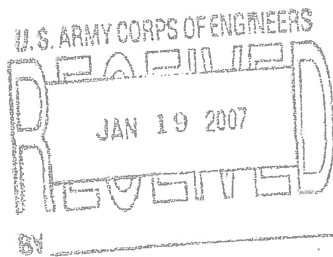
2. ALL HARDWARE SHALL BE GALVANIZED

3. PILES SHALL BE MINIMUM 10 FOOT ON CENTER 8" MIN. IN DIAMETER

GROIN TYPICAL

NTS

1/5/07 204





COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.
Secretary of Natural Resources

*Marine Resources Commission
2600 Washington Avenue
Third Floor
Newport News, Virginia 23607*

Steven G. Bowman
Commissioner

May 1, 2007

Mr. and Mrs. David McElhaney
4138 Burning Ridge Court
Woodbridge, VA 22192

RE: VMRC #07-0086

Dear Mr. and Mrs. McElhaney:

This will acknowledge receipt of your Joint Permit Application requesting authorization to install six (6) low-profile, timber and/or vinyl groins extending a maximum of 48 feet channelward of mean high water adjacent to property situated along Lower Machodoc Creek in Westmoreland County.

Since the groins have been approved by your local wetlands board, are of low-profile design and will not extend more than 48 feet channelward of mean high water, it will qualify for the Virginia Marine Resources Commission General Permit (VGP #2) for groins, and will therefore not require an individual permit from this agency. A copy of the general permit and your project drawings are enclosed and should be retained as evidence of authorization by the Marine Resources Commission.

In addition, the yellow placard accompanying this letter must be conspicuously displayed at the work site throughout the construction phase of the authorized activity. You are also required to notify this office a minimum of 15 days prior to beginning work on the groin. The enclosed self-addressed, stamped post card is to be used for this purpose.

If we may be of further assistance, please do not hesitate to contact us.

Sincerely,

Benjamin A. McGinnis
Environmental Engineer

BAM/moj
HM
Enclosure

cc: Westmoreland County Wetlands Board

An Agency of the Natural Resources Secretariat

Web Address: www.mrc.virginia.gov

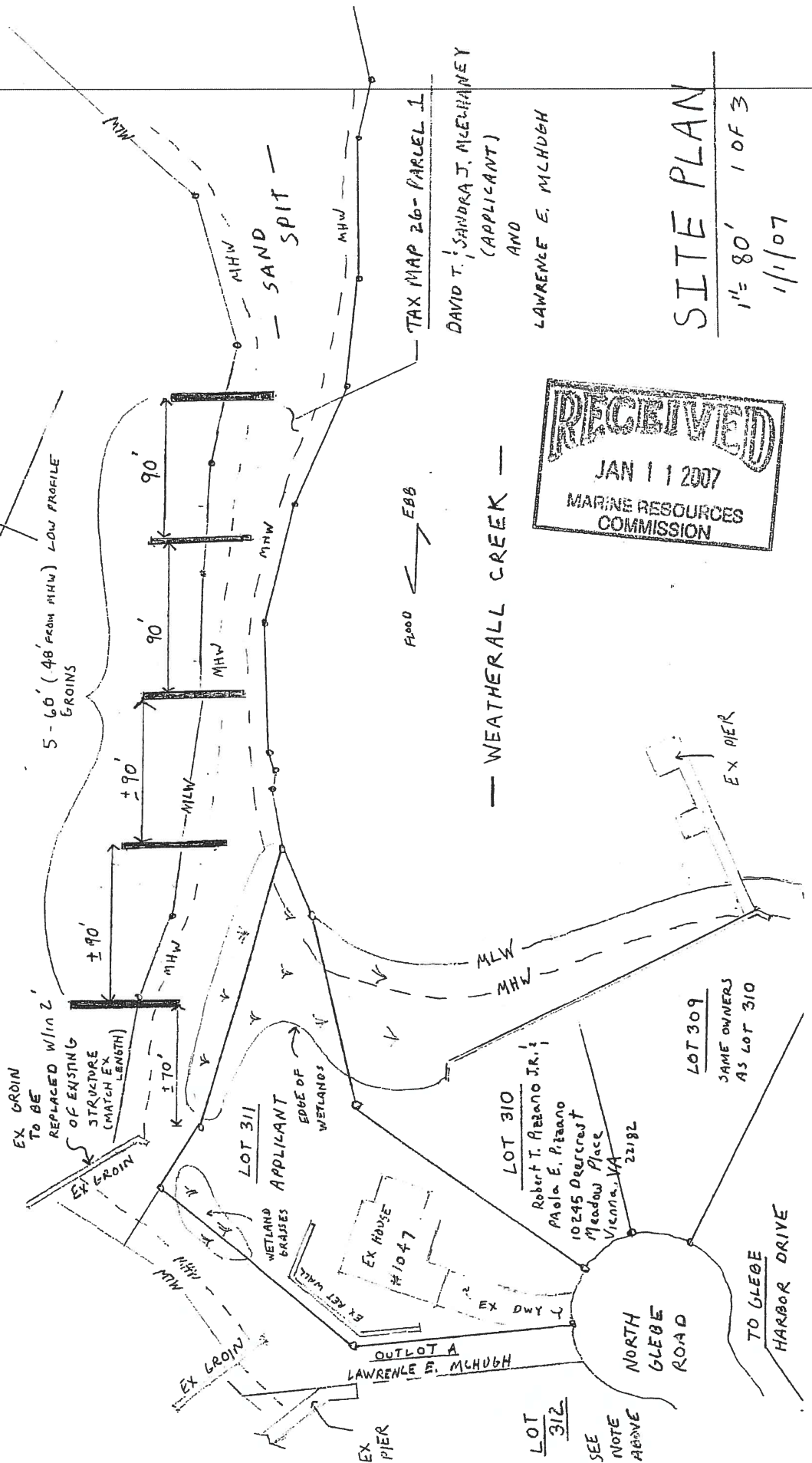
Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Received by VMRC February 12, 2026 / Ira

