



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

February 15, 2019

Eastern Virginia Regulatory Section
NAO-2000-03109 / VMRC#18-V1986 (Bennetts Creek)

Bennetts Creek Landing Homeowners Association
Attn.: James Pittman, President
109 Riveredge Drive
Suffolk, VA 23435

Dear Mr. Pittman,

This is in reference to the Department of the Army application NAO-2000-03109 / VMRC#18-V1986 you submitted to install an additional 18 dock boxes, 8 boat lifts, 6 mooring piles and an 8-foot by 12-foot floating platform onto an existing marina. All work will be performed 106 Club Road Suffolk, Virginia (36.874100, -76.484230). Your proposed project as described above and depicted on attached drawings entitled "BCL Dock Box Design," in two sheets and "BCL Marina" in one sheet dated and stamped as received by our office on December 18, 2018 satisfies the terms and conditions of Norfolk District's Regional Permit 18 (18-RP-18). Provided that you follow the general and permit specific conditions of 18-RP-18, as well as, any additional special conditions that have been included below; no further authorization will be required from the Corps.

Special Conditions:

1. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
2. Incidents where any individuals of sea turtles, Atlantic sturgeon, or any species listed by NOAA Fisheries under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this RP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the Norfolk District of the U.S. Army Corps of Engineers at 757-201-7652. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury,

note the location and number of individuals involved and, if possible, take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed by discharge exposure, or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measures to ensure that evidence intrinsic to the specimen is preserved.

3. The USFWS has asked that we inform you of their authority under the Migratory Bird Treaty Act (16 USC 703). You should contact Thomas Wittig concerning this matter at 413-253-8577 or Thomas_wittig@fws.gov to determine if any restrictions apply to your project.
4. In compliance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA), in-water work may not take place from February 15 to June 30 of any given year to protect migrating anadromous fishes.

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

This verification is valid until the RP is modified, reissued, or revoked. Activities which have commenced (i.e. under construction) or are under contract to commence in reliance upon this RP will remain authorized provided the activity is completed within twelve (12) months of the date of the RP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization. Activities completed under the authorization of the RP which was in effect at the time the activity was completed continue to be authorized by that RP.

The State Water Control Board provided unconditional §401 Water Quality Certification for this RP. Therefore, the activities that qualify for this RP meet the requirements of the Department of Environmental Quality's (DEQ) Virginia Water Protection Permit Regulation, provided that the permittee abides by the conditions of this RP. You will not be required to obtain a separate §401 Water Quality Certification from DEQ. 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.

Pursuant to the Coastal Zone Management Act (CZMA) of 1972, the Virginia Department of Environmental Quality Virginia Coastal Zone Management Program (VCP) completed its review of the Federal Consistency Determination (FCD) for this RP on August 16, 2018, and provided concurrence that this RP is consistent with the VCP. Therefore, no further coordination with the VCP is required. Authorizations under this

RP do not supersede State or local government authority or responsibilities pursuant to any State or local laws or regulations.

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. Please note that you should obtain all required State and local authorizations before you proceed with the project.

