

Issue Analysis Form

Date: January 14, 2020
Item: Resolution - Living Shoreline
Landowner Agreement
Lead Department(s): Parks & Recreation
Contact Person(s): Keith Rotzoll



Description and Current Status

James River Association is installing a Living Shoreline along the Lower James. The General Assembly prefers living shorelines for shoreline stabilization. Benefits include native plants that provide habitat and prevent erosion and marshes that are more responsive to changing water levels and retain sediment and nutrients keeping pollutants from entering the James River.

Prince George County Parks & Recreation owns the land located at 800 Folar Trail N, Hopewell, VA that would benefit from this project. James River Association will pay all costs associated with installing the living shoreline through December 2021. Prince George County Parks & Recreation will be responsible for retaining the living shoreline for a minimum of ten (10) years beginning January 1, 2020.

See attached Living Shoreline Landowner Agreement.

Sample Motion: I move that the Board authorize the County Administrator to sign the Living Shoreline Landowner Agreement.

Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does This require Planning Commission Action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does this require a public hearing?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If so, before what date?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Fiscal Impact Statement

None

County Impact
Notes

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 14th day of January, 2020:

Present:

Donald Hunter, Chairman
Alan R. Carmichael, Vice-Chair
Floyd M. Brown, Jr.
Marlene J. Waymack
T. J. Webb

Vote:

A-3.

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

RESOLUTION: LIVING SHORELINE LANDOWNER AGREEMENT

WHEREAS, James River Association is installing a Living Shoreline along the Lower James. The General Assembly prefers living shorelines for shoreline stabilization.

WHEREAS, Prince George County Parks & Recreation owns land located at 800 Folar Trail, N. Hopewell, VA that would benefit from this project.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George this 14th day of January, 2020, does hereby approve the signing of the Living Shoreline Landowner Agreement.

A Copy Teste:

Percy C. Ashcraft
County Administrator



Living Shoreline Landowner Agreement

Landowner Name: Parks and Recreation Department (Prince George County)

Address: 800 Folar Trail N, Hopewell, VA 23860

Description of Property: Appomattox River Regional Park (Public Park)

Tax Map Identification Number: 220(03)00-00D-1

Telephone (day): (804) 458-6164 (evening): _____

E-mail: krotzoll@princegeorgecountyva.gov

I own the land that would benefit from the proposed living shoreline and I have discussed the project with a James River Association (JRA) staff member. I have reviewed and approved the attached site concept and shoreline planting recommendations. I agree to support the permit application process and have the living shoreline installed on my property with all costs paid for by JRA including surveying, permitting, design, site preparation (if needed), construction materials, plants, installation and planting labor, and maintenance costs (labor and materials) through December 2021. I further commit to retaining the living shoreline on my property for a minimum time of ten (10) years from the Effective Start date of this Agreement, January 1, 2020. As part of that commitment, I (current or subsequent landowner) agree to neither remove nor intentionally alter the shoreline project area during the 10 year agreement period. In the event of a breach of this Agreement that causes the project to fail its restoration purposes, I agree to pay JRA a prorated amount, based on the percent of the ten (10) year agreement period remaining after the breach, of the total living shoreline project cost including design, materials, and labor.

Access to Project Site

I will permit the James River Association and its partners and contractors to access the project area for the following purposes:

- Project preparation and installation. This includes surveying, site preparation, construction, and planting.
- Project monitoring. During year (1) of the project, JRA will periodically monitor the project for success. Site monitoring will also occur after significant rainfall or storm events.
- Educational purposes. JRA is installing this project for demonstration purposes and may use it for education purposes, including workshops and classes. JRA will work with the landowner to schedule educational events to cause as little disruption as possible.

JRA will provide at least 72 hours notice prior to accessing the site, with the exception of monitoring following heavy rainfall events.



Maintenance

I understand that in addition to the establishment support provided until December 2021 by the James River Association, I am responsible for monitoring plantings to ensure survival for at least 10 years. JRA shall provide a basic maintenance manual to assist the landowner in maintaining the living shoreline. Maintenance items include, but are not limited to, the following:

- Conduct an annual survey of planted area: new vegetation must maintain a cover of 90% or more. Replant denuded areas as necessary.
- Spot treat invasive species.
- Address issues of trespass, leading to damaged vegetation, as necessary.
- Assess structures such as sills for stability. Repair and replacement of failed sills in the same location shall be allowed without need of additional authorization. Additional sand may be placed to replace any lost sand or to adjust for substrate settlement, provided the elevation of the originally proposed grade is not exceeded.
- Applying fertilizer after vegetation has been established is prohibited to reduce sources of nutrient pollution.

In the event I transfer the land, I will advise the transferee of this agreement and provide mention of the agreement in the real estate contract, which will continue past any such transfer. Neither party shall have any further obligation to the other after the Agreement has expired. JRA shall have no obligation to restore the land to its original condition.