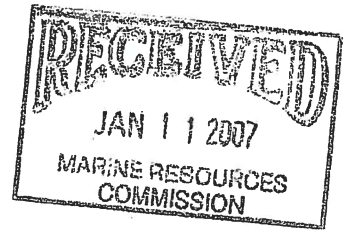
NOTE: LOT 312 IS OWNED BY
LAWRENCE E. MCHUGH
1043 N. GLEBE ROAD
MONTROSS, VA 22520

EBB → LOWER MACHODOC CREEK → FLOOD

± 4,500' ALRDS
(SHORE TO SHORE)



— WEATHERALL CREEK —

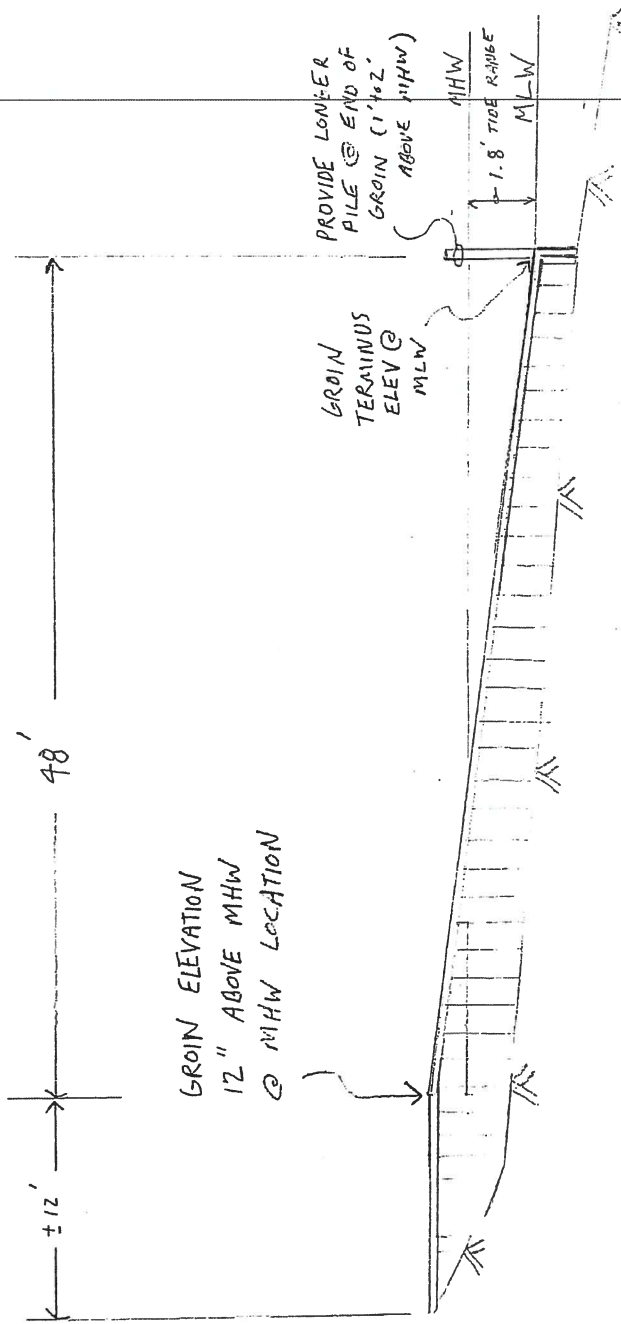


DAVID T. SANDRA J. McELHANEY
(APPLICANT)
AND
LAWRENCE E. MCHUGH

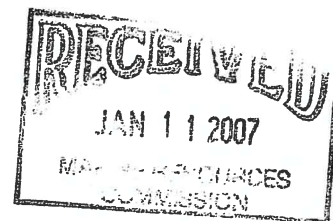
SITE PLAN
1" = 80' 1 OF 3
1/1/07

GROIN TYPICAL

NTS



- NOTE: 1. ALL WOOD SHOULD BE PRESSURE TREATED TO A MINIMUM 2.5 lbs/ft³ CCA (SUPPLIER CERTIFICATION TO BE PROVIDED TO OWNER)
2. ALL HARDWARE SHALL BE GALVANIZED
3. PILES SHALL BE MINIMUM 10 FOOT ON CENTER 8" MIN. IN DIAMETER