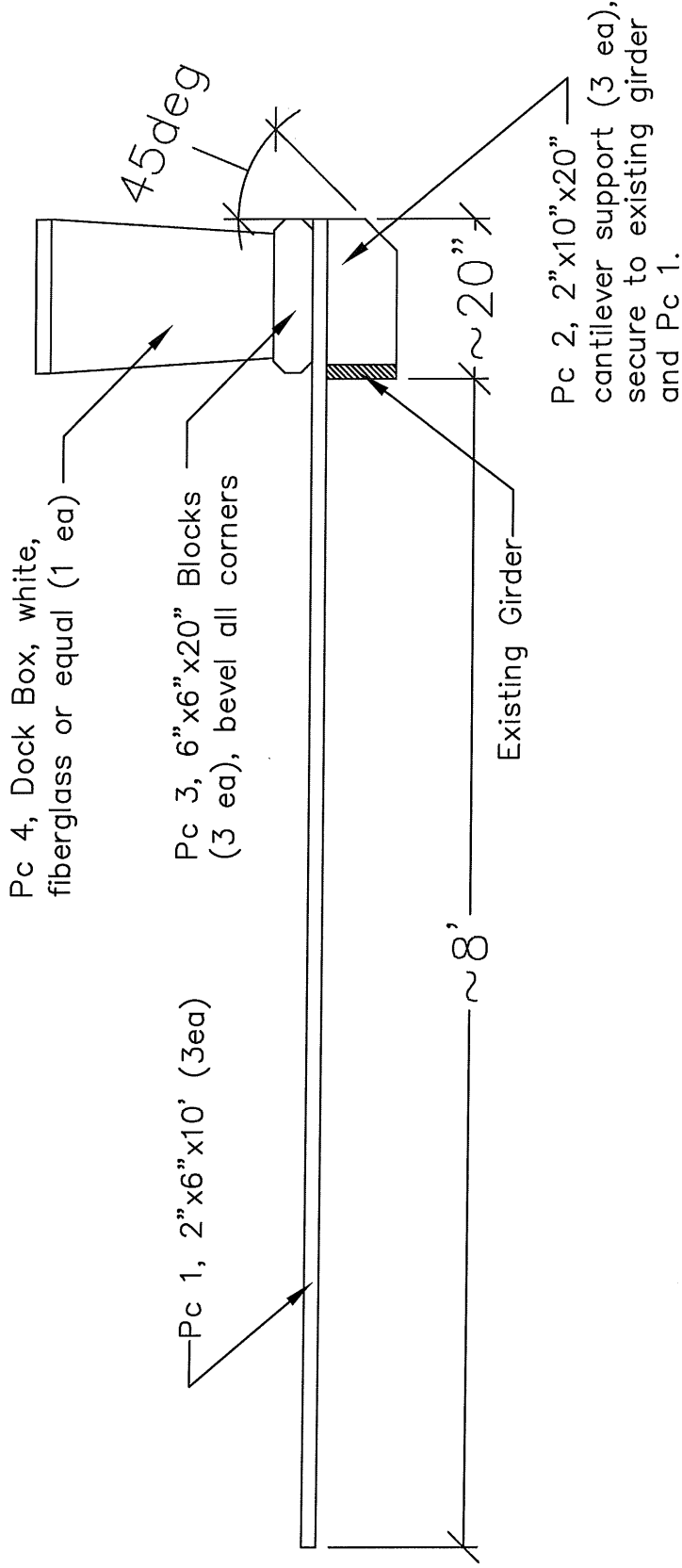
If you have any questions and/or concerns about this permit authorization, please contact Jaime Parelo via phone at 757-201-7551 or email at Jaime.Parelo@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Kube', with a long horizontal line extending to the right.

Peter Kube
Chief, Eastern Virginia
Regulatory Section

SIDE VIEW



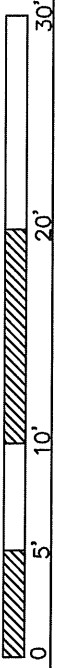
NOTES:

1. All lumber to be marine Grade (Hardware supplies Salt Treated is not equivalent)

Designer: Neil Wilson
 100 Windy Point Drive
 Suffolk, VA 23435
 Occupation: Engineer
 Phone: 757-621-7832

Designer: HousePlansbyDesign.com

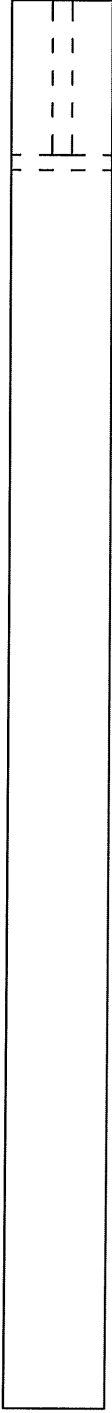
BCL Dock Box Design



SHEET

1

TOP VIEW

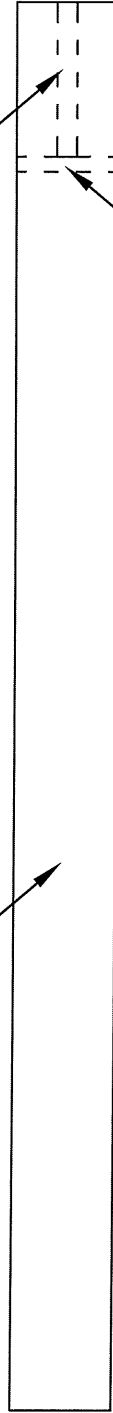


Pc's 3 & 4 not shown for clarity.



