



**DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011**

August 17, 2021

Eastern Virginia Regulatory Section
NAO-2019-1632 (Kingsale Swamp)

Mr. Antonio Jordan, Operations Manager
Suffolk Public Works Department
440 Market Street
Suffolk, Virginia 23434

Dear Mr. Jordan:

This is regarding your Department of the Army permit application number NAO-2019-1632 to impact approximately .047 acres of stream bottom of Kingsale Swamp with the construction of a replacement bridge at latitude 36.694 and longitude -76.825. The work will occur on Elwood Road (Route 613) in Suffolk, Virginia at the approximate location referenced above. The work includes the placement of 78 cubic yards of fill below Ordinary High Water (OHW), to impact approximately 2,052 square feet (0.047 acres) of stream bottom for the construction of abutments and rip rap for the replacement bridge. These impacts are detailed on the enclosed drawing entitled "Elwood Road (Rte. 613), Structure #8016 Bridge Replacement", prepared by Michael Baker, dated June 2019 and date-stamped as received by this office on April 21, 2021 (attached).

Your proposed work as outlined above satisfies the criteria contained in the Corps Nationwide Permit (3) - Maintenance, attached. Certain Corps Nationwide Permits were published in the January 6, 2017, Federal Register notice (82 FR 1860) and the regulations governing their use can be found in 33 CFR 330 published in Volume 56, Number 226 of the Federal Register dated November 22, 1991.

Provided the project specific conditions, Regional Conditions, and the Nationwide Permit General Conditions (enclosed) are met, an individual Department of the Army Permit will not be required. To assist in your compliance with NWP General Condition #30, enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project, including any required mitigation.

Please be aware that a permit may be required from the Virginia Marine Resources Commission and/or your local wetlands board, and this verification may not be valid until you obtain their approval, if necessary. 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.

This verification is valid until the Nationwide Permit is modified, reissued, or revoked. This Nationwide Permit 3 is scheduled to be modified, reissued, or revoked prior to March 18, 2022.

It is incumbent upon you to remain informed of changes to the Nationwide Permits. We will issue a public notice when the Nationwide Permits are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the Nationwide Permit to complete the activity under the present terms and conditions of this Nationwide Permit unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 330.4(e) and 33 CFR 330.5 (c) or (d). Project specific conditions listed in this letter continue to remain in effect after the Nationwide Permit verification expires unless the district engineer removes those conditions. Activities completed under the authorization of a Nationwide Permit which was in effect at the time the activity was completed continue to be authorized by that Nationwide Permit.

In granting an authorization pursuant to this permit, we relied on the information and data provided by the permittee. If we determine that this information is false or incomplete, we may suspend or revoke, in whole or in part, this authorization and institute appropriate legal proceeding.

If you have additional questions or concerns about this permit authorization, please contact the office by telephone at (757) 201-7135 or by email at george.a.janek@usace.army.mil.

Sincerely,



George Janek
Eastern Virginia Regulatory Section

Enclosures

cc:
Claudette Lajoie
Justin Worrell, Virginia Marine Resources Commission
Department of Environmental Quality