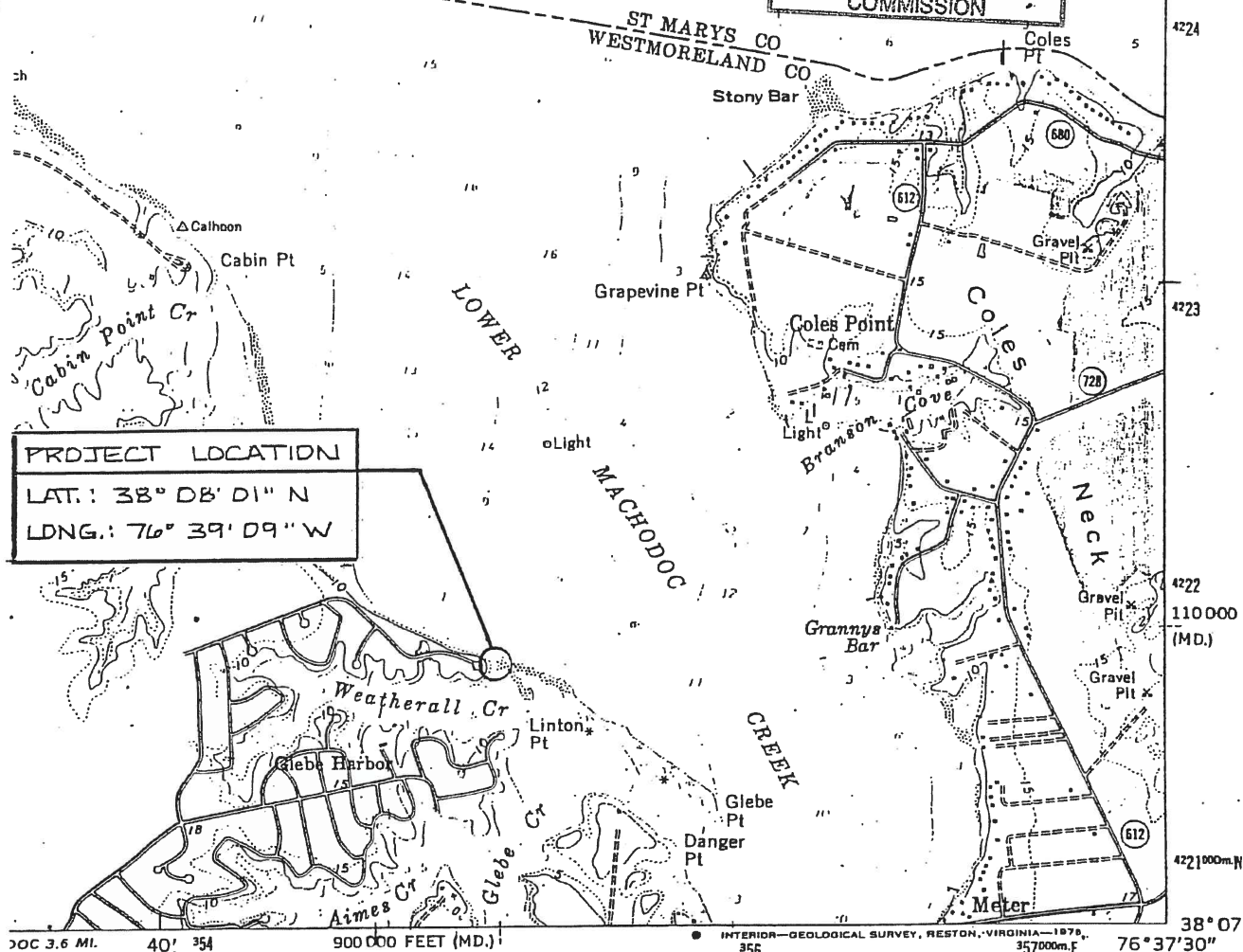
GROIN TYPICAL

NTS

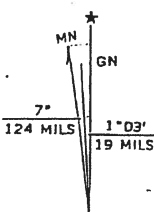
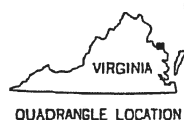
1/5/07

2 OF 3

RECEIVED
JAN 11 2007
MARINE RESOURCES
COMMISSION



VICINITY MAP



PROPOSED GROINS
McELHANEY - GLEBE HARBOR
- WESTMORELAND CO.

3 OF 3

COMMONWEALTH OF VIRGINIA
VIRGINIA MARINE RESOURCES COMMISSION (VMRC)

GENERAL PERMIT VGP #2

VMRC GENERAL PERMIT FOR GROIN PROJECTS DESIGNED TO CONTROL SHORELINE EROSION, WHICH CONFORM TO CERTAIN CRITERIA AND ARE UNDERTAKEN BY RIPARIAN OWNERS IN, ON OR OVER STATE-OWNED SUBAQUEOUS LANDS IN WATERS OF THE COMMONWEALTH.

1. AUTHORITY - EFFECTIVE DATE

(a) This General Permit is promulgated pursuant to the authority contained in § 28.2-103 and Chapter 12 of Title 23.2 of the Code of Virginia.

