



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

April 17, 2020

Eastern Virginia Regulatory Section
NAO-2020-0477/ VMRC #20-0025 (Shingle Creek)

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

Dear Mr. Jordan:

This is in regard to your Department of the Army permit application number NAO-2020-0477 (VMRC #20-0477) to temporarily impact approximately 580 square feet of subaqueous bottom of a tributary to Shingle Creek with the construction of four temporary cofferdams, each approximately 145 square feet in size, associated with the replacement of the East Washington Street bridge. The work will occur at the existing bridge, which is located approximately 0.5 miles north of Hollywood Avenue in Suffolk, Virginia. These impacts are detailed on the enclosed drawings entitled "East Washington Street (Rte. 337) over Jerico Canal, Structure #1819, Bridge Superstructure Replacement, dated September 2019" and a drawing titled "Plan, Profile, Design Exceptions and General Notes" which was revised on March 23, 2020, prepared and submitted on behalf of the applicant by Michael Baker, dated September 2019, and most recently received by the Corps on March 23, 2020 (attached).

Your proposed work as outlined above satisfies the criteria contained in the Corps Nationwide Permit (3), attached. The 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.

This nationwide permit verification is contingent upon the following project specific conditions:

Special Conditions:

The temporarily disturbed stream bottom associated with the substructure repairs will be restored upon the completion of the phased work within each of the temporary cofferdams.

Provided the project specific conditions (above), Regional Conditions, and the Nationwide Permit General Conditions (enclosed) are met, an individual Department of the Army Permit will not be required. In addition, the Virginia Department of

Environmental Quality has provided a conditional §401 Water Quality Certification for Nationwide Permit Number 3. A permit may be required from the Virginia Marine Resources Commission and/or your local wetlands board, and this verification is not 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.

Enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project, including any required mitigation. Your signature on this form certifies that you have completed the work in accordance with the Nationwide permit terms and conditions.

This verification is valid until the Nationwide Permit is modified, reissued, or revoked. All of the existing Nationwide Permits are 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, the Norfolk District has relied on the information and data provided by the permittee. If, subsequent to notification by the Corps that a project qualifies for this permit, such information and data prove to be materially false or materially incomplete, the authorization may be suspended or revoked, in whole or in part, and/or the Government may institute appropriate legal proceedings.

If you have any questions and/or concerns about this permit authorization, please contact me by telephone at 757-291-7135 or by email at george.a.janek@usace.army.mil

Sincerely,

george janek

George Janek
Project Manager, Eastern Virginia
Regulatory Section

Enclosure(s)

Cc: Agent
Virginia Marine Resources Commission
Department of Environmental Quality