Date: _____ Landowner Name (Printed): _____

Date: _____ Landowner Signature: _____

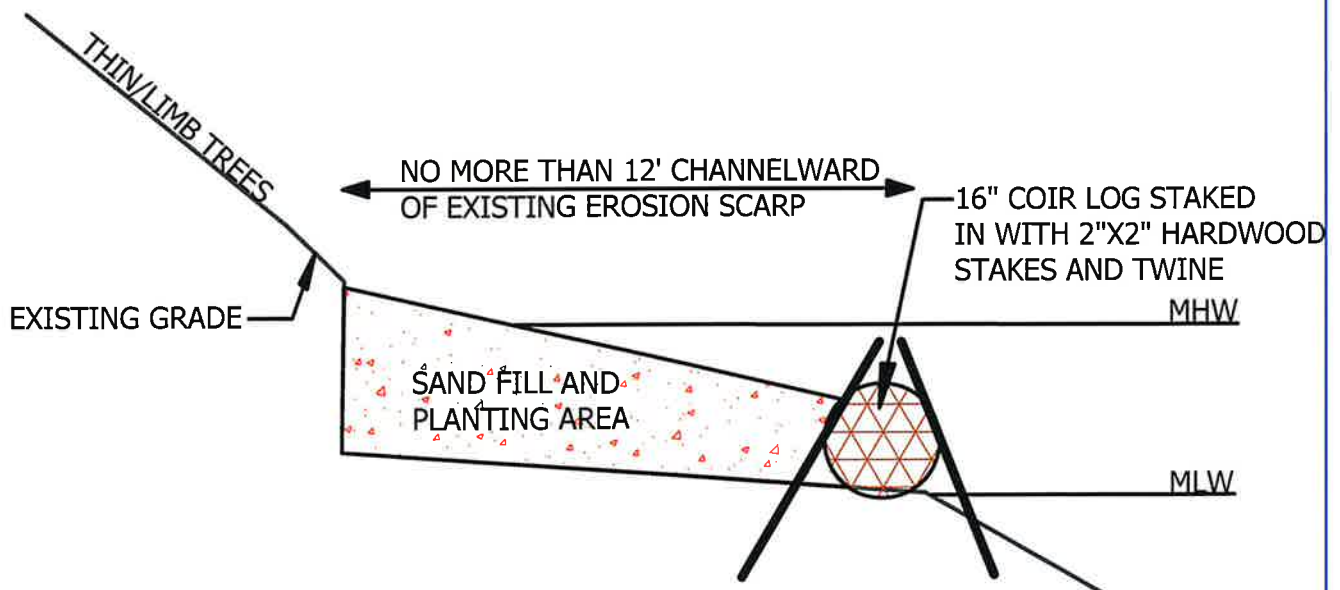
Date: _____ JRA Representative (Printed): William H. Street

Date: 12/5/2019 JRA Representative Signature: [Signature]

Effective Project Date: January 1, 2020



COIR LOG TOE STAKED IN PLACE NO MORE THAN 12 FEET CHANNELWARD OF EXISTING EROSION SCARP. SAND FILL DELIVERED TO SHORELINE VIA A TEMPORARY PLYWOOD FLUME OR CONVEYOR FROM TOP OF BANK. TREE THINNING TO OPEN UP SUNLIGHT TO INCLUDE LIMBING OF TREES AND SAPLINGS.



NOT TO SCALE
DATE: 7/10/2019
BAY # 19-047-01
DRAWN BY: CJC

CONCEPTUAL LIVING SHORELINE PLAN
APPOMATTOX RIVER REGIONAL PARK
RIVER ROAD
PRINCE GEORGE CO., VIRGINIA



Photos taken over three years show the use of a living shoreline strategy to protect an eroding shoreline at the Captain Sinclair's Recreation Area in Gloucester County.

Photos: Shoreline Studies Program,
Virginia Institute of Marine Science.



2015



2016



2017

VIRGINIA SHORELINE EROSION ADVISORY SERVICE

For more information, visit
www.dcr.virginia.gov/soil-and-water/seas
or contact a SEAS engineer at:

804-443-1494

mike.vanlandingham@dcr.virginia.gov

804-443-5642

aaron.wendt@dcr.virginia.gov

SEAS is a program of the Virginia
Department of Conservation and Recreation.



Virginia Department of Conservation and Recreation

11/2017

The Virginia **Shoreline Erosion Advisory Service**, or SEAS, was established in 1980 to help private landowners and localities in Virginia with shoreline erosion problems. Services are free of charge in tidal and non-tidal areas of the state.

STAFF CAN PROVIDE:

- Site investigation and analysis.
- Technical assistance.
- Written advisory reports.
- Construction plan review.
- Construction inspections.
- Information and education.

Some Virginia shorelines have historic erosion rates of up to 30 feet per year. If left unmanaged, shoreline erosion can cause a loss of productive land, a drop in property values and a buildup of nutrients and sediment in the water. In the worst cases, shoreline erosion can cause injury or loss of life.

Upon request, SEAS staff will evaluate your shoreline and recommend actions tailored for the property. These recommendations can result in a properly designed and built solution that will provide better shoreline protection, last longer and minimize negative impacts to adjacent properties and the environment.

Wave energy is the main cause of shoreline erosion. The best strategies to prevent shoreline erosion should be tailored to site conditions at each property. Prevention strategies can include:

Low

wave energy environments
Establishment or enhancement of existing vegetation.

Medium

wave energy environments
Vegetation plus some type of structural control.

Large

wave energy environments
Structural controls.

There are advantages and disadvantages to any shoreline erosion control strategy. SEAS staff will help you choose the best fit for your site — one that meets your goals for the property.