(b) This General Permit conforms with current Commission policy in its establishment of general permits for projects which meet certain restrictive criteria.

(c) This General Permit is consistent with the official opinion of the Attorney General issued on October 31, 1984, and attached hereto.

(d) The effective date of this General Permit is July 1, 1985.

2. DISCUSSION

(a) A principal objective of the permit streamlining efforts of this agency is the achievement of a single permit wherever possible for minor projects with minimal cumulative impacts.

(b) The Norfolk District U.S. Army Corps of Engineers has approved a general permit for groin projects in Virginia waters which are authorized by a local wetlands board and/or VMRC (89 RP-19)

(c) Local wetlands boards now process applications and issue permits for groins under the 1982 amendments to the Wetlands Act which placed the non-vegetated intertidal area of the "Tidewater Virginia" shoreline under their jurisdiction.

(d) The Virginia Institute of Marine Science reviews all applications for groins in tidal waters and submits a written evaluation to local boards for their use in the decision process.

(e) All local wetlands boards' decisions are made at public hearings which are public noticed in accordance with § 28.2-1302 of the Code of Virginia.

(f) The Commissioner reviews all decisions of local wetlands boards in compliance with § 28.2-1310.

(g) Any applicant, or 25 or more freeholders of property within the locality, aggrieved by a final decision of the local board, whether such decision is affirmative or negative in form, may appeal that decision to the Commission which will then review the local record in accordance with §§ 28.2-1311, 1312, and 1313.

(h) The Commission has promulgated guidelines to assist local boards in determining the appropriateness and suitability of proposed groin structures.

3. PROCEDURES

The Chief, Habitat Management Division, will administer the General Permit and assure:

(a) That the approved Local-State-Federal Joint Permit Application form is completed and filed in accordance with the instructions contained therein.

(b) That applications are processed in accordance with the procedures established in § 28.2-1302 of the Wetlands Act and the local ordinance adopted thereunder.

(c) That groin projects authorized by this permit achieve the policy and standards implicit in Chapter 12 of Title 28.2 of the Code of Virginia, reasonably accommodate guidelines promulgated by the Commission and are consistent with the attached opinion of the Attorney General.

(d) That groins authorized by local boards meet the following criteria: (1) are of "low profile" design, (2) do not extend more than 48 feet channelward of mean high water, (3) if constructed of riprap or stone material do not exceed six feet in base width, and (4) any spur associated with an approved groin must be properly designed and located.

Projects which do not meet the criteria in (a) through (d) above will be processed for an individual VMRC permit with appropriate fees and royalties.

4. AUTHORIZATION/CONDITIONS

All proposals for groin structures to encroach in, on or over State-owned subaqueous land which meet the criteria in

paragraph 3 (a) through (d) above are hereby permitted subject to the following standard conditions:

- (1) This permit grants no authority to the Permittee to encroach upon property rights, including riparian rights, of others.
- (2) The duly authorized agents of the Commission shall have the right to enter upon the premises at reasonable times, for the purposes of inspecting the work being done pursuant to this permit.
- (3) The Permittee shall comply with the water quality standards as established by the State Water Control Board 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 project.
- (4) The permit shall not affect or interfere with the right vouchsafed to the people of Virginia concerning fowling and the catching of and taking of oysters and other shellfish in and from the bottom of areas and waters not included within the terms of this permit.
- (5) 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.
- (6) 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.
- (7) There is expressly excluded from this permit any portion of the waters within the boundaries of the Baylor Survey (Public Oyster Ground).
- (8) 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.
- (9) The issuance of this permit does not confer upon the Permittee any interest or title to the beds of the waters.

- (10) 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.
- (11) 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.
- (12) This permit authorizes no claim to archaeological artifacts which 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 Virginia Department of Historic Resources. The Permittee further agrees to cooperate with agencies of the Commonwealth in the recovery of archaeological remains if deemed necessary.

5. This General Permit should be retained by the Permittee for the life of his project as evidence of authorization.

This is to certify that this permit was approved by the Commission at its regularly scheduled meeting on May 28, 1985, and is recorded in the official minutes of that meeting.

COMMONWEALTH OF VIRGINIA
MARINE RESOURCES COMMISSION

By: William A. Pruitt
William A. Pruitt
Commissioner

Subscribed and sworn to before me this 23rd day of February, 1993.

My Commission expires:

June 30, 1993

Virginia S. Chappell
Notary Public

Revised 2-93



NOV 2 1984

COMMONWEALTH of VIRGINIA

Gerald L. Baliles
Attorney General

Office of the Attorney General

William G. Broaddus
Chief Deputy Attorney General

October 31, 1984

Donald C. J. Gehring
Deputy Attorney General
Criminal Law Enforcement Division

Maston T. Jacks
Deputy Attorney General
Human & Natural Resources Division

Elizabeth B. Lacy
Deputy Attorney General
Judicial Affairs Division

Walter A. McFarlane
Deputy Attorney General
Finance & Transportation Division

Karl E. Bren
Director of Administration

The Honorable William A. Pruitt, Commissioner
Marine Resources Commission
P. O. Box 756
Newport News, Virginia 23607

My dear Mr. Pruitt:

You have requested my opinion regarding the authority of a local wetlands board to regulate the length of structures known as groins (structures built out from a shore to prevent erosion) and other similar structures constructed as part of a single project extending beyond the wetlands in both the intertidal zone and below mean low water.

