

# Joint Permit Application Summary

February 12, 2020 by W&M Virginia Coastal Policy Center (VCPC)

## What is a Joint Permit Application?

With respect to aquaculture, a [Joint Permit Application](#) (JPA) is required when you do not have an oyster ground lease and want to place cages on state-owned bottomlands; you do or do not have a lease and want to place floating cages on the surface above state-owned bottomlands; or you do have an oyster ground lease, but want to use cages or containers that will be greater than 12 inches above the state-owned bottomlands and/or will be marked at the surface with buoys (see [VMRC General Permit #4](#)). The JPA is submitted to VMRC's Habitat Management Division, who will then forward the application to various entities (such as the Local Wetlands Board, the Virginia Department of Environmental Quality (VDEQ), and the U.S. Army Corps of Engineers) that also need to review the JPA. There are two types of JPAs: the Tidewater JPA and the Standard JPA. A [Tidewater JPA](#) is required if tidal waters, wetlands, or dunes will be impacted by the project. Examples of such projects include, but are not limited to, building piers, boat ramps, jetties, aquaculture structures, and road crossings over tidal waterways. The typical aquaculturist will be using the Tidewater JPA. The [Standard JPA](#) is required for dredging and excavation projects that are within tidal waterways or wetlands.

## How Much Does a Joint Permit Application Cost?

[Virginia Code § 28.2-1206\(B\)](#) specifies that the permit fee for state-owned bottomlands is \$25 for projects that cost equal to or are less than \$10,000, and \$100 for projects that exceed \$10,000. The permit fee should not be submitted with the JPA. Instead, the VMRC will send a letter outlining the fees they require for the permit to be granted. It is also important to note that VMRC does not handle the fees for any other agency, the JPA itself (see pages 4-5 of the Tidewater JPA) provides contact payment details for each agency. For JPAs submitted pursuant to VMRC General Permit #4, the [required fee is associated with the number of structures](#) involved in the project.

## What Information Must Be Included in a Joint Permit Application?

Each JPA requires the submission of detailed [project drawings](#), with both plan and cross-sectional views, to VMRC. Some Local Wetlands Boards may require that a licensed engineer certify the drawings. Contact information for each locality's Wetlands Board is usually listed on the first page of the JPA, the Center for Coastal Resources Management's [website](#), or the individual locality's website. Applicants must obtain signed Acknowledgement Forms (see pages 11-12 of the Tidewater JPA and pages 28-29 of the Standard JPA) from all adjacent property owners that specify whether the adjacent property owner objects to the proposed project. Additionally, VMRC requires that applicants obtain a surety bond for their equipment. Each cage or structure more than 12 inches from the bottomlands must be insured for \$15 through any bank or insurance company that the applicant may choose. This bond assists VMRC with the disposal of abandoned equipment and incentivizes individuals to collect their gear when leaving a lease.

## What Happens Next?

After receiving an application, VMRC assigns a permit application number and distributes a copy of the application (and its attachments) to other regulatory agencies noted above. Each agency conducts a separate but concurrent review of the project. Do not begin work until you have received authorization, or documentation that no permit is required, from each agency involved. You can check the status of your application on the VMRC [website](#). If your JPA is approved, you will be granted a Regional Permit 17 (RP-17), which "authorizes the installation and/or construction of open-pile piers, mooring structures/devices, fender piles, covered boathouses/boat slips, boatlifts, osprey pilings/platforms, accessory pier structures, and certain devices associated with shellfish gardening, **for private use**, subject to strict compliance with all conditions and limitations further set out in the RP-17 enclosure." For JPAs submitted pursuant to [VMRC General Permit #4](#), VMRC will notify applicants via letter.