Pc 1 (Typ)

Pc 2 (Typ)



Existing Girder

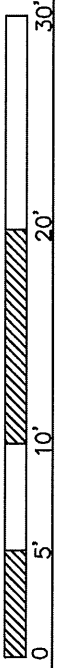
~8'

~20"

Designer: Neil Wilson
100 Windy Point Drive
Suffolk, VA 23435
Occupation: Engineer
Phone: 757-621-7852

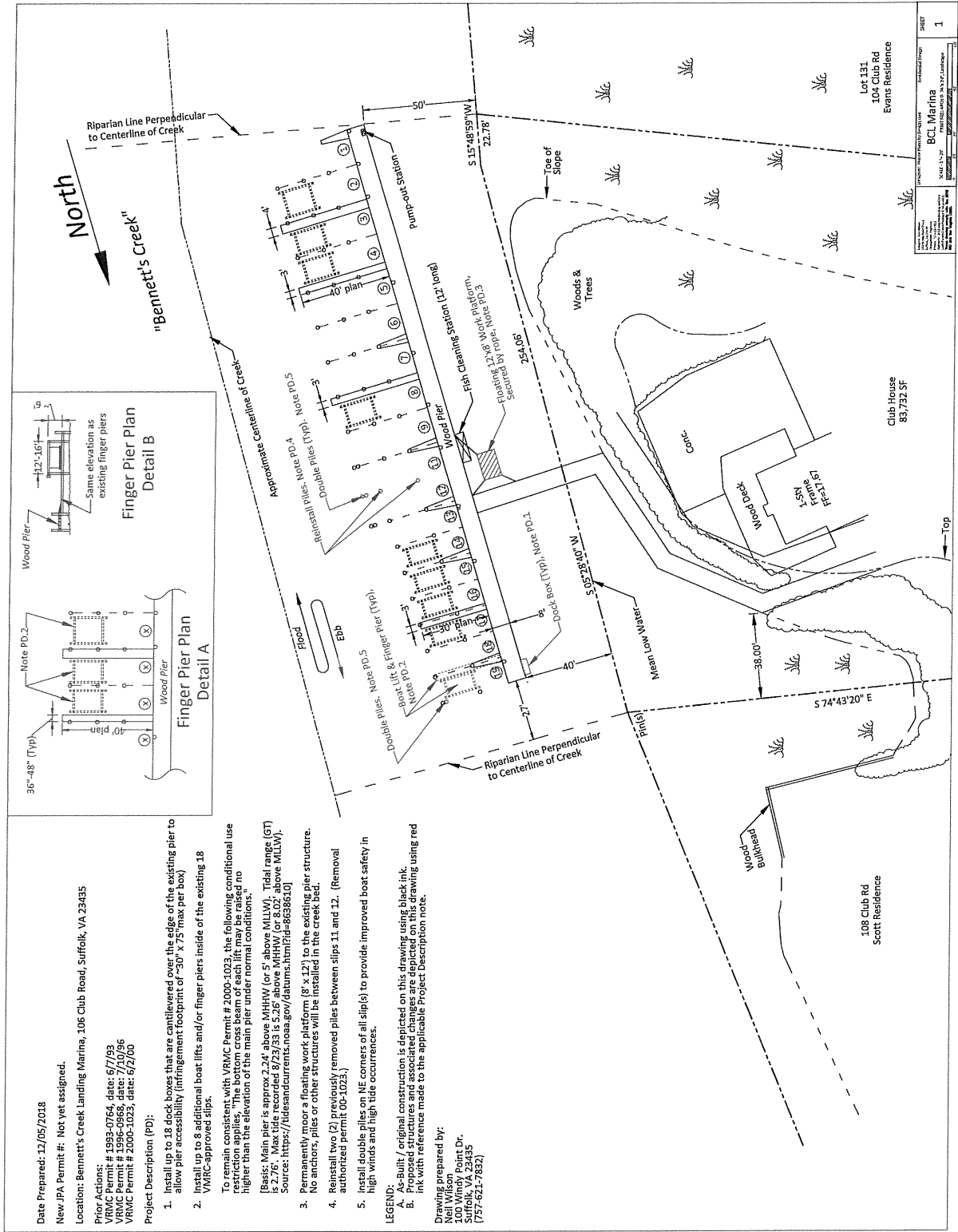
Designer: HousePlansbyDesign.com

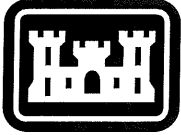
BCL Dock Box Design



SHEET

2





U.S. Army Corps
Of Engineers
Norfolk District

**CERTIFICATE OF COMPLIANCE
WITH
ARMY CORPS OF ENGINEERS PERMIT**

Permit Number: NAO-2000-03109

VMRC Number: 18-1986

Corps Contact: Jaime Parello

Name of Permittee: Bennetts Creek Landing Homeowners Association
Attn.: James Pittman, President

Date of Issuance: February 15, 2019

Permit Type: Norfolk District's Regional Permit 18 (18-RP-18)

Within 30 days of completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US Army Corps of Engineers - Norfolk District
CENAO-WR-R
Attn: Jaime Parello
803 Front Street
Norfolk, VA 23510-1096

Or scan and send via email to Jaime.Parello@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation has been completed in accordance with the permit conditions.

Signature of Permittee

Date