The Wetlands Act, § 62.1-13.1 et seq. of the Code of Virginia, provides for local wetlands boards and gives them authority to regulate wetlands which are contiguous to and above mean low water, including the intertidal zone.

The lands below mean low water, unless previously conveyed away, are owned by the Commonwealth. See § 62.1-1. Section 62.1-3 allows certain uses of these lands and gives the Marine Resources Commission (the "Commission") authority to permit other uses. See 1981-1982 Report of the Attorney General at 242.

The Wetlands Act prohibits any use or development of wetlands without a wetlands permit issued by a wetlands board. See §§ 62.1-13.9 and 62.1-13.5(4)(a). A wetlands board must base its decision to issue or deny a permit on the impact the use or development will have on the public health and welfare as expressed by the Act's policy of preserving wetlands. Sections 62.1-13.5(9) and 62.1-13.1. The Commission is empowered by § 62.1-13.13 to modify, remand or reverse the decision of the wetlands board. See 1982-1983 Report of the Attorney General at 761.

In granting or denying any permit for the use of state-owned bottom lands, the Commission must consider the effect of the project "upon the wetlands of the Commonwealth, except when its effect upon said wetlands has been or will be determined under the provisions of Chapter 2.1 (§ 62.1-13.1 et seq.) [The Wetlands Act]...." Section 62.1-3, ¶ 6.

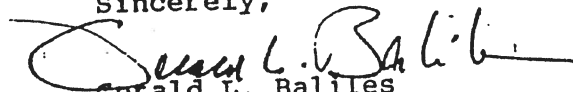
The Honorable William A. Pruitt
October 31, 1984
Page 2

By reading the wetlands boards' authority to carry out the Commonwealth's strong policy favoring wetlands preservation, together with the deference to Wetlands Act decisions contained in § 62.1-3, I conclude that a local wetlands board should consider the impact on wetlands from the total project, including that portion of the project resting on subaqueous lands beyond the wetland. Although not expressly authorized to do so by statute, regulation of the length of a structure is vital to exercising the authority to regulate the use of wetlands. Whether such consideration will require imposition of a limitation on the length of structures located below mean low water is a factual determination which must be made on a case-by-case basis. That decision is subject to review by the Commission. If the wetlands board does not consider the wetlands impact of the total project, the Commission must consider, pursuant to § 62.1-3, the effect of such a subaqueous project on wetlands, when it determines whether or not to grant a permit to use subaqueous lands.

I am, therefore, of the opinion that a local wetlands board is authorized to regulate the length of a structure which is constructed through both the intertidal zone and channelward of mean low water, subject to superior jurisdiction of the Commission to modify or reverse the decision.

With kindest regards, I am

Sincerely,


Gerald L. Baliles
Attorney General

6:3/54-203

Appendix B. Aquatic Resource Inventory:

<i>Aquatic Resource Name</i>	<i>State</i>	<i>Cowardin System</i>	<i>Cowardin Class</i>	<i>HGM Class</i>	<i>Local Waterway Name</i>	<i>Measurement Type</i>	<i>Measurement Amount</i>	<i>Measurement Units</i>	<i>Waters Type</i>	<i>Latitude</i>	<i>Longitude</i>
Line 1	VIRGINIA				Lower Machodoc	Linear	1143.1	FOOT		38.1335438	-76.6519057

Appendix C. Impact Inventory:

<i>Water Name</i>	<i>Impact Name</i>	<i>Activity</i>	<i>Type of Material Being Discharged</i>	<i>Resource Type</i>	<i>Permanent Loss (Y/N)</i>	<i>Impact Duration</i>	<i>Amount Type</i>	<i>Proposed Length</i>	<i>Proposed Width</i>	<i>Proposed Amount</i>	<i>Amount Units</i>
Line 1	Shoreline Improvement	Ecological restoration	Sand	Tidal Wetland	No	Temporary	Fill Area	250	25	6250	Square Feet

Provide any additional information you may have about the proposed quantity of wetlands, streams, or other types of waters directly affected by the proposed activity. This level of detail is helpful to better understand the type of impacts that are proposed for your project.

Proposed work will be done in such a manner to not impact existing vegetation. Please see detailed plan for proposed scope of work that includes measurements and dimensions.

Definitions and help text

Water Name: The name of the wetland, stream, or other type of water that would be impacted.

Impact Name: Useful if entering more than one impact for the same or multiple waters (e.g., linear projects) and name accordingly. This may be different than the Water Name; keep it short and simple. For example, if Stream-1 is the water, the impact name could be "Crossing-1," "Crossing-2," "Crossing-3." A short name helps describe the impact and is useful when looking at a list of impacts.

