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To: Board of Supervisors of Dinwiddie County, Virginia

CC: W. Kevin Massengill, County Administrator
Robert Wilson, Executive Dir. of the Appomattox River Water Authority

From: Tyler Southall, County Attorney

Date: May 16, 2023

Subject: Resolution Authorizing Approval to Apply for “No-Wake” Zone at the Mouth of Whipponock Creek to Lake Chesdin

Background:

In the aftermath of the tragic boating accident on Lake Chesdin last September, the Appomattox River Water Authority has installed three “No-Wake” buoys at the entrance to Whipponock Creek. The buoys are located on the east and west side of the island at the mouth of Whipponock Creek and about 1,200 feet upstream of the island at the mouth of Whipponock Creek, intending to create a no-wake area that is between about 1,100 feet long on the west side of the entrance to Whipponock Creek and about 1,700 feet on the east side of the entrance to Whipponock Creek. The three no-wake buoys are located at or near N 37.24390000, W 77.59363333; N 37.24523333, W 77.59115000; and N 37.24413333, W 77.58788333. A map showing the buoys is included with the materials that accompany this memo.

It has been advised by the Virginia Department of Wildlife Resources that these buoys cannot be enforced unless application is made by the Board of Supervisors. Virginia Code Section 29.1-744(A) states: “Any political subdivision of this Commonwealth may, at any time, but only after public notice, formally apply to the Board [of Wildlife Resources] for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits and shall specify in the application the reasons which make the special rules or regulations necessary or appropriate.” This allows for the Board of Supervisors to apply for the creation of no-wake buoy zones.

Robert Wilson, Executive Director of the Appomattox River Water Authority provided the enclosed information to the Board of Supervisors.

Action:

Resolution Authorizing Approval to Apply for No-Wake Zone at the Mouth of Whipponock Creek to Lake Chesdin

WHEREAS, the Dinwiddie County Board of Supervisors is desirous of establishing a no-wake zone at the mouth of Whipponock Creek to Lake Chesdin to improve the safety of boating on Lake Chesdin; and

WHEREAS, the Board of Supervisors is desirous of allowing boats to proceed at a normal speed between Whipponock Marina and the buoy marking the upstream beginning of the no-wake zone; provided, that the boats observe the no-wake zone at the mouth of Whipponock Creek to Lake Chesdin; and

WHEREAS, the Board desires to create a no-wake area that is between about 1,100 feet long on the west side of the entrance to Whipponock Creek and about 1,700 feet on the east side of the entrance to Whipponock Creek and allow the enforceability of three no-wake buoys located at or near N 37.24390000, W 77.59363333; N 37.24523333, W 77.59115000; and N 37.24413333, W 77.58788333.

WHEREAS, public notice of the no-wake zone to be taken tonight has been effected in the form of newspaper ads on May 3 and May 10, and letters to adjacent property owners; and

BE IT THEREFORE RESOLVED THAT the Board of Supervisors authorizes and directs the County Administrator to apply to the Board of Wildlife Resources and other necessary government entities for the creation of a no-wake zone at the mouth of Whipponock Creek intersecting Lake Chesdin and three no-wake buoys at or near the following locations: N 37.24390000, W 77.59363333; N 37.24523333, W 77.59115000; and N 37.24413333, W 77.58788333.

BE IT FURTHER RESOLVED THAT the County Administrator is authorized to take any other action in furtherance of the intent of this resolution.