



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

September 7, 2022

Special Projects Section
NAO-2021-02977 / VMRC#22-V1376 (Waterway)

Mr. David Smith
13036 Nike Park Road
Carrollton, Virginia 23314

Dear Mr. Smith:

This is regarding your Department of the Army permit application number NAO-2021-02977 (VMRC #22-1376) to permanently impact 204 square feet of forested wetlands and temporarily impact 105 square feet of forested wetlands for construction of a 4,200 foot beginner ATV trail. The work will occur off Henry H. Bradby Trail in Heritage Park, Isle of Wight County, Virginia. These impacts are detailed on the enclosed drawings entitled "Heritage Park ATV Trail Project" sheets 1-3, (attached).

Your proposed work as outlined above satisfies the criteria contained in the Corps Nationwide Permit 18, attached. Certain Corps Nationwide Permits were published in the December 27, 2021, Federal Register notice (86 FR 73522) 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:

1. You must restore all temporary impacts to wetlands to preconstruction conditions upon completion of the work.

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. 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 compensatory 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 18 is scheduled to be modified, reissued, or revoked prior to March 14, 2026.


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.

A delineation of wetlands and waters was included with the permit application. This permit verification letter is not confirmation of the submitted wetland delineation. During our review of the proposed impacts we only examined the delineation of the wetlands and waters proposed to be impacted.

If you have additional questions or concerns about this permit authorization, please contact the office by telephone at (757) 201-7793 or by email at robert.a.berg@usace.army.mil.

Sincerely,

A handwritten signature in cursive script that reads "Robert Berg".

Robert Berg
Special Projects Section

Enclosure(s)

cc:
ATCS, P.L.C.