Activity: Options are:

- Conversion of waters type (forested wetland to emergent wetland, stream to lake)
- Discharge of dredged material
- Discharge of fill material
- Dredging (Section 10)
- Ecological restoration
- Other (Aquaculture, Work, Aerial or Submarine cable crossings)
- Removal (Sec 10 structures)
- Structure (Sec 10 only)
- Transport of dredged material (Sec 103)

Type of Material Being Discharged: Describe the material to be discharged within USACE jurisdiction. Make sure this description is consistent with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Resource Type: Options are Harbor/Ocean, Lake, Non-Tidal wetland, Other, Pond, River/Stream, and Tidal wetland.

Permanent Loss (Y/N): Only enter "YES" when the 'discharge of dredged or fill material' activity types are chosen. A permanent loss means the conversion of an aquatic resource to dry land.

Impact Duration: Options are Permanent or Temporary. An example of a temporary impact is the discharge of fill for temporary access roads that are later removed and returned to pre-construction contours.

Amount Type: Options are Area or Volume.

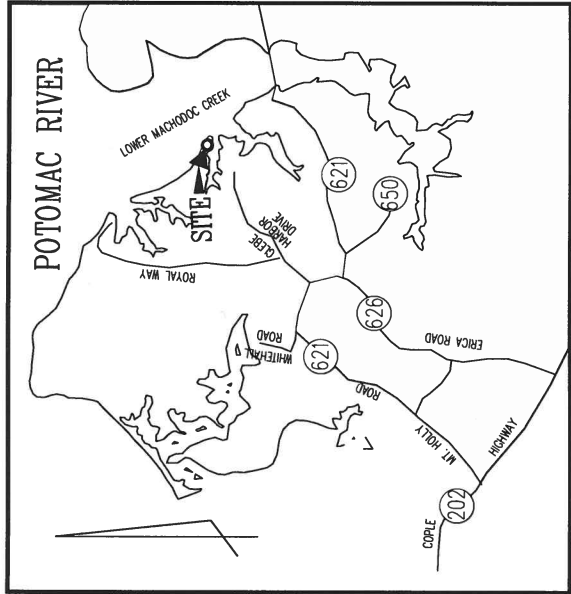
Amount Units: Options are Acre or Square Feet if Amount Type=Area, Cubic Yards if Amount Type=Volume.

Proposed Length and Proposed Width: Unit is linear feet.

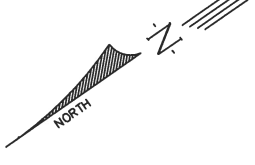
Proposed Amount: Unit is square feet.

Appendix H. Supporting Information:

<i>Document Type</i>	<i>Document Created Date (YYYY-MM-DD)</i>	<i>Document Label</i>	<i>Information Source/Citation</i>	<i>Uploaded file name</i>
Project Plans	2026-02-09	Shoreline Stabilization Improvement Plan	Plans prepared by the applicant	2026-02-09 Shoreline Stabilization Improvement Plan.PDF
Other Information	2007-02-22	Previous ACOE approval of nearby project	Approval from ACOE	Previous ACOE Approval - NAO-2007-861.pdf
Other Information	2007-05-01	Previous VMRC approval of nearby project	VMRC	Previous VMRC Approval VMRC No. 7-0086.pdf
Other Information	2007-03-19	Previous Westmoreland County Wetland Board approval of nearby project	Westmoreland County	Previous Westmoreland County Wetlands Board Approval Case No. 988.pdf



4.6 MILES ACROSS
(SHORE TO SHORE)



LOWER
MACHODOC
CREEK

PROPOSED BEACH NOURISHMENT APPROX. 500 CY
(FROM SOUTHERN END OF SUBJECT PARCEL
TO WHERE THERE SURPLUS MATERIAL)

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

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PROFILE GROIN

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MEAN LOW WATER) LOW
PROFILE GROIN

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

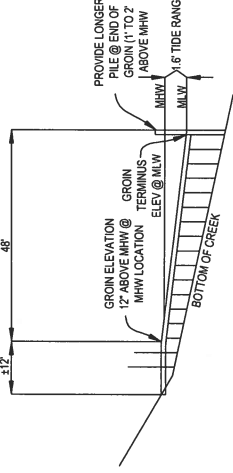
PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

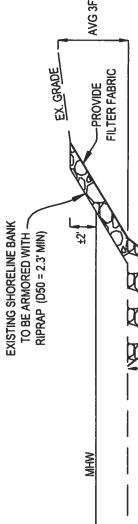
PROPOSED 66' (46' FROM
MEAN LOW WATER) LOW
PROFILE GROIN

LOW-PROFILE GROIN TYPICAL
NTS



- NOTE:
1. ALL WOOD SHOULD BE A MINIMUM 2.5 LBS/FT CCA (SUPPLIER CERTIFICATION TO BE PROVIDED TO OWNER) OR VINYL
 2. ALL HARDWARE SHALL BE GALVANIZED
 3. PILES SHALL BE MINIMUM 10 FOOT ON CENTER 8" MIN IN DIAMETER

