

Planning & Zoning Dept. Wetlands Information

50 Brickbat Rd.
P. O. Box 839
Mathews, VA 23109
Ph. # (804) 725-4034
Website:
www.co.mathews.va.us

Nontidal Wetlands Regulations *Frequently Asked Questions*

Is my lot affected by state and federal nontidal wetlands regulations?

Yes, if nontidal wetlands are located on your property and you want to build a home, install a driveway, septic system or make other improvements that involve placing fill materials or clearing of these wetlands.

You may need a permit from the U. S. Army Corps of Engineers and/or the Virginia Department of Environmental Quality for filling wetlands.

If nontidal wetlands are on my lot, is it still buildable?

Yes, if you obtain a nontidal wetlands letter of authorization or permit under state or federal law or if your activity is exempted by regulation.

Do I need a permit to sell my lot?

No. A nontidal wetlands permit is required only when you are planning to build on the lot in a way that impacts nontidal wetlands. Selling a lot does not in and of

itself, affect nontidal wetlands.

Must I delineate wetlands on my lot before I sell it?

No. A wetlands delineation is not required in order to sell property under state or federal wetlands law. Whether a wetlands delineation should be done is up to you and the prospective buyer.

If I have an approved plat or a zoning permit, do I also need a nontidal wetlands permit?

Yes.

When must I apply for a nontidal wetlands permit?

Prior to any grading, filling or clearing of wetland areas for construction on the lot.

How can I avoid and minimize impacts to nontidal wetlands?

A lot owner can avoid and minimize impacts to nontidal wetlands by maximizing the use of available non-wetland areas on

the lot.

In addition, the size or design of the house, driveway or lawn could be modified to reduce the amount of fill materials (sand, gravel, asphalt, concrete, dirt, etc.)

How can I tell if there are nontidal wetlands on my lot?

Lot owners who want to be certain whether or not nontidal wetlands are on their

property should consult a professional wetlands delineator to do a survey to identify wetlands.

The consultant should identify wetlands according to the Corps of Engineers Wetlands Delineation Manual.

As a general rule, if your property has wet soils, wetland vegetation, and a high seasonal water table, your lot may have nontidal wetlands present.

How do I apply for a permit?

A Joint Permit Application (JPA) is available from the U. S. Army Corps of Engineers

Access to the Joint Permit Application may be found on the Mathews County website at www.co.mathews.va.us.

The link to the JPA is found on the Planning, Zoning & Wetlands Department's page under 'Wetlands Board Fees'.

How can I obtain additional information about nontidal wetlands in the County?

Please contact the Department of Planning, Zoning & Wetlands by phone at (804) 725-4034 or

by our website:
www.co.mathews.va.us

Our department has maps and information on wetlands, soil types and the permitting process that may be helpful.

Are there costs involved for permitting development in nontidal wetlands?

Yes. You may have to pay into an in-lieu fee fund or purchase wetland credits from a wetlands bank if the development of your lot cannot avoid impacts to nontidal wetlands.

Are there penalties if I impact nontidal wetlands without obtaining a permit or approval from state or federal agencies?

Yes. You may be subject to fines and/or mitigation measures imposed by the Army Corps of Engineers and/or the Virginia Dept. of Environmental Quality (DEQ).