RIPRAP ROCK REVETMENT
NTS



- NOTE:
1. BEACH NOURISHMENT TO BE DONE IN SUCH A MANNER TO NOT IMPACT ANY VEGETATION

LEGEND

- APPROXIMATE LIMITS OF PROPOSED BEACH NOURISHMENT
- PROPOSED LOW PROFILE GROIN
- EXISTING LOW PROFILE GROIN
- APPROXIMATE LIMITS OF EXISTING VEGETATION
- APPROXIMATE LIMITS OF MEAN LOW WATER (MLW)
- APPROXIMATE LIMITS OF MEAN HIGH WATER (MHW)

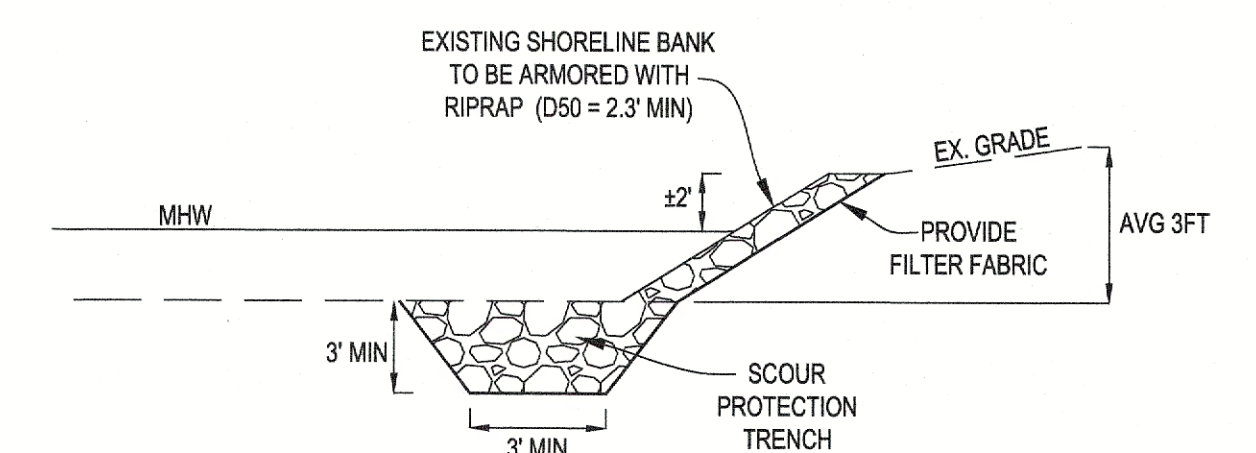
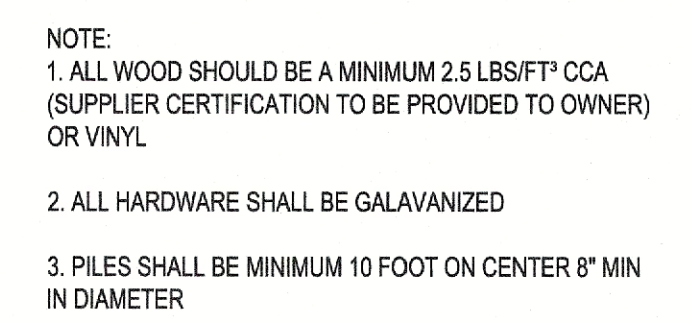
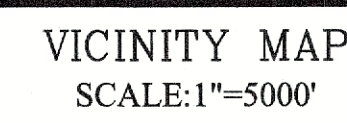
SHORELINE STABILIZATION MEASURES ON PROPERTY OWNED BY DAVID T. & SANDY MCELHANEY AND MANDY MCHUGH



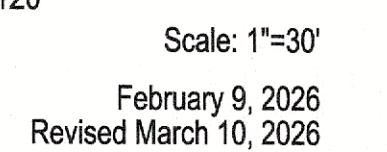
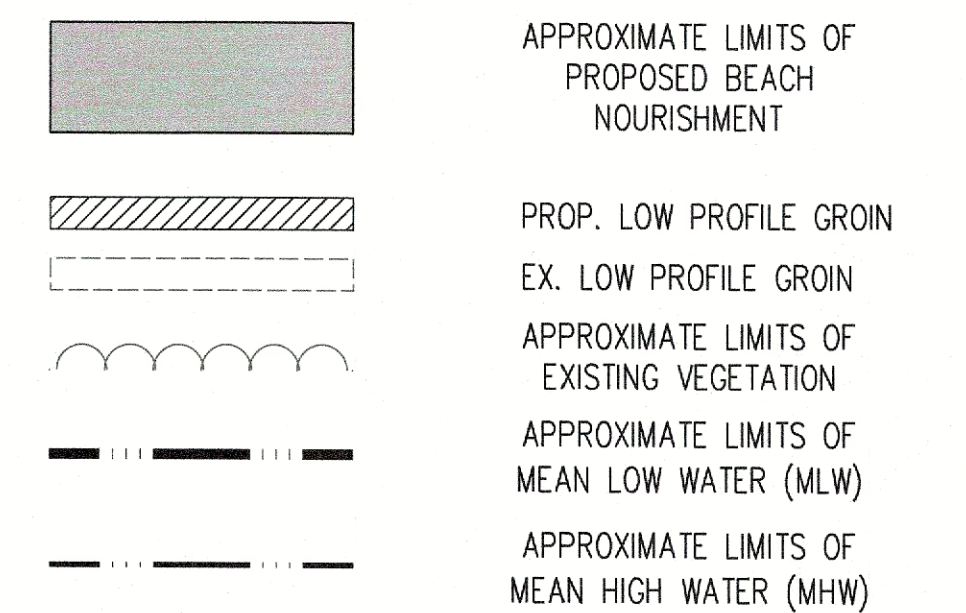
Westmoreland County, VA



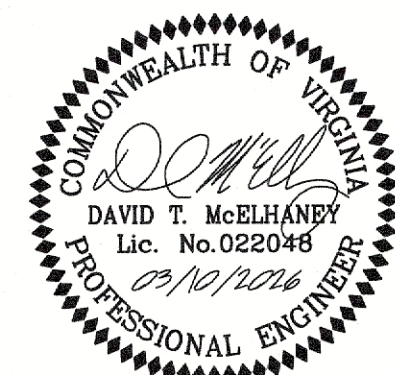
Scale: 1"=30'
February 9, 2026



NOTE:
BEACH NOURISHMENT TO BE DONE IN SUCH A MANNER
TO NOT IMPACT ANY VEGETATION



Westmoreland County, VA





P. O. Box 1000
Montross, Virginia 22520
Phone: (804) 493-0121
Fax: (804) 493-0604

WESTMORELAND COUNTY, VIRGINIA
Land Use Administration
MONTROSS, VIRGINIA 22520



Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

Water Quality Impact Assessment for Wetlands Projects

Application Date March 10, 2026

Tax Map # 26K2 1 A, 26 1E

VMRC # 20260299

Applicant Name: David McElhaney Owner Name: David T. & Sandra J. McElhaney and Mandy McHugh

Address: 4240 Windermere View Place

Address: Neither parcel has address. Adjacent

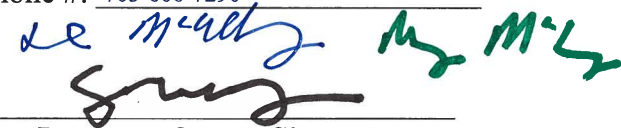
Woodbridge, Virginia 22192

parcel dwelling address is 1047 N Glebe Road
Montross, Virginia 22520

Phone #: 703-606-7290

Phone #: 703-606-7290


Applicant/Agent Signature


Property Owner Signature

* **Note:** A site drawing must accompany this application, showing the 100 foot RPA, limits of clearing & grading, erosion control structures, construction access, and the proposed project.

Project Type:

☒ Riprap revetment ☐ Bulkhead ☒ Groin ☐ Pier ☐ Boat Ramp ☒ Bank Grading
☐ Fill ☒ Other: Sand Nourishment

Erosion & Sediment Control Structures:

☐ Silt Fence ☐ Straw Bales ☐ Matting ☐ N/A ☒ Other

Current Vegetation in 100 foot RPA:

±15 # Trees ±10 # Shrubs ±8,000 sq ft# Groundcover (may be square feet)

* **Note:** Lawn Grass does not filter nonpoint source pollution as do deeper grasses, trees and shrubs. It should be kept to a minimum in the 100 foot buffer.

Landscape Agreement

N/A - All work will not impact vegetation, just shoreline.

In order to pursue the aforesaid activity on Tax Map # _____, I agree to properly install and maintain the following vegetation as recommended by the Riparian Buffers Modification & Mitigation Guidance Manual (Virginia Department of Conservation and Recreation Chesapeake Bay Local Assistance, September 2003 – Reprinted 2006). All vegetation shall be native to this area and planted within the 100 foot Resource Protection Area.

Planting Schedule

Species	Size	Quantity
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Agent Signature

Property Owner Signature

***Note:** The Riparian Buffers Modification & Mitigation Guidance Manual may be found online at:

http://www.dcr.virginia.gov/chesapeake_bay_local_assistance/documents/Vegetation_Planting_Recommendations.pdf

**Water Quality Impact Assessment Review
(Westmoreland County Staff)**

- ☒ Yes ☐ No ☐ N/A The project minimizes land disturbance within the RPA.
- ☒ Yes ☐ No ☐ N/A Limits of construction including access are minimized.
- ☒ Yes ☐ No ☐ N/A The project is consistent with the comprehensive plan.
- ☒ Yes ☐ No ☐ N/A The project complies with all Erosion & Sediment control requirements.
- ☒ Yes ☐ No ☐ N/A The project complies with all stormwater management requirements.
- ☒ Yes ☐ No ☐ N/A Wetland permits have been acquired. (in progress)
- ☐ Yes ☐ No ☒ N/A Wetland delineation has been submitted for compliance.
- ☒ Yes ☐ No ☐ N/A The "best available technical advice" has been used in the selection, planning and design of the project.
- ☒ Yes ☐ No ☐ N/A Indigenous vegetation has been preserved to the maximum extent practicable.
- ☐ Yes ☐ No ☒ N/A Appropriate mitigation plantings have been proposed that will provide the required water quality functions of the buffer area.

Consistency Determination

☐ Consistent

☐ Inconsistent

Conditions required for consistency: _____

Reviewed by: _